

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

Tuesday, May 27, 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.
4. **Minutes** 5 min.
 - a. April 28, 2008 Regular Session
 - b. May 5, 2008 Worksession
 - c. May 12, 2008 Regular Session
5. **Hunger Awareness Month Proclamation** 5 min.

June is Hunger Awareness Month, providing an opportunity to educate the community about hunger throughout the world and in Durham County. This spring we have seen headlines warning about food shortages in third world countries. Even Wal-Mart announced they are rationing sales of rice in the U.S. Hunger is serious news - even in Durham.

In the United States, hunger is, generally, less severe than in developing nations. This is in part because established programs – like Food and Nutrition Services (Food Stamps) and the Women, Infant and Children's Program (WIC) – help to provide a safety net for many low-income families.

Despite the good work of those programs, too many Americans and Durhamites are hungry. Hunger occurs when people are unable to obtain sufficient food for their household. Some may find themselves skipping meals or cutting back on the quality or quantity of food they purchase. This recurring and involuntary lack of access to food can lead to malnutrition. Hungry children struggle in school. Hunger in elderly adults can lead to serious health care problems.

More than 23,000 people in Durham have food on their tables thanks to the Food and Nutrition Services program, yet the State estimates that only 60.74% of those potentially eligible for the program are enrolled. Many more receive meals and non-perishable food from local non-profit organizations.

To raise awareness about hunger in our community, the Food and Nutrition Services staff at DSS will distribute food bags on June 11 to 100 clients. Staff is also conducting outreach to help more families get connected to the Food and Nutrition Services program.

Resource Person(s): Sammy Haithcock, DSS Director; Pinkie Davis-Boyd, Program Manager, Food and Nutrition Services

County Manager's Recommendation: The Manager recommends approval of the proclamation to declare Hunger Awareness Month in Durham County and to raise community awareness of the need for good nutrition to support the health and well being of everyone in our community.

6. **FY2008-2009 Recommended Budget**

45 min.

Durham County Manager Michael M. Ruffin will formally present the recommended budget for FY2008-2009 to the Board of County Commissioners. This is in accordance with N.C.G.S. § 159-12(Board), the Local Government Fiscal Control Act.

Resource Person(s): County Manager Michael M. Ruffin

County Manager's Recommendation: The Manager recommends that the Board receive the presentation.

7. **Consent Agenda**

20 min.

- a. Approve the Recommended JCPC/DJJDP Program Funding for FY 2008-2009, which is contingent on approval of state funding in the amount of \$547,019;
- b. Property Tax Releases and Refunds for Fiscal Year 2007-2008 (accept the property tax release and refund report for April 2007 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- c. Construction Contracts for Morehead and Mangum Elementary Schools (award construction contracts with Bordeaux Construction Co. Inc. for the Mangum Elementary School project for \$3,629,600 with 15% for contingencies for a total

project amount of \$4,174,040.00, and the Morehead Elementary school project for \$3,771,991.00 with 15% for contingencies for a total project amount of \$4,337,789; authorize the County Manager to execute the construction contracts; and authorize DPS to approve change orders which are within the scope of work and do not exceed the respective total project amounts);

- d. Replacement Vehicles and Equipment Loan (authorize the County Manager to execute the required documents with SunTrust Bank in order to close the loan for the equipment and vehicles authorized in the FY 2008 budget; the loan will be in an amount not to exceed \$1.7 million for 48 months at an interest rate of 2.675%); and
- e. Raleigh-Durham Airport Authority Grant Offer (accept the \$3,483,220 grant offer from the Federal Aviation Administration).

8. **Public Hearing—Zoning Map Change—Angier Haven (Z05-45)**

20 min.

The Board is requested to approve a zoning map change for a 33.5-acre site located on the east side of Angier Avenue, west of Ruritan Road and south of Glover Road with the effective date of the amendment delayed until the ordinance is approved by both Governing Bodies. Request: RS-20 and CG; F/J-B (partial) to RS-M(D); F/J-B (partial)

To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the *Comprehensive Plan* and is reasonable and in the public interest in light of information presented in the public hearing and in the agenda materials; or

Alternatively, in the event that a motion to approve the item fails, the Commissioners adopt as support for their actions on the proposed zoning map change the determination that, notwithstanding its consistency with the *Comprehensive Plan*, the request is neither reasonable nor in the public interest in light of information presented in the public hearing and in the agenda materials.

Staff Recommendation: Staff recommends approval, based on consistency with the *Comprehensive Plan* and considering the information contained in this report.

Planning Commission Recommendation and Vote: Approval, 8-3 on March 11, 2008. The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on the information in the staff report, comments received during the public hearing and additional committed elements proffered by the applicant at the meeting.

Resource Person(s): Steven L. Medlin, AICP, City-County Planning Director, and Gail Sherron, Senior Planner

County Manager's Recommendation: The Manager recommends that the Board conduct a public hearing on the proposed zoning map change and approve it, if appropriate, based on the comments received.

9. **Approval of Lease Extension for Scarborough and Hargett Funeral Home Inc.**

20 min.

Scarborough and Hargett Funeral Home has requested an extension of its lease with the County through December 31, 2008. The lease expires on June 30, 2008. All terms and conditions as presently expressed would remain in force and effect including the monthly payment of \$9,250. County staff has ascertained that the extension will not create any additional delays or cost to the Justice Center project.

Resource Person(s): Wendell Davis, Deputy County Manager; Glen Whisler, County Engineer; and Chuck Kitchen, County Attorney

County Manager's Recommendation: The Manager recommends that the request be approved subject to compliance with all terms and conditions of the present lease and lease amendment.

10. **Board and Commission Appointments**

5 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- Durham City-County Appearance Commission
- Durham Planning Commission
- Memorial Stadium Authority
- Women's Commission

Resource Person(s): Vonda Sessoms

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

2¼ hrs.