

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

Monday, August 11, 2014

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 pm 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 daily on Durham Television Network (DTN) Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. 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) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
 - 4) As Chair of the Board of County Commissioners, I will offer office hours for citizens on Wednesdays from 2:00 pm to 5:00 pm. Appointments can be made by calling me at 919-949-4022.

4. Minutes (5 min)

- a. July 28, 2014 Regular Session
- b. May 30, 2014 Budget Worksession

5. Accept the Presentation of an Urban Libraries Council 2014 Top Innovators Award for the library's First Library in Space Program (10 min)

- 1) The Board is requested to accept the presentation of an Urban Libraries Council 2014 Top Innovators Award for the library's First Library in Space (FLIS) program.
- 2) The Urban Libraries Council (ULC) announced Durham County Library as one of its 2014 Top Innovators during the Next Libraries Conference held last month in Chicago. A panel of expert judges selected DCL's First Library in Space program from more than 180 applications in the fifth annual ULC Innovations Initiative. ULC is a member organization made up of America's premier public library systems and the organizations that serve them.
- 3) About FLIS: As part of the 2013 Summer Reading Program, the library launched a capsule into near space using a weather balloon. A parachute brought the capsule safely back to Earth. Cameras and video equipment were placed onboard to capture the entire flight. Teen library patrons helped build the capsule and wrote the original music for the documentary video.
- 4) There will be a brief video explanation of the process, followed by the presentation of the award by Susan Benton, Urban Libraries Council President and CEO.
- 5) Alignment with Strategic Plan: This request aligns with the Strategic Plan Goal 1. Goal 1 seeks to provide opportunities and support for educational, cultural and creative opportunities. First Library in Space enhanced the library's role as a makerspace (a place to create using technology) and a resource for science, technology, engineering, art and math (STEAM).

Resource Persons: Tammy Baggett, Director of Libraries; Susan Benton, Urban Libraries Council President and CEO; Gina Rozier, Library Marketing and Development Manager

County Manager's Recommendation: The County Manager recommends that the Board accept the presentation of an Urban Libraries Council 2014 Top Innovators Award for the library's First Library in Space program.

6. Proclamation – Purple Heart Designation

- 1) The Board is requested to proclaim Durham County as a Purple Heart designated County and honor the military order of the Purple Heart.
- 2) Durham County will join many other counties in the State of North Carolina that have already become Purple Heart designated counties.
- 3) Alignment with Strategic Plan: Aligns with Goal #1 (Community and Family Prosperity and Enrichment), and Goal #2 (Health and Well-being for all), as we foster an

environment of goodwill among the combat wounded veteran members and their families.

Resource Persons: Michael D. Page, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board proclaim Durham County as a Purple Heart Designation.

7. Consent Agenda (15 min)

- a. Approve the revisions to the Rules of Procedure for the Board of County Commissioners;
- b. Approve the revisions to the Policies for Citizen Appointments;
- c. Approve the refund of \$466.50 for the overpayment of excise tax to the law firm of Ragsdale Liggett, PLLC;
- d. Approve the refund of \$164.00 the overpayment of excise tax to Jason M. Fye;
- e. Approve the refund of \$152.00 the overpayment of excise tax to Law firm of Moore & Alphin PLLC.;
- f. Approve Budget Ordinance Amendment No. 15BCC000006 recognizing and applying grant funds to Durham County Emergency Management in the amount of \$14,692;
- g. Approve Budget Amendment 15BCCC000007 appropriating \$32,323.25 of property damage liability settlement funds to support the purchase of a replacement patrol vehicle;
- h. Approve the Proposed FY15 Planning Department Work Program;
- i. Approve the lease with the Chapel Hill Training Outreach Project, Inc. for 215 Seminary Street for a five year term for \$1 per year, and to authorize the Manager to execute the lease;
- j. Receive the report on claims paid through the Risk Management Division for FY13-14;
- k. Approve the attached resolution opposing the Comcast-Time Warner Cable merger and forward a copy to the North Carolina Attorney General's Office seeking further study;
- l. Approve the Agreement with Alliance Behavioral Healthcare for FY 15, in the amount of \$6,728,109.00;
- m. Approve the amended Residential Roadside Recycling Collection Services (RFP 12-018) contract with Waste Industries, LLC to provide roadside recycling collection services and the delivery and use of 7,000 new leased 95 gallon roll carts for citizens living in the unincorporated areas of Durham County.

8. Public Hearing - Unified Development Ordinance Text Amendment, Technical Changes VIII (TC1300001) (20 min)

- 1) The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Technical Changes VIII (TC1300001).
- 2) The Board is also requested to adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 11, Sign Standards; Article 12, Infrastructure and Public Improvements; Article 13, Additional Requirements for Subdivisions; Article 15, Enforcement; and Article 16, Definitions.
- 3) Text amendment TC1300001 would make necessary technical revisions and minor policy changes to various provisions of the *Unified Development Ordinance* (UDO). The amendments are grouped into three categories: amendments necessary to comply with state or federal regulations; amendments identified as necessary corrections, clarifications, reorganization, or other minor changes to more accurately comply with the intent of the regulations or codify interpretations of regulations; and additional corrections or clarifications from review of current standards established through the changes to discretionary regulations (text amendment TC1100007).
- 4) Attachments: Attachment A: An Ordinance to Amend Provisions of the *Unified Development Ordinance* (TC1300001); Attachment B: Planning Commission Comments
- 5) Planning Commission Recommendation and Vote: Recommended approval, 11-0, on May 13, 2014.
- 6) Alignment with Strategic Plan: The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Steven L. Medlin, AICP, City-County Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, approve the amendment.

9. ITEMS PULLED FROM CONSENT AGENDA (20 min)