

Revised
**(Deleted: Public Hearing—Unified Development Ordinance (UDO) Text Change—
Commercial Neighborhood Minor Special Use Permit)**

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

Monday, August 11, 2008

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 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.

On August 25 at 7:00 p.m., the Board of County Commissioners will hold a public hearing on the “Concept of Animal Tethering”. The Durham County Animal Control Advisory Committee (ACAC) is recommending an amendment to the current Animal Control Ordinance concerning animal tethering restrictions. Copies of the proposed changes are available in the Clerk to the Board’s office.

4. **Minutes** 5 min.
July 28, 2008 Regular Session

5. **Recognition of High School Students Participation in the 2008 “Student Construction Training Program” with Durham Affordable Housing Coalition** 5 min.

The Board of County Commissioners is requested to recognize participants of Durham Affordable Housing Coalition’s “Student Construction Training Program”. Mr. George Digsby, local contractor who teaches carpentry at Southern High School, trained

students in real-life carpentry skills. The work was done for several disabled homeowners during spring and summer breaks.

Ten students gained significant work experience in addition to carpentry skills over the period. Homeowners in Northeast Central Durham and Birchwood Heights received new ramps, handrails, and new porches as a result of the project.

Participants included:

Nicolas Isaac, Southern High School	Lucas Ornelas, Southern High School
Daniel Rodriguez, Southern High School	Jonathan Carroll, Southern High School
Frederick Spain, New Horizons School	Messiah Gattis, Southern High School
Matthew Starks, New Horizons School	Daniel Hinton, New Horizons School
Mark Warren, Hillside High School	Langston Hines, Southern High School

Resource Person(s): Vice-Chairman Michael D. Page.

County Manager's Recommendation: The Manager's recommendation is that the Board congratulate all of the participants of the 2008 Student Construction Training Program.

6. **Proclamation for Women's Equality Day 2008**

5 min.

August 26, 2008 has been declared Women's Equality Day in Durham County. Women of Durham County will gather under the guidance of Durham County Women's Commission to recognize contributions made by women of Durham, North Carolina.

A light reception will take place on the specified day of celebration to recognize select nominees in acknowledgement and appreciation for paving the way for all women to assume leadership roles and positions, politically, socially, and economically.

County Manager's Recommendation: Approve the proclamation and present to Mrs. Yvonne Dunlap or Mrs. Kimberly Monroe.

7. **Consent Agenda**

15 min.

- a. Receive the 2007 Annual Report of Durham Open Space and Trails (DOST) Commission;
- b. Retirement and Disposal of Law Enforcement Surplus Property (approve the resolution);
- c. Renewal of the Memorandum of Agreement between Durham County, the City of Durham, and Triangle United Way to Implement the 10 Year Plan to End Homelessness (approve the one year renewal of the memorandum of agreement);
- d. Budget Ordinance Amendment No. 09BCC000003—Cooperative Extension—Horticultural Community Conservation Assistance Program Funds (appropriate \$2,225 for the purpose of addressing non-point source pollution control from residential, suburban, and urban activities);
- e. Budget Ordinance Amendment No. 09BCC000004—Cooperative Extension—4-H Youth Grant to Reduce Substance Abuse among Youth (appropriate \$18,000 for the

- purpose of increasing the involvement of youth in the planning and implementation of alcohol and substance abuse prevention programming); and
- f. Liability Claims and Subrogation Recovery for FY 07-08 (receive the report of Risk Management).

8. **Consideration of Findings from the Environmental Affairs Board, the Durham County Health Department, and the Durham County Department of Emergency Management relative to the Proposed Location of the National Bio and Agro-Defense Facility (NBAF) in Granville County**

90 min.

The U.S. Department of Homeland Security has proposed to augment the study of foreign animal diseases that are threats to agriculture in the United States by expanding its research capabilities through the construction of a National Bio and Agro-Defense Facility. Six alternative sites were identified in the *Federal Register* on July 31, 2007. A Draft Environmental Impact Statement (EIS) for all sites was completed by the U.S. Department of Homeland Security in June. The Board of County Commissioners requested that the EAB and the County departments of Public Health and Emergency Management evaluate the impact of the proposed location of the NBAF on one of those sites, a 249 acre tract of land in Butner referred to as the Umstead Research Farm, and present its findings to the Board of Commissioners.

Resource Person(s): ~~Robert Rosenthal, Chairman, Environmental Affairs Board;~~ **Joyce Martin, Environmental Affairs Board; Deborah Luecken, Environmental Affairs Board;** Brian Letourneau, Public Health Director; and Jeff Batten, Emergency Management Director

County Manager's Recommendation: The Manager recommends the Board receive and discuss the findings and advise the staff if any additional information is needed.

9. **2009 Durham County Legislative Agenda**

20 min.

The General Assembly will convene on January 28, 2009. In preparation for the 2009-2011 biennium session, the North Carolina Association of County Commissioners has asked counties to begin consideration of any legislative issues that have statewide implications. The NCACC will begin its legislative process by receiving requests by September 5 and vetting them through its Legislative Goals process this fall. Seven NCACC steering committees will review proposed goals and forward recommendations to the full board.

The legislative goals development process will proceed through the fall and winter, culminating in the Legislative Goals Conference, to be held Jan. 15-16, 2009 in Pitt County. At the conference, the NCACC membership will approve an agenda to be presented to the General Assembly.

The multi-level process is designed to assure that the NCACC develops a set of goals on which the members have reached consensus and which members are informed as proposals are presented to legislators.

Steering Committees include the following areas: Human Services, Agriculture, Education, Taxation and Finance, Environment, Justice and Public Safety, and Intergovernmental Relations.

Resource Person(s): Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: The Manager's recommendation is that the Board provide feedback to staff for the purpose of proposing statewide legislative issues for consideration by the North Carolina Association of County Commissioners.

~~**Public Hearing Unified Development Ordinance (UDO) Text Change Commercial Neighborhood Minor Special Use Permit (CN mSUP) (TC0700018)**~~

10 min.

~~Receive public comments on Text Change Commercial Neighborhood Minor Special Use Permit (CN mSUP) (TC0700018) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits, and Article 6, District Intensity Standards.~~

~~Resource Person(s): Steven L. Medlin, AICP, City County Planning Director, and Julia Mullen, Planner~~

~~County Manager's Recommendation: Conduct a public hearing on the proposed UDO text change and, if appropriate based on the comments received during the hearing, approve the change.~~

10. **Closed Session**

30 min.

The Board is requested to adjourn to discuss matters relating to the location or expansion of business or industry pursuant to 143-318.11(a)(4).

3¼ hrs.