

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

Monday, February 4, 2013

9:00 A.M. Worksession

**AGENDA**

**1. Citizen Comments (30 min)**

- 1) The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

**Resource Person(s):** Michelle Parker-Evans, Clerk to the Board

**County Manager's Recommendation:** The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

**2. Durham Tech Update on Implementation of Financial Assistance with ¼ Cent Sales Tax Proceeds (30 min)**

- 1) The Board is requested to receive a presentation from Dr. Bill Ingram, President of Durham Tech regarding the development and implementation of a needs-based financial assistance program for Durham County residents using proceeds from the ¼ Cent Sales Tax. Durham Tech will receive \$888,030 in ¼ cent sales tax proceeds in Fiscal Year 2012-2013. Dr. Ingram will briefly explain the early development and implementation of the program, and answer any questions the Board may have.

**Resource Persons:** Dr. Bill Ingram, President, Durham Technical Community College

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation and advise the staff if any additional information or action is necessary.

**3. 2013 Durham County Legislative Agenda (20 min)**

- 1) The Board is requested to review the proposed agenda and suspend the rules to approve the final 2013 Durham County Legislative Agenda. The package will be transmitted to members of the Durham Legislative Delegation prior to the February 15 breakfast meeting scheduled for 8:00am in the County Commissioners Chambers.

**Resource Persons:** Deborah Craig-Ray, Assistant County Manager; and Lowell L. Siler, County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board receive the proposed 2013 Durham County Legislative Agenda, suspend the rules and approve the package. Final copies will be transmitted to the Durham Legislative Delegation.

**4. Durham-based Community Development Impact Investment Fund Proposal (45 min)**

- 1) The Board is requested to receive a presentation regarding a formal partnership with a national firm interested in piloting a large-scale community development impact investment fund in Durham with a focus on innovative investments to reduce poverty and address disparities in education, housing, health, jobs, and other areas critical to community success. It seeks no financial investment from the County, but does seek an investment of staff time to structure a mutually beneficial public-private partnership and engage in moving the project forward.

**Resource Persons:** Henry McKoy, PoliHire, LLC

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation and advise staff for further action, if needed.

**5. Durham County Courthouse Long-Term Financing (20 min)**

- 1) The Board is requested to discuss the proposed financing structure for the Durham County Courthouse. The Finance Director is proposing a 30 year term rather than the normal 20 year term for the following reasons:
  - The 30 year term more closely matches the life of the Courthouse
  - The term takes advantage of the historical low interest rates
  - Annual debt service is reduced
  - The term has no impact on our credit rating
- 2) The financing will be in an amount not to exceed \$125 million tax exempt tranche and an amount not to exceed \$7 million of taxable bonds. The taxable bond results from a refunding of the South Deck which has a projected savings of 5.8%, but is too small to support a refunding. The sale will be managed by three investment bankers, Wells Fargo (the original lender), Stephens, Inc and Rice Financial. The division will be 60/25/15.
- 3) At the February 11, 2013 meeting you will be presented with Resolutions to cover this transaction.

**Resource Persons:** George K. Quick, Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board receive and accept the proposed financing plan for the Durham County Courthouse.

**6. Approval of Certain Economic Development Agreements (15 min)**

- 1) The Board is requested to approve the attached economic development incentive agreements with Sentinel NC-1, LLC; Gentian Group, LLC; and 21C Durham LLC, which matters have already been through a public hearing and authorized by the Board.
- 2) The attached agreements have been drafted as a result of public hearings and prior authorization by the Board. The Board is requested to waive the rules and approve the agreements so that the projects can move forward. All of the terms in the respective agreements have been agreed to by the companies.

**Resource Persons:** Marqueta Welton, Deputy County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board suspend the rules and approve the economic development incentive agreements with Sentinel NC-1, LLC.; Gentian Group, LLC; and 21C Durham LLC.

**7. Request to Brief the Board on the Crime Cabinet's Recommendation to Fund Three Chemist Positions in the State Bureau of Investigation's Crime Lab (30 min)**

- 1) The Board is requested to receive a briefing on the Crime Cabinet's recommendation to fund three chemist positions in the State Bureau of Investigation's crime lab.
- 2) Currently, an individual arrested on a drug or alcohol charge will either remain incarcerated or will be released on bail until their samples are analyzed, because a trial cannot begin without the lab results. However, the SBI's crime laboratory faces a backlog, and the turnaround time for test results has been increased to around six to eight months. Without this backlog, the analysis would take around a week to complete.
- 3) The Crime Cabinet has been made aware of the SBI's crime laboratory's backlog, and has explored alternative options for conducting the analysis. The Crime Cabinet recommends funding three chemist positions within the SBI's crime laboratory. These chemists would be solely responsible for analyzing samples that originate from Durham County. Under this arrangement, local funds will be required to fund three analyst positions while the SBI will conduct the hiring process.

**Resource Persons:** Lee Worsley, Deputy County Manager; Emily Leik, ICMA Fellow

**County Manager's Recommendation:** The County Manager recommends that the Board fund three chemist positions with the State Bureau of Investigations (SBI) crime lab.

**8. Rules of Procedure (30 min)**

- 1) The Board is requested to hold a discussion regarding possible amendments to the Rules of Procedure.

**Resource Persons:** Lowell Siler, County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation and advise staff for further action, if needed.

**9. Appointment to Raleigh-Durham Airport Authority**

- 1) Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the Raleigh-Durham Airport Authority.

**Resource Person(s):** Michelle Parker-Evans, Clerk to the Board

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners vote to suspend the rules, and appoint members to the above-mentioned authority.

**10. Review of BOCC Directives (10 min)**

- 1) The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers November, December 2012 and January 2013.

**Resource Persons:** Ellen Whelan-Wuest, Assistant to the County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board review the August BOCC directives and make comments to staff as necessary.

**11. Closed Session (30 min)**

- 1) The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11 (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged;
- 2) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.

**County Manager's Recommendation:** The County Manager recommends that the Board adjourn to Closed Session and direct staff as appropriate.