

**Revised**  
**(Deleted—Item No. 6k)**

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

Monday, June 8, 2009

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.

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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.

Applications are now available for the Durham Neighborhood College 2009 Fall Term. This nine week program is co-sponsored by the City and County of Durham and consists of presentations that help residents learn about government operations directly from the elected officials and staff responsible for overseeing key services. Applications are available on the City or County websites and in the Clerk to the Board's office. The deadline to apply for Fall Term is July 27, 2009. Call 560-0000 for more information.

4. **Minutes** 5 min.
  - a. May 4, 2009 Worksession
  - b. May 11, 2009 Regular Session

5. **Recognition of NACo Nationwide Scholarship Winner—Allen Marcos Faircloth** 5 min.

For the 4th consecutive year, Nationwide Retirement Solutions and the National Association of Counties (NACo) have partnered to offer high school seniors an

opportunity to apply for scholarships. This year, Nationwide will award four NACo college scholarships—each worth \$2,000—to four high school seniors whose parent or grandparent participates in NACo's 457 Deferred Compensation Plan.

Allen Marcos Faircloth is one of the four students selected from a pool of nearly 600 students who responded. This scholarship was established in recognition of the long-term partnership that Nationwide Retirement Solutions and the National Association of Counties (NACo) have, helping County employees save for retirement. Allan will use the funds to attend the University of North Carolina at Chapel Hill. His application was sponsored by his parent, Maria Velaz-Faircloth, who is a Durham County Public Health employee.

Resource Person(s): Debbie Turner, Nationwide Retirement Solutions, and Marqueta Welton, Durham County Human Resources Director

County Manager's Recommendation: Extend congratulations to Allen Marcos Faircloth for receiving this prestigious scholarship.

5a. **Hunger Awareness Month Proclamation**

5 min.

June is Hunger Awareness Month, providing an opportunity to educate the community about hunger throughout the world and in Durham County.

In the United States, hunger is, generally, less severe than in developing nations. This is in part because established programs—like Food and Nutrition Services (Food Stamps) and the Women, Infant and Children's Program (WIC)—help provide a safety net for many low-income families. However, in this recession, more Americans are having difficulty putting food on their tables.

Despite the good work of those programs, too many Americans and Durhamites are hungry. Hunger occurs when people are unable to obtain sufficient food for their household. Some may find themselves skipping meals or cutting back on the quality or quantity of food they purchase. This recurring and involuntary lack of access to food can lead to malnutrition. Hungry children struggle in school. Hunger in elderly adults can lead to serious health problems.

More than 27,700 people in Durham have food on their tables thanks to the Food and Nutrition Services program, yet the State estimates that only 69.96% of those potentially eligible for the program are enrolled. Many receive meals and non-perishable food from local non-profit organizations.

To raise awareness about hunger in our community, the Food and Nutrition Services staff at DSS will distribute food bags on June 10 to 100 clients. Staff is also conducting outreach to help more families get connected to the Food and Nutrition Services program.

Resource Person(s): Sammy Haithcock, DSS Director; Pinkie Davis-Boyd, Program Manager, Food and Nutrition Services

County Manager's Recommendation: Recommend approval of proclamation declaring hunger awareness month in Durham County and to raise community awareness of the need for good nutrition to support the health and well-being of everyone in our community.

5b. **Proclamation Recognizing the 25<sup>th</sup> Anniversary of Inter-Neighborhood Council**

5 min.

Durham's Inter-Neighborhood Council was established in 1984 as a coalition of neighborhood and homeowners' associations. The group works with communities and government leaders to help make Durham a better place to live. A proclamation establishing Thursday, June 18<sup>th</sup> as "Inter-Neighborhood Council Day" has been requested. In addition, the group will hold its annual Neighborhood Heroes Awards Ceremony in conjunction with its 25<sup>th</sup> Anniversary Celebration from 7-9pm at Rigsbee Hall.

County Manager's Recommendation: The Manager's recommendation is that Chairman Page issue the requested Proclamation and express congratulations to the Inter-Neighborhood Council for 25 years of advocacy.

5c. **Resolution to Oppose "Public Health Improvement Plan" As Contained In Senate Bill 202**

5 min.

The Health Director requests the Board to pass a resolution opposing the "Public Health Improvement Plan" as contained in Senate Bill 202. This effort is supported by the full membership of the North Carolina Association of Local Health Directors (NCALHD) and state Public Health professionals.

The NCALHD will include this resolution with similar resolutions from other counties and present them to the members of the legislature.

Resource Person(s): Gayle Harris, Health Director

County Manager's Recommendation: The County Manager recommends that the Board passes the resolution opposing the "Public Health Improvement Plan" as contained in Senate Bill 202.

6. **Consent Agenda**

15 min.

- a. Resolution to Approve the Durham County Ten-Year (2009-2019) Comprehensive Solid Waste Management Plan (adopt a Resolution to Approve the Durham County Ten-Year 2009-2019 Comprehensive Solid Waste Management Plan and forwarded it NC-DENR, not later than June 30, 2009);
- b. Approval of Durham's Home and Community Care Block Grant Funding Plan through the Department of Social Services (funding for the Plan has been incorporated into the Manager's proposed FY 2010 Budget);
- c. Purchase of Library Books and Cataloging/Processing Services (authorize the County Manager to enter into a contract with Baker & Taylor Inc. for the acquisition of

- library books and cataloging/processing services for a total amount not to exceed \$944,262, with an option to renew the contract for five successive one-year periods);
- d. Purchase of Audiovisual Materials and Cataloging/Processing Services (authorize the County Manager to enter into a contract with Midwest Tape, LLC for the acquisition of audiovisual materials and cataloging/processing services for a total amount not to exceed \$187,000, with an option to renew the contract for three successive one-year periods; authorize the County Manager to enter into a contract with Books on Tape Inc., a division of Random House, for the acquisition of audio books on discs and cataloging/processing services for a total amount not to exceed \$15,000, with an option to renew the contract for three successive one-year periods);
  - e. Lowes Grove Middle School—Right-of-Way Dedication and Plat (approval of the right-of-way dedication and corresponding Final Plat that will be recorded in the Durham County Register of Deeds Office);
  - f. Durham Public Schools Construction Project at Creekside Elementary School (approve the owner/contractor agreement with H.M. Kern Corporation for the classroom addition project at Creekside Elementary School in the amount of \$2,229,000; authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools);
  - g. Durham Public Schools Hillside High School New Tech Modular Classroom Building (approve the owner/contractor agreement with Modular Technologies Inc for a new modular classroom building at Hillside High School in the amount of \$319,329; authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools);
  - h. Durham Public Schools Auditorium Lighting Upgrades at Northern High School (approve the agreement with Watson Electrical Construction Co. LLC for auditorium lighting upgrades at Northern High School in the amount of \$218,935; authorize the Manager to execute the agreement);
  - i. Durham Public Schools Hillside High School Cafeteria Expansion Project (approve the owner/contractor agreement with C.T. Wilson Construction for cafeteria expansion project at Hillside High School in the amount of \$417,816; authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools);
  - j. Recognize Asset Contributions for Durham County EMS from the Welch Allyn Time-MC Study Ended October 1, 2008 (approve acceptance of the donated equipment for Durham County EMS from Welch Allyn Protocol Inc.);
  - ~~k. Cultural Master Plan Projects Funding Approval (approve funding for the final Cultural Master Plan projects as follows: Public Art Grant Initiative Pilot Project [\$25,000]; Cultural Group Resource Sharing Initiative [\$4,092]);~~
  - l. Approve Final Budget and Acquisition of Conservation Easements for the Tilley Phase II Conservation Easements (approve the final budget for the 137-acre Tilley Phase II conservation easements; authorize the Manager to execute the conservation easement agreements on the 137-acre Phase II Tilley Farm project);
  - m. Annual Report—Durham Bicycle and Pedestrian Advisory Commission;
  - n. Replacement Appointment to the 2009 E&R Board (appoint Mr. Spurgeon Booth Jr. to the 2009 special Board of Equalization and Review due to a vacancy);
  - o. Update on Conservation Subdivisions;
  - p. Annual Report—Development Review Board;

- q. Durham Cooperative Extension—Memorandum of Understanding between the Board of County Commissioners (BOCC), the North Carolina Cooperative Extension Service (NCCES), North Carolina State University (NCSU), North Carolina Cooperative Extension Program (NCCEP), and North Carolina A&T University (NCA&T);
- r. Budget Ordinance Amendment No. 09BCC000074—Appropriate Lottery Funds (\$1,514,458) for Debt Service Support and Transfer an Equal Amount from the Debt Service Fund to the General Fund to Support an Agreement Between Durham Public Schools and Durham County; and
- s. Health & Human Services Financing (2009B certificates) (adopt the resolution and authorize the execution of the required documents upon approval by the Local Government Commission).

7. **Public Hearing on the FY 2009-2010 Recommended Budget**

90 min.

The Board of Commissioners will conduct a public hearing to receive citizen input on the FY 2009-2010 Recommended Budget. 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.

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

8. **Public Hearing—Unified Development Ordinance (UDO) Text Change—Technical Changes V (TC0900003)**

10 min.

Receive public comments on Text Change—Technical Changes V (TC0900003) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits, Article 4, Zoning Districts, Article 5, Use Regulations, Article 6, District Intensity Standards, Article 7, Design Standards, Article 8, Environmental Protection, Article 9, Landscaping and Buffering, Article 10, Off-Street Parking and Loading, Article 11, Sign Standards, Article 14, Nonconformities, Article 15, Enforcement, and Article 16, Definitions.

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 change and, if appropriate based on the comments received during the hearing, approve the change.

9. **Public Hearing—Unified Development Ordinance (UDO) Text Change—Outdoor Recreation (TC0900001)**

10 min.

Receive public comments on Text Change—Outdoor Recreation (TC0900001) and 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 change and, if appropriate based on the comments received during the hearing, approve the change.

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**2<sup>3</sup>/<sub>4</sub> hrs.**