

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

Monday, October 22, 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 P.M. 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 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.
 - 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@durhamcountync.gov for more information. Please note that all City and County taxes must be current at the time of application.
 - 3) A public hearing on the 2040 Metropolitan Transportation Plan and the Comprehensive Transportation Plan will be held November 14 at 7:00 pm in the Second Floor Committee Room at Durham City Hall. Citizens may sign up to speak at the meeting. For more information, contact Andy Henry at 919 560-4366 extension 36419 or by email at andrew.henry@durhamnc.gov;

- 4) Durham County wants to hear from you! As a valued resident and customer, we would like to know what you think about our service. An external customer service survey is now being conducted.

To complete the questionnaire, please visit our website at www.co.durham.nc.us. If you do not have a personal computer, please feel free to visit our libraries throughout the county to access the questionnaire.

Also, there will be data collectors available to gather your responses at the following Board of County Commissioners meetings beginning at 6:00 p.m. in the lobby of the Commissioners' Chambers:

Monday, October 8, Monday, October 22, and Monday, November 12.

Please help us as we strive to deliver "Perfect Customer Service." Again, thank you for being a valued resident and a customer of Durham County!

4. Minutes (5 min)

- a. October 8, 2012 Regular Session
- b. October 1, 2012 Worksession
- c. September 18, 2012 Joint Board of Education-Board of County Commissioners' Meeting

5. Formal Launch of New Durham County Brand (20 min)

- 1) After months of planning and technical assistance, Durham County Government formally launches its first ever new branding effort. The idea of creating a new Durham County brand resulted from the work and feedback received during the creation of the Durham County Strategic Plan in late 2011 and approved by the Board of Commissioner this February. A local Durham design firm, Engine, formerly known as Rella Cowan, created the new brand that is being unveiled this evening.
- 2) Staff will provide a visual presentation of the new DCo Brand, detail how it will impact Durham County departments and residents, and recap two events held earlier for employees and residents to help promote the new look.

Resource Persons: Mike Ruffin, County Manager; Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board participate in the unveiling, receive the presentation, and congratulate staff.

6. Formal Presentation of New Durham County Website (15 min)

- 1) The Board is requested to receive a live presentation of the new Durham County Website. The project team that created the new site was led by Hudson Oliver, Systems Development Supervisor, Durham County Information Technology and the following:

Joel Bonestell, Wendell Crenshaw, Dawn Dudley, Deborah Craig-Ray, Drew Cummings, Lorie Domnas, Karen Davis, Diane Pearson, Rebecca Freeman, Catherine Williamson-Hardy, Tammy Baggett, Jill Wagy, Willie Covington, Valita Holmes, Lee Worsley, Eric Nickens and Engine Design.

- 2) The public expectation is that online services are always available, information is timely and useful, and that the County is current with today's technology. The purpose of this project is to update the tools for ease of use, modernize the functionality and organization, and promote a consistent and vibrant branding that conveys the real spirit of Durham County to the community and to the world.
- 3) Staff will make a presentation that highlights the major features of the new site.

Resource Persons: Hudson Oliver, Systems Development Supervisor, Durham County Information Technology Department; Perry Dixon, Director, Durham County Information Technology Department

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and congratulate the team.

7. Strategic Plan Poster Signing (10 min)

- 1) The Board is requested to sign the poster of the key elements of Durham County's Strategic Plan.
- 2) This poster, which features the County's new mission and vision statements, as well as the Strategic Plan's five goals, will be distributed throughout Durham County office buildings. This document is part of the County's Strategic Plan communications strategy and will be a very visible sign of the Strategic Plan for residents and employees.

Resource Persons: Michael Davis, Strategic Initiative Manager; Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board hear this brief presentation and then sign the Strategic Plan poster.

8. Proclamation Supporting Duke University's School of Nursing's Conference on Sickle Cell Disease

- 1) Duke University School of Nursing will host a conference entitled, "Sickle Cell Disease: Breaking Down the Myths and Barriers" on November 1st from 8:00am until 4:00pm. The goal of the conference is to dispel myths about the medical and psychosocial complications associated with the disorder, and to discuss life experiences with those currently living with sickle cell.
- 2) Attorney Craigie Sanders will attend the meeting to make a brief statement about the conference and receive the proclamation.

Resource Persons: Michael D. Page, Chairman of the Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present to Mr. Sanders.

9. Consent Agenda (15 min)

- a. Accept the property tax release and refund report for August, 2012 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- b. Accept the property tax release and refund report for September, 2012 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- c. Authorize the County Manager to enter into a contract with McGill Environmental Systems, Inc. in an amount not to exceed \$392,040; and authorize the County Manager to execute renewals, for up to four additional one year periods, of this contract as funding becomes available;
- d. Include the procedures as part of Section X, Expenditures Control, of the Durham County Finance Policy; and approve the proposed change to the Durham County Finance Policy;
- e. Approve the Resolution Authorizing an Electronic Public Auction Sale and authorize the County Manager or designee to follow the surplus disposal procedures for proper disposal and removal of surplus furniture and equipment, including the attached list of surplus vehicles;
- f. **ITEM REMOVED;**
- g. Approve Budget Ordinance Amendment No. 13BCC000031 in the amount of \$13,840 from the NC Division of Public Health, Public Health Preparedness and Response Branch for the Environmental Health Division Local Public Health Preparedness Program;
- h. Approve Budget Ordinance Amendment No. 13BCC000032 in the amount of \$199,146 from the Center for Disease Control and Prevention and for the creation of 1.5 provisional FTEs for the Community Health Division, Communicable Disease Program;
- i. Approve Budget Ordinance Amendment No. 13BCC000033 appropriating \$2,064,978.80 of FY 2011-12 General Fund revenue, now residing in FY 2012-13 General Fund fund balance, and transferring it to the Capital Financing Fund to comply with the County's debt financing policy;
- j. Approve the proposed Lease Agreement with Coastal Horizons Center, Inc and authorize the Manager to execute the lease;
- k. Approve the proposed Lease Agreement with Reliant Management Group and authorize the Manager to continue the lease;

- l. Approve the proposed Rental Agreement with JRuth, Inc and authorize the Manager to execute the lease;
- m. Authorize the execution of the security services contract with G4S Secure Solutions (USA) for the remainder of fiscal year FY 2012/2013 (December 1, 2012 through June 30, 2013) in the amount of \$595,526.42 and to execute amendments, if necessary, not to exceed the security services budget of \$973,789.00;
- n. Approve the appointment of Amelia P. Thorpe to the empty Durham County seat on the Area Board of Alliance Behavioral Healthcare;
- o. Approve Budget Ordinance Amendment No. 13BCC000034 in the amount of \$58,000 from the NC Department of Health and Human Services for HIV/STD treatment activities;
- p. Authorize the County Manager to execute a Right of Entry Agreement with Time Warner Cable for the installation of a Fiber Optic Network for the tenant at 309 Crutchfield Street;
- q. Reject the Deed of Gift for property located at 605 North Elm Street and authorize the Manager to execute the Renunciation to be recorded in the Register of Deeds indicating that at no time has the County accepted the transfer or had title to the property.

10. Public Hearing - University and College-2 (TC1100015) (10 min)

- 1) The Board is requested to conduct a public hearing and receive public comments on a Unified Development Ordinance text amendment for creation of the University and College-2 (UC-2) zoning district; and
- 2) To approve the requested Unified Development Ordinance text change as shown in the attachment.
- 3) The following two (2) attachments are referenced throughout the staff report for further information regarding this case.

Attachment 1. An Ordinance to Amend Provisions of the Unified Development Ordinance Creating the University and College-2 Zoning District

Attachment 2. Planning Commission Written Comments

Resource Person(s): Steven L. Medlin, AICP, Planning Director

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

11. Public Hearing - EAR-FLUM Procedural Changes (TC1200004) (15 min)

- 1) The Board is requested to conduct a public hearing and receive public comments on a Unified Development Ordinance text amendment for changes to the annual Evaluation and Assessment Report (EAR) of the Durham Comprehensive Plan; and
- 2) To approve the requested Unified Development Ordinance text change as shown in the attachment.
- 3) The following two (2) attachments are referenced in the staff report:

Attachment 1. An Ordinance to Amend the Unified Development Ordinance Regarding the Annual Evaluation and Assessment Report of the Durham Comprehensive Plan

Attachment 2. Planning Commission Written Comments

Resource Person(s): Steven L. Medlin, AICP, Planning Director

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

12. Public Hearing to Consider Allocating Economic Development Investment Funds to Gentian Group, LLC (20 min)

- 1) The Board is requested to hold a public hearing to consider allocating economic development investment funds to Gentian Group, LLC, dba Holland Hotel. The Gentian Group is comprised of Durham investors who are considering making an approximate \$10.1 million qualified capital investment for the preservation and adaptive reuse of the historic bank building at 315 E. Chapel Hill Street in downtown Durham. Gentian Group's total investment is anticipated to exceed \$11million. The proposed development is approximately 41,000 square feet and includes the conversion of the building into a 54 room hotel with a restaurant and rooftop bar. In addition to the capital investment, it is anticipated that there will be approximately 89 new permanent jobs established in Durham by 2014, as well as approximately 100 new construction jobs.
- 2) The development is consistent with the Resolution adopted by the BOCC January 14, 2008 designating Downtown Durham as a strategic economic area. The hotel rooms are vital to the success of the 33,000 square foot Durham Convention Center which needs more rooms in close proximity to the facility in order to market to larger conventions to bring additional economic impact to Durham. Company officials have stated that incentives from the local government are necessary and a key consideration in its final decision on developing the hotel in Durham.
- 3) Staff is recommending that the county participate in this economic development project by providing up to six hundred and five thousand dollars (\$605,000.00) for

the qualified capital investment of \$10.1 million and creation of approximately 89 jobs. Funds would be furnished over a seven year period through an economic development incentive fund performance contract. Payments would not begin until after completion of the construction project and opening of the hotel. The County funds will be used to reimburse Gentian Group for expenses related to site preparation. The funds will be paid from the General Fund of the County of Durham.

- 4) This public hearing was advertised on Friday, October 12, 2012 as required by law.

Resource Persons: Marqueta Welton, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board hold the public hearing, and based upon the information received approve entering into an economic development incentive contract between the County of Durham and Gentian Group, LLC in the maximum amount of \$605,000.

13. Board Appointments (10 min)

- 1) Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:
- a. Adult Care Home Community Advisory Committee
 - b. Durham Convention and Visitors Bureau
 - c. Environmental Affairs board
 - d. Emergency Management Services Council
 - e. Juvenile Crime Prevention Council
 - f. Transportation Advisory Board

Resource Person(s): 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/commissions.

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

15. Closed Session (60 min) Note: This item will be moved to 5:30 pm.

- 1) The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

County Manager's Recommendation: The County Manager recommends that the Board adjourn to closed session and provide direction to staff, if needed.