

Revised
(Deletion—Item No. 6)

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

Monday, June 13, 2011

7:00 pm Regular Session

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.

1. **Opening or Regular Session** – Pledge of Allegiance (5 minutes)
2. **Agenda Adjustments** (5 minutes)
3. **Announcements** (5 minutes)

“In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 am and 12:00 noon daily; 4:00 pm on Mondays; and 6:30 pm on Tuesday-Sundays. Our County Commissioners’ meetings are also rebroadcast on Thursdays at 2:00 pm, Saturdays at 9:00 pm, and Sundays at 9:00 pm.

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is hosting open house sessions in Durham, Chapel Hill, and Hillsborough where residents can provide input on the proposed Durham and Orange Counties Bus and Rail Investment Plans. Open house sessions are scheduled at the following locations:

- June 14 from 4 p.m. to 7 p.m. – Chapel Hill Town Hall, 405 Martin Luther King, Jr. Blvd., Chapel Hill
- June 15 from 3 p.m. to 6 p.m. – North Regional Library, 221 Milton Rd., Durham

- June 16 from 4 p.m. to 7 p.m. – Orange County Library, 137 W. Margaret Ln., Hillsborough

For more information, contact Andy Henry at (919) 560-4366, ext 36419

Our Durham County Board of Commissioners will approve the County Manager's Recommended budget for 2011-2012 at our next meeting on Monday, June 27 at 7:00pm.

4. **Minutes** (5 minutes)

May 31, 2011 Special Budget Worksession

May 23, 2011 Regular Session

May 9, 2011 Regular Session

5. **Proclamation – Mondays “Meatless Mondays” in Durham** (5 minutes)

Many Durham citizens do not eat enough whole grains, vegetables, and fruits and this affects both their health as well as the health of the environment. Many common health problems such as obesity, diabetes, hypertension, and some types of cancer can be mitigated through eating less meat and animal products and more plant-based foods. Reducing meat consumption also has a positive impact on the environment by reducing the amount of water and energy used to produce food. Meatless Mondays is an international initiative to make people more aware of the health and environmental impact of the food they eat, as well as introduce them to the benefits of increasing plant-based foods in their diets. Through this initiative, Durham citizens are encouraged to refrain from eating meat and other animal products on Mondays, and to learn more about healthy diets.

Resource Persons: Tobin L. Freid, Sustainability Manager; Eleni Vlachos, citizen and Meatless Mondays Organizer

County Manager's Recommendation: The County Manager recommends that the Commissioners proclaim Mondays as Meatless Mondays in Durham.

6. ~~**Recognition – Awards Received from NC Council of Community Programs** (5 minutes)~~

~~Ellen Holliman received the prestigious Allan D. Spader Award from the NC Council of Community Programs during its recent Spring Policy Forum in Raleigh. The award is given to an Area Director or LME staff member who has done the most to bring others together in a collaborative manner to work on a statewide issue for the ultimate improvement of the MH/DD/SA system.~~

~~Earl Phillips received the Emerging Leadership Award for an Area Board member in recognition of his effective and energetic advocacy on behalf of The Durham Center in that position and his outstanding service to the citizens of Durham County.~~

~~Resource Person: Ellen Holliman, Area Director, The Durham Center~~

~~County Manager's Recommendation: The Manager recommends that Ms. Holliman and Mr. Phillips be recognized.~~

7. Consent Agenda (15 minutes)

- a. Amend the contract with Republic Services of North Carolina from \$150,586 to \$195,586 in order to avoid interruption of solid waste services rendered at the County's four solid waste convenience sites;
- b. Authorize additional funding to the Human Services interim janitorial services contract of \$15,899.55 a month until an RFP can be awarded;
- c. Receive and accept the Community Advisory Committee Annual Report;
- d. Receive and accept the Durham Workforce Development Board Annual Report as required by the City-County Consortium Agreement, Sec. X;
- e. Approve Capital Project Ordinance Amendment No. 11CPA000009 appropriating \$11,283,880 to the Phase III Wastewater Treatment Plant project; reduction of the Phase I & II WWTP project by \$231,780 and transfer of those funds to the Phase III WWTP project; the resolution of tentative project awards for the Phase III Expansion to the Triangle Wastewater Treatment Plant Project; conditional authorization for the County Manager to approve the amendment to the construction administration contract with McKim & Creed, PA at a cost not to exceed \$216,100; tentative award of the construction contract to Pizzagalli Construction Company, at a cost not to exceed \$10,320,000, and conditional authorization for the County Manager to execute the contract, and conditional authorization for the County Manager to execute any related contracts not to exceed the total project budget;
- f. Approve Budget Ordinance Amendment 11BCC000067 And Capital Project Amendment No. 11CPA000010 transferring \$311,808 from the Home Health Sale Proceeds in the Community Health Trust Fund into the Human Services Complex capital project for the requested use;
- g. Approve Capital Project Amendment No. 11CPA000011 adding \$170,252 of ARRA grant funds to the existing Administration Building Renovations project and authorize the County Manager to enter into a contract with Jeff Hargett Mechanical in the amount of \$694,143 to replace the existing chilled water plant at the Durham County

Administration Building, and authorize the County Manager to execute change orders, if necessary, not to exceed \$29,609 (4%). The total contract shall not exceed \$728,752. General Fund dollars will fund purchases made before grant funds are available through an interfund loan of that amount and will be reimbursed/repaid once the grant funds become available;

h. Approve the FY 2012-2021 Durham County Capital Improvement Plan (CIP).

8. Public Hearing – Recommended Durham County FY2011-2012 Budget (30 minutes)

The Board of Commissioners will conduct a public hearing to receive citizen input on the FY2011-2012 Recommended Budget. In order to be able to hear from all interested citizens, the Commissioners usually set a time limit of three minutes for each speaker; however, the time limit may be adjusted at the discretion of Chairman Page.

Resource Person: Michael Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive input from speakers and incorporate into their deliberations prior to finalization of next fiscal year's budget.

9. Public Hearing - Durham County Bus and Rail Investment Plan (15 minutes)

In August 2009, the Congestion Relief/Intermodal Transport Fund (HB148) was signed into law allowing for Durham, Orange and Wake counties to generate new revenues specifically for public transportation. These new revenues may include a ½ cent sales tax, if approved by the public through a referendum, and an additional \$10 in local and regional vehicle registration fees. The tax must be approved in a referendum scheduled by the Board of County Commissioners. In order to levy the tax, a plan that provides for the allocation of the revenues must be developed.

Staff from Triangle Transit, Durham County, the City of Durham, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization have completed a final draft of this plan titled the Durham County Bus and Rail Investment Plan. The Plan includes potential investments in local and regional bus improvements along with commuter rail connection to Wake County and light rail connection to Orange County.

The Board of County Commissioners is requested to hold a public hearing on the Draft Durham County Bus and Rail Investment Plan.

Resource Person: Mike Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing on the Draft Durham County Bus and Rail Investment Plan.

10. Public Hearing - Referendum for ½ cent Sales Tax for Public Transportation
(30 minutes)

In August 2009, the Congestion Relief/Intermodal Transport Fund (HB148) was signed into law allowing for Durham, Orange and Wake counties to generate new revenues specifically for public transportation. These new revenues may include a ½ cent sales tax that must be approved in a referendum scheduled by the Board of County Commissioners. Before the tax can be levied, a financial plan identifying the use of the proceeds for public transportation must be approved. This draft Durham County Bus and Rail Investment Plan has been developed and will be the subject of a public hearing at the June 13, 2011 Board of County Commissioners meeting.

The Board of County Commissioners is also requested to hold a public hearing on the consideration of a November, 2011, referendum for ½ cent sales tax for public transportation.

Resource Person: Mike Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing on consideration of a November, 2011 Referendum for ½ cent sales tax for public transportation.

11. Public Hearing – ¼ Cent Sales Tax for Education (20 minutes)

The County Manager has proposed a November referendum for a ¼ cent sales tax for education. If approved by the voters and subsequently imposed by the Board of County Commissioner, this tax will generate \$9.2 million in Fiscal Year 2013. Funds from the tax can only be used for public education.

Resource Person: Mike Ruffin, County Manager

County Manager's Recommendation: The Manager recommends that the Board conduct the public hearing and defer taking any action until June 27, 2011.

12. Public Hearing – Unified Development Ordinance (UDO) Text Amendment – SRP Utilities (TC1100005) (5 minutes)

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Amendment – SRP Utilities (TC1100005); and

To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations.

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

County Manager's Recommendation: The 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. Board and Commission Appointment (5 minutes)

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the Durham-Wake Counties Research and Production Services District.

Resource Person: Michelle Parker-Evans, Clerk to the Board

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

14. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA (20 minutes)

3 hours