

Revised (Item #10 Removed)

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

Monday, March 12, 2012

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.
 - "In Touch with Durham County", the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon on Mondays; and 8:30 a.m., 12 noon and 6:30 pm on Tuesday–Sundays. 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.
4. **Minutes** 5 min.

February 6, 2012 Worksession
February 20, 2012 Budget Retreat
February 27, 2012 Regular Session
5. **Presentation - NC Association of Soil & Water Conservation Districts (NCASWCD) Supervisor of the Year, Danielle Adams and the NCASWCD Environmental Educator of the Year, Jennifer Brooks** 5 min.

The Board is requested to recognize both Danielle Adams, an elected Durham Soil & Water Conservation District Board member and Jennifer Brooks, Soil

Conservationist/Environmental Education Coordinator for the Durham Soil and Water Department, for their outstanding performance. Each year at its annual meeting the NC Association of Soil & Water Conservation Districts (NCASWCD) selects a District Supervisor and employee who have excelled in carrying out their duties above all others in the state. In January of this year the Durham Soil and Water Conservation had two such affiliates recognized for their accomplishments.

Danielle received the 'District Supervisor of The Year' award from the NCASWCD for her work on the Upper Neuse Basin Association and her overall dedication to Durham's locally-lead conservation program. Danielle has volunteered to serve on various local and state committees and the NCASWCD has recognized her for the leadership skills she possesses.

Jennifer Brooks received the 'Environmental Educator of The Year' award from the NCASWCD. She received this award for her outstanding performance in delivering such programs as the Area IV and State Envirothon Competition, Environmental Field Days, and educating Durham Citizens on watershed issues. Additionally, she has excelled for her dedication in teaching schools and civic groups about the environment and the results have produced numerous area and state environmental contest winners from Durham County.

Resource Person: Eddie Culberson, Director of Durham Soil & Water

County Manager's Recommendation: The County Manager recommends that the Board recognize Danielle Adams for her achievement in winning the NC Association of Soil & Water Conservation Districts 'Supervisor of The Year' award and for Jennifer Brooks' achievement in winning the "Environmental Educator of The Year" award.

6. Proclamation – Professional Social Work Month

5 min.

Each year Professional Social Work Month is celebrated in March to recognize the many achievements and contributions of social workers. DSS is requesting that the Commissioners issue a proclamation recognizing the valuable contributions that social workers make in our community-at DSS, in hospitals, Schools, community-based organizations and in private practice.

Resource Persons: John Holtkamp, Assistant Director of Family Safety & Permanency and Gail Perry, Interim Director, Department of Social Services

County Manager's Recommendation: The County Manager recommends that the Board approve a proclamation declaring Professional Social Work Month in Durham County.

7. Congratulate Miss Perla Yanez for Earning the Bronze Award from the Girl Scouts

5 min.

The Board is requested to congratulate Miss Perla Yanez for earning the Girls Scouts' Bronze Award for leading other girl scouts through a project to install audibles at the

intersection of Roxboro Road and Main Street. Recently, Durham's downtown pedestrians may have noticed chips and coo-coo sounds at the intersection. The audible installation may be just another sound to some, but for pedestrians with visual impairments, the sound enhanced pedestrian crosswalk increases the safety of crossing the area of Main Street.

The mastermind behind the improvement to the downtown crosswalk is Perla Yanez, a Junior Girl Scout in Troop # 1192. Perla, an 11 year old student at Research Triangle Charter Academy, noticed the need in her community to provide safer crosswalks for all pedestrians. The future orthodontist recently earned a Bronze Award, the highest award that a Junior Girl Scout can earn, for her project now benefiting thousands of citizens and visitors that use Durham's downtown sidewalks. She is currently working to further her plan to install audibles at all intersections in the Durham Business District.

Perla and 3.2 million Girl Scouts will celebrate the 100th Anniversary of Girl Scouts on March 12. The Girl Scout Mission is: Girl Scouting builds girls of courage, confidence, and character, who make the world a better place.

Resource Persons: Dawn Dudley, County Manager's Office; and Victoria Beck Troop Leader for Girl Scout Troop 1192

County Manager's Recommendation: The County Manager recommends that the Board congratulate Miss Perla Yanez.

8. **Consent Agenda**

15 min.

- a. Appoint Kimberly Shaw as Chair of the Alcohol Beverage Control (ABC) Board (as recommended by the ABC Board) until July 31, 2012 ;
- b. Accept the ambulance franchise request for modification of Johnston Ambulance Service and set a second reading for the March 26, 2012 regularly scheduled BOCC meeting;
- c. Approve the franchise renewal for AAA Transport, Inc to continue to provide Basic Life Support Transport service within Durham County;
- d. Approve the attached by-laws for the non-profit that will manage the Piedmont Food and Agricultural Processing Center in the future;
- e. Approve the following recommendations from The Durham Center Area Board of its current members to be appointed to the newly-constituted LME/MCO Board of Directors per the terms of the merger Agreement:

One-year terms: Nancy Henley, Monique Holsey-Hyman, Michael Page

Two-year terms: Lascel Webley, Jr., John Barry, Amir Berhannu

Three-year terms: George Quick, Phillip Golden

- f. Approve Budget Ordinance No. 12BCC000061 recognizing additional revenues in the amount of \$769,576 to support the Crisis Intervention Program, Low Income Energy Assistance Program, and Home and Community Care Block Grant;
- g. Approve an increase in the allowance within the construction contract for the removal and replacement of contaminated soil and costs associated with active shoring for stormwater trenches required by North Carolina Department of Transportation (NCDOT), associated with the construction of the new Durham County Courthouse and Parking Structure in the amount of \$2,255,880.00 and to authorize the County Manager to execute any other related contracts including change orders, if necessary, not to exceed the available construction budget of \$82,478,060.00;
- h. Approve Budget Ordinance Amendment No. 12BOCC000062 to transfer a vacant position and \$48,152 from DSS to the County Manager's Office for the creation of a Strategic Initiative Manager position.

9. Public Hearing - General Obligation Bonds Issuance

10 min.

Durham Public Schools currently has under construction various projects approved under the 2007 referendum. These projects have been funded by way of a \$60 million credit facility with the Bank of America by Durham County. We expect that this facility will reach near capacity during the month of April 2012. We will need to issue up to \$60 million in GO's to pay this facility out and to continue with the remaining approved bond projects. Currently we have \$147 million in approved but unissued bonds remaining under the 2007 referendum.

We also have a refunding opportunity in the amount of \$16.5 million that we would like to take advantage of at the same time. The refunding is expected to produce savings of 8.157 % (\$1,389,591) over the remaining life of the bonds. Under North Carolina status a Public Hearing is required for the Refunding transaction. We are requesting that a Public Hearing be held at this meeting for the Refunded bonds.

Resource Person: George K. Quick, Finance Director

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing for the Refunded bonds. Following the public hearing, the Manager recommends that the Board approve this financing under the 2007 Referendum in an amount not to exceed \$60 million and the refunding in an amount not to exceed \$16.6 million per the Resolution (attached) after holding the public hearing for the Refunded Bonds.

10. Item Removed

11. Public Hearing—Rectification of 2011 Comprehensive Plan Amendments, A1200001

10 min.

The Board is requested to conduct a public hearing and receive public comments on the Rectification of 2011 Comprehensive Plan Amendments. To adopt a Resolution that the Future Land Use Map be rectified for the plan amendments listed in the staff report.

Resource Person: Steven L. Medlin, AICP, City-County Planning Director

County Manager's Recommendation: The Manager recommends that the Board conduct a public hearing and receive public comments on the rectification of 2011 comprehensive plan amendments. If appropriate based on the comments received during the hearing, approve the rectification of plan amendments.

12. Unified Development Ordinance (UDO) Text Amendment – Fences (TC1100003)

15 min.

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Amendment – Fences (TC1100003); and

To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 9, Landscaping and Buffering.

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

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

13. Text Amendment to the Unified Development Ordinance (UDO) - Compact Design District (TC1000005)

15 min.

The Board is requested to approve the proposed text amendment to the Unified Development Ordinance – Compact Design District (TC1000005).

Resource Persons: Lisa Miller, Senior Planner; Steven L. Medlin, AICP, City-County Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board approve the text amendment.

14. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA

20 min.

2 hrs 20 min.