

REVISED
(Added Items #91,9m)

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, January 24, 2011

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 5min.
2. **Agenda Adjustments** 5min.
3. **Announcements** 5min.
 - "In Touch with Durham County," the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily, 4:00 p.m. on Mondays, and 6:30 p.m. 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.
 - A public meeting on the realignment of Hope Valley Road, NC Highway 751 will be held on Thursday, January 27 from 6pm until 8pm at the Jordan High School Cafeteria. Draft proposed designs will be presented by the City of Durham Departments of Public Works and Transportation.
4. **Minutes** 5min.

December 6, 2010 Worksession
December 13, 2010 Regular Session
January 3, 2011 Worksession

5. **Resolution Honoring Jordan High School Soccer Team**

10min.

A resolution has been prepared to recognize the Jordan High School Soccer Team, the 2010 NCHSAA State 4A Champions. The Jordan Falcons, led by Coach Steve Turner, defeated the Charlotte Myers Park Mustangs 2-0 to win the title in Raleigh on Saturday, November 20, 2010. The team had a perfect 25-0 season. The Falcons won their NCHSAA state soccer championship with previous titles in 2001 and 1990.

County Manager's Recommendation : The Manager recommends that the Board present the resolution along with sincere congratulations to Jordan's head soccer coach Steve Turner, the coaching staff and entire soccer team for securing this outstanding achievement.

6. **2010 Durham County America Recycles Day Poster Winners Recognized**

10min.

Durham County General Services and Keep Durham Beautiful, Inc. in partnership with the City of Durham, ABC 11, Sonoco Recycling, Shima Recycling, and the Kiwanis Club of Tobaccoland sponsored the first America Recycles Day Poster Contest for Durham area elementary school students.

Posters were judged on originality, artistic merit, and expression of a recycling related theme encouraging citizens of Durham to recycle and not litter. Winning posters comprise a 2011 calendar that seeks to inspire the community to recycle and not litter each and every day.

The winners and their schools selected for inclusion in the calendar were as follows:

January was drawn by Daniel Kaye of George Watts Elementary
February was drawn by Jasmine Horne of Carter Community School
March was drawn by Jasmine McElroy of George Watts Elementary
April was drawn by Faith Merritt of W.G. Pearson Elementary
May was drawn by Christina Griffin of Carter Community School
June was drawn by Josie Anna Sanfelicio of George Watts Elementary
July was drawn by Isiah Waller of Carter Community School
August was drawn by Jayveon Jones of Fayetteville St. School
September was drawn by Alondra Zoriz of George Watts Elementary
October was drawn by Ariel Ottley of Carter Community School
November was drawn by Angel Bouden of Carter Community School
December was drawn by Jacqueline Murillo-Fernandez of George Watts Elementary
Catherine Aiden Rooney of Creekside Elementary is the recipient of a \$200 savings bond as the winner of the contest and her drawing is the cover of the calendar.

Resource Persons : Brian S. Haynesworth, Solid Waste Program Manager and Dorothea Pierce, Executive Director Keep Durham Beautiful, Inc.

County Manager's Recommendation : The County Manager recommends that the Board recognize and congratulate the 2010 Durham County America Recycles Day Poster winners.

7. **Introduction–Tammy Baggett, Durham County Library Director**

5min.

The Manager will introduce new library director, Tammy Baggett to the Board. Durham County Library welcomed new director, Tammy Baggett on November 29, 2010.

Ms. Baggett came to Durham from New Hanover County, where she served as assistant library director. She has worked in libraries for the past 19 years, including a stint at Durham County's Parkwood Library while she completed her degree. Ms. Baggett earned a B.A. in Speech Communications/Public Relations from the University of North Carolina at Wilmington and a Masters of Library Science from North Carolina Central University.

Resource Person(s): Mike Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board welcome Tammy Baggett as the new Durham County Library director.

8. **Veterans' Park Project**

10min.

Mr. Lou Washington will discuss Durham County's participation in a new state park set to honor North Carolina's veterans. The planned North Carolina Veterans Park will be adjacent to the Airborne and Special Operations Museum in Fayetteville.

Artist Aaron Wallace, who served in the US Army's 82nd Airborne Division, will craft a clay sculpture using castings of hands from selected veterans' from all North Carolina counties. Durham County has selected Dr. Stewart Fulbright to have his hands cast as part of the display. Dr. Fulbright, a Tuskegee Airman who served as a Captain in the U.S. Air Force in World War II, will be in attendance.

Resource Person(s): Mr. Lou Washington, Director of Veterans Services and Dr. Stewart Fulbright.

County Manager's Recommendation: The County Manager recommends that the Board receive the information from Mr. Washington and congratulate Dr. Fulbright for being selected to participate in this important project that honors all North Carolina Veterans.

9. **Consent Agenda**

15min.

- a. Accept the ambulance franchise request for modification and approve the change for the addition of Advanced Life Support to their current Basic Life Support Transport Program for transfers from and to the VA and its affiliated facilities;
- b. Approve Budget Ordinance Amendment No. 11BCC000046 recognizing a \$500 grant from the Ezra Jack Keats Foundation;
- c. Appoint Dr. S. Jill Bryant, Optometrist, to the Public Health Board as required by GS § 130A-35(b);
- d. Accept the property tax release and refund report for November 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;

- e. Accept the property tax release and refund report for December 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- f. Approve Budget Ordinance Amendment No. 11BCC0000 47 in the amount of \$8,000 from the NC Department of Health and Human Services for the Diabetes Today-Project REACH Initiative;
- g. Approve Budget Ordinance No. 11BOCC000048 with a nine increase of \$52,793 for the Crisis Intervention Program (CIP);
- h. Approve Budget Ordinance Amendment No. 11BCC0000 49 to recognize grant funds in the amount of \$80,000 in from the NC Department of Health and Human Services for H1N1 influenza vaccination activities;
- i. Pursue the upset bid process for the sale of 116 N Blacknall Street. The Board has the authority to accept or reject any offer at the conclusion of the upset bid process;
- j. Adopt the resolution as proposed and to authorize the County Manager to execute and to file the Offer and Acceptance Document for the NCDENR State Revolving Loans;
- k. Approve the sale of 2804 Cannada Avenue to Bruce McBarnette for \$5,385 and 2230 North Oak Ridge Boulevard to Carrie McNeil for \$3,658;
- l. Authorize the County Manager to enter into contract with University Ford, Inc., for \$327,750.00 for the purchase of vehicles for the Durham County Sheriff's Office ;**
- m. Approve the two-month extension of the Ten-Year Plan to End Chronic Homelessness and authorize the County Manager to execute the contract amendment.**

10. **RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA**

20min.

11. **Convention Center Agreement**

45min.

After 15 years of contracting with Shaner Hotel Group Properties Two Limited Partnership for management of the Durham Convention Center, the City and County, equal co-owners of the facility, put the management contract out to bid in the fall of 2010. Three bids, including one from Shaner, were received. Representatives from all three bidders were interviewed on November 11th by a seven person review committee comprised of top City and County staff familiar with the facility, the chair of the Convention Center Authority, as well as the City and County financed directors. Global Spectrum was the unanimous first choice of the committee, earning an average score of 91.7 (over 15 points higher than the average score of the 2nd ranked company and over 30 points higher than the average score of the current management company).

The work Global Spectrum will be doing on behalf of the owners is split into two phases under two separate contracts. Initially, Global will be ramping up sales and marketing, and managing a few, select events (including Full Frame Film Festival in April 2011) during the period in which the Convention Center will be under construction (roughly January – July 2011). This is the “pre-opening consulting contract.” Deal points including a mutually agreed upon budget for this contract are included in Attachment A.

A second contract will cover their management of the facility *post-construction*. That will be a three year contract with an option for a two year renewal at the end of the three

years (June 2014). Deal points including a mutually agreed upon budget for the first fiscal year (FY 11-12) of the proposed contract are included in Attachment B.

Resource Persons : Drew Cummings, Assistant County Manager; Carol Hammett, Deputy County Attorney, Joel Reitzer, Dir. of City General Services

County Manager's Recommendation : The County Manager recommends that the Commissioners authorize the Manager and County Attorney to finalize the two Management Agreements by and among the County, City of Durham and Global Spectrum based on the terms and proposed budget provided and further authorize the Manager to execute the Agreements.

12. **Closed Session**

60min.

1. The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).
2. The Board is requested to adjourn in closed session pursuant to G.S. 143-318.11(a)(5) to instruct staff on the position to be taken concerning the acquisition of farmland conservation easements on two farms: 1526, 1528 and 1529 Bacon Road, owned by W. Rand and Olivia Harris; and 4720 Bahama Road, owned by David Krabbe.
3. The Board is requested to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County attorney in order to preserve the attorney-client privilege between the attorney and the public body.

Resource Person(s) : Mike Ruffin, County Manager; Jane Korest, Real Estate Manager; Lowell Siler, County Attorney

County Manager's Recommendation : The County Manager recommends that the Board adjourn to closed session and provide directives as appropriate.

3hrs. 15min.