

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

Monday, May 27, 2014

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.

6:00 pm

CLOSED SESSION

- 1) The Board of County Commissioners is requested to adjourn to closed session 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, pursuant to G.S. § 143-318.11(a)(3) (TO BE HELD AT 6:00 PM);
- 2) The Board of County Commissioners is requested to adjourn to closed session to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, pursuant to G.S. § 143-318.11(a)(4).

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

7:00 pm Regular Session

1. **Opening of Regular Session - Pledge of Allegiance (5 min)**
2. **Agenda Adjustments (5 min)**
3. **Announcements (5 min)**

- 1) "In Touch with Durham County," the Durham County Television show, airs daily on Durham Television Network (DTN) Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. 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.
- 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov for more information. Please note that all City and County taxes must be current at the time of application.
- 3) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
- 4) As Chair of the Board of County Commissioners, I will hold office hours for citizens each Wednesday from 2:00 pm to 5:00 pm. Appointments can be made by calling me at (919) 949-4022.

4. Minutes (5 min)

- a) May 5, 2014 Worksession
- b) May 12, 2014 Regular Session

5. Resolution - Supporting the Increase of Social Security Benefits (5 min)

- 1) The Board is requested to approve this resolution calling on Congress to approve proposed legislation titled "Strengthening Social Security Act of 2013" co-sponsored by Senator Tom Harkin and Rep. Linda Sanchez. Primarily, the intent of the legislation is to increase the benefit funding formula for beneficiaries.
- 2) Alignment with Strategic Plan: Aligns with Goal #1 (Community and Family Prosperity and Enrichment).

Resource Persons: Chairman Michael D. Page

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and present to Mr. Godfrey Laws of the National Committee to Preserve Social Security and Medicare.

6. Acceptance of the Gold Greater Triangle Stewardship Development Award for the Durham County Justice Center and Parking Deck (5 min)

- 1) The Board is requested to accept the Gold Greater Triangle Stewardship Development Award for the Durham County Justice Center and Parking Deck presented to the County on April 22, 2014.

- 2) The Greater Triangle Stewardship Development Awards program honors development projects in the Greater Triangle area that demonstrate outstanding environmental stewardship through protection, conservation, improvement, and awareness of natural resources and community values. The Gold Level award is the highest recognition under this program.
- 3) Projects are judged on 8 criteria including Water Quality Protection, Vegetation Protection & Enhancement, Green Building, Integration with the Community, and Community Outreach & Education.
- 4) In conferring the award, the judging panel noted, "(a)s this decision indicates, the judges felt that the Courthouse project demonstrated exceptional achievement on all applicable GTSDA criteria, particularly our Outreach & Education and Green Building criteria.
- 5) The judges were impressed by the aesthetically pleasing integration of green features in all aspects of the facility, such as the green roof, which confers stormwater benefits as well as a "living systems" or biophilic connection, for building occupants.
- 6) Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment and improve water quality.

Resource Persons: Tobin L. Fried, Sustainability Manager; Peri Manns, Senior Project Manager; Chris Roberts, Interim Engineering and Environmental Services Director.

County Manager's Recommendation: The County Manager recommends that the County accept the Greater Triangle Stewardship Development Gold Award for the Justice Center and Parking Deck.

7. Recognition of Durham County Employees for Receiving Civitan Club Awards (5 min)

- 1) The Board is requested to honor two Durham County Employees, Deputy Andre Hinton and Paramedic Taylor Kennedy, who recently received community honors from the Durham Civitan Club. The men were recognized with the coveted Louis J. Carver Citizenship Award for "outstanding and dedicated service to the citizens of Durham."
- 2) Civitan Clubs promote good citizenship and remain dedicated to serving individual and community needs with an emphasis on helping people with developmental disabilities. The Durham Civitan Club is one of over 1,000 such clubs serving communities across the country.
- 3) Alignment with Strategic Plan: This item aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Mike Andrews, Durham County Sheriff and Skip Kirkwood, EMS Director.

County Manager's Recommendation: The County Manager recommends that the Board extend sincere congratulations to Deputy Hinton and Paramedic Kennedy for their unselfish and dedicated community service.

8. Manager's Recommended Budget (30 min)

- 1) Durham County Manager Wendell M. Davis will formally present the Recommended Budget for FY2014-2015 to the Durham County Board of Commissioners. This is in accordance with N.C.G.S. 159-12 of the Local Government Budget and Fiscal Control Act.
- 2) Alignment with Strategic Plan: This item aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Wendell M. Davis, County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation of the FY2014-2015 Recommended Budget.

9. Consent Agenda (15 min)

- a. Accept the annual report of the Board of Adjustment as required by the Interlocal Agreement between the City of Durham and Durham County;
- b. Receive the Durham Environmental Affairs Board 2013 Annual Report;
- c. Receive the Annual Report from the Durham City-County Appearance Commission as required by the Interlocal Cooperation Agreement;
- d. Accept the Annual Report of the Planning Commission as required by the by the Interlocal Agreement between the city of Durham and Durham County;
- e. Receive and accept the Durham Open Space and Trails Commission Annual Report in accordance with the adopted Interlocal Agreement;
- f. Approve Budget Ordinance No. 14BCC000057 in the amount of \$21,052 for Title IV-E Child Care Direct Services and Duke Energy-Progress Energy Neighborhood Funds;
- g. Receive the Historic Preservation Commission 2013 Annual Report;
- h. Approve the resolution requesting the North Carolina Department of Transportation (NCDOT) accept Carramore Lane into the Secondary Road System for state maintenance;
- i. Approve Budget Ordinance Amendment No. 14BCC000058 to recognize \$500 in donations and appropriate those funds into the Cooperative Extension Budget;

- j. Approve Closed Session Minutes that have been unsealed and have been determined by the County Attorney's Office that public inspection no longer frustrates the purpose of a closed session;
- k. Approve Budget Ordinance Amendment No. 14BCC000059 to recognize funds in the amount of \$8000 from Person County Health Department for the implementation of activities related to the Community Transformation Grant Project;
- l. Approve Budget Ordinance Amendment No. 14BCC000060 to recognize additional Centers of Medicare and Medicaid (CMS) grant funds in the amount of \$32,300 from Duke;
- m. Authorize the County Manager to enter into a contract regarding the purchase of 12405 North Roxboro Road with regard to the Rougemont groundwater remediation;
- n. Approve the amended and restated management plan and agreement regarding the disposal of scrap tires and white goods between Durham County and the City of Durham;
- o. Approve tree ordinance resolution;
- p. Approve Capital Budget Ordinance Amendment No. 14CPA000010 reducing the capital project budget of the New Justice Center (DC066) in the amount of \$2.9M and transferring the \$2.9M to the Debt Service Fund to service the debt, reducing the transfer from the Capital Financing Fund to the Debt Service Fund and increasing the transfer from the Capital Financing Fund to the County Contribution Fund in the amount of \$2.9M to fund the phase I payment for the 911 Interlocal Agreement (2nd Amendment) 800mhz Radio System Upgrade capital project (4120DC100).

10. Public Hearing - 2013 Evaluation and Assessment Report of the Durham Comprehensive Plan (20 min)

- 1) The Board is requested to hold a public hearing to receive comment and approve changes to policies and the Future Land Use Map of the Durham Comprehensive Plan as part of the 2013 Evaluation and Assessment Report (EAR).
- 2) Alignment with Strategic Plan: The EAR is aligned with Goal5 of the County Strategic Plan, Accountable, Efficient, and Visionary Government.

Resource Persons: Karla Rosenberg, Planner, and Steven L. Medlin, AICP, Director

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing to receive comment and approve the 2013 Evaluation and Assessment Report of the Durham Comprehensive Plan.

11. Board and Commission Appointments (10 min)

- 1) Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:
 - a. Adult Care Home Community Advisory Committee
 - b. Nursing Home Community Advisory Committee
 - c. Operation Breakthrough Board of Trustees

- 2) Alignment with Strategic Plan: When citizens are engaged and partners on our boards and commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant, diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint a member to the above-mentioned boards and commissions.

12. ITEMS PULLED FROM CONSENT AGENDA (20 min)