

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

Monday, May 9, 2005

**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.

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4:00 P.M.

**Joint Meeting?Board of County Commissioners and  
Durham Public Schools Board of Education**

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7:00 P.M. Regular Session

1. **Opening of Regular Session**?Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

a. January 3, 2005 Worksession

b. April 25, 2005 Regular Session

4. **Proclamation for "Mental Health Month"**

Mental illness affects one in five adults and children annually. In an effort to raise awareness and understanding of mental health and mental illness, advocates locally and nationally observe Mental Health Month during the month of May. A proclamation was prepared declaring May "Mental Health Month" in Durham County.

Resource Person(s): Carla Alston, Customer Service Administrator, The Durham Center

County Manager's Recommendation: The Manager recommends that the proclamation be presented to Ms. Alston in recognition of Mental Health Month.

5. **Consent Agenda**

a. Contract Operations of the Triangle Wastewater Treatment Plant?RFP#: 05-017 (authorize the Manager to enter into a contract with United Water Hydro Management LLC for an amount not to exceed \$2,046,690 for FY 2005-2006 and approve annual adjustments authorized in this contract subject to availability of funds);

b. Cooperative Extension?Position Change to Support Strengthening Families Initiative (Approve the expansion of position C513001 from .37 full-time equivalent to .65 full-time equivalent);

c. Replacement Chilled Water Plant at the Lincoln Community Health Center (authorize the Manager to enter into a contract with Comfort Engineers for \$108,900 to replace the chilled water plant and associated piping and equipment and to execute change orders, if necessary, not to exceed \$10,890 [10%]; the total contract shall not exceed \$119,790);

d. Capital Project Amendment No. 05CPA0000011?Telecommunications System Upgrade (award \$1,410,000 toward the bid to Verizon and authorize the Manager to execute all necessary documents for the purchase of the equipment from Verizon); and

e. Approval of the County's 10-Year Capital Improvements Program (CIP) (FY2006-FY2015).

6. **Adopt the 5-Year Consolidated Action Plan and FY 2005-2006 Annual Action Plan for Use of HOME/ADDI Funds**

The City Council and Durham County Board of Commissioners have each held two public hearings to receive citizen comments on the proposed priorities for use of HOME Investment Partnership/American Dream Downpayment Initiative (HOME/ADDI) funds by Durham Consortium over the next five years to address housing and community development needs in Durham, as required by the U.S. Department of Housing and Urban Development (HUD). The 5-Year (2005-2010) Consolidated Action Plan sets forth the priorities, goals, and strategies for the next five years. The FY 2005-2006 Annual Action Plan sets forth the specific sub-recipients and activities that are recommended for funding with HOME/ADDI, CDBG, and Emergency Shelter Grant (ESG)

allocations during the first fiscal year of the new 5-Year Plan. The draft 5-Year Plan, which staff continues to assemble, and the proposed FY 2005-2006 sub-recipients and activities have been available to the public since April 2, 2005. Public comments will continue to be used to refine the Plan before finalization and submission to HUD.

Resource Person(s): Mike Barros, Director of the City of Durham Department of Housing and Community Development

County Manager's Recommendation: 1) Adopt the 5-Year Consolidated Action Plan and FY 2005-2006 Annual Action Plan for use of CDBG, HOME/ADDI and ESG Funds for submission to the U.S. Department of Housing and Urban Development; and 2) Authorize the Durham City Manager on behalf of the Durham Consortium to execute all administrative requirements and contractual documents necessary for implementation of the Annual Action Plan to include all CDBG and HOME/ADDI program agreements and other Annual Action Plan documents.

**7. Major Site Plan?Freudenberg Materials Storage Building (D04-665)**

O'Neal Inc., on behalf of Freudenberg Nonwovens-Tuft Division, has submitted a major site plan for a 3,720-square-foot material storage building at the existing manufacturing facility on a 164-acre site zoned I-2 and F/J-A. The property is located at 3500 Industrial Drive. (PIN 0844-03-22-4584).

Planning staff recommends approval.

Resource Person(s): Frank M. Duke, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends approval.

**8. Civic Center Management Agreement**

The Board is requested to approve a new Civic Center Management Agreement with the Shaner Hotel Group, operator of the downtown Durham Marriott Hotel. As co-owners of the Durham Civic Center, the City and County have jointly held a Management Agreement and a Catering Agreement for operation of the facility since it was built in 1987. The current contracts with the Shaner Hotel Group were entered into in 1999 and have been extended through May 31, 2005. The Board of County Commissioners received a presentation on the new management agreement at the May 2, 2005 Worksession and provided direction and feedback to staff.

Changes to the agreement, requested by the Management Company since the May 2, 2005 Worksession, do not alter the agreement as presented on May 2 and are reflected in the attached contract.

The two other agreements governing Civic Center operations (Air Lease Agreement and City-County Interlocal Agreement) remain in full force and effect until their expiration seventy-five (75) years from project inception in 1987.

Resource Person(s): Carolyn P. Titus, Deputy County Manager

County Manager's Recommendation: The Manager recommends that the Board approve the Civic Center Management Agreement and enter into the contract with the City of Durham and the Shaner Hotel Group Properties Two Limited Partnership for a period of five (5) years.

**9. Board and Commission Appointments**

Six positions are vacant on the Women's Commission. Vonda C. Sessoms, Clerk to the Board, will distribute ballots to make appointments to the commission.

Resource Person(s): Vonda C. Sessoms

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners vote to appoint members to the Women's Commission.

**10. Closed Session**

Pursuant to G.S. § 143-318.11(a)(5), the Board is requested to adjourn to Closed Session to instruct staff concerning the position to be taken on the terms of possible acquisition of 306 S. Roxboro Street owned by Scarborough and Hargett Funeral Home.