

REVISED
(See Item No. 9)

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

Monday, January 25, 2010

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.

"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.
4. **Minutes** 5 min.
 - a. December 7, 2009 Worksession
 - b. December 14, 2009 Regular Session
5. **Resolution in Support of the Victims of the Haiti Earthquake** 10 min.

On January 12, 2010, a 7.0 magnitude earthquake struck the island nation of Haiti killing tens of thousands and devastating its economy. There is an urgent need for immediate and ongoing financial assistance to provide medical treatment, food and water, and to rebuild the country's infrastructure.

Durham County Commissioner Brenda Howerton asked that a resolution be prepared to demonstrate the Board's support for victims of this human tragedy. Durham residents of Haitian heritage have been invited to address this issue and to receive this resolution.

County Manager's Recommendation: The County Manager recommends that the Board approve this resolution, read it into the record and present it to a representative of Durham's Haitian community.

6. **Consent Agenda**

10 min.

- a. Approve the contract renewal with Cox & Company in the amount of \$62,500 for ONETAX office software;
- b. Amend Contract with Tax Management Associates Inc. by \$90,000 and approve budget ordinance amendment 10BCC000047 to recognize \$145,000 in additional revenue associated with the contract;
- c. Authorize the execution of an Interlocal Cooperation Agreement with the City of Durham to reauthorize the Durham Bicycle and Pedestrian Advisory Commission;
- d. Approve Budget Ordinance Amendment No. 10BCC000048—Hazardous Materials Emergency Planning Grant Agreement to recognize \$9,000 in grant funding from the NC Department of Crime Control and Public Safety and request authorization to execute the grant agreement so that it can be forwarded to the NC Department of Crime Control and Public Safety, and the Local Emergency Planning Committee can conduct its project;
- e. Approve the Durham County Local Emergency Planning Committee (LEPC) roster as presented;
- f. Accept the property tax release and refund report for December 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- g. Approve the Utility Agreement with the North Carolina Turnpike Authority and the North Carolina Department of Transportation to non-substantive changes by the County Attorney or County Manager and authorize the County Manager to execute the agreement; and
- h. Property Tax Releases and Refunds for Fiscal Year 2009-2010 (accept the property tax release and refund report for November 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report).

7. **Public Hearing for Special Purpose Project Revenue Bonds—Durham-Chapel Hill Jewish Federation**

10 min.

The Board of County Commissioners is requested to hold a public hearing concerning the issuance and sale by the Durham County Industrial Facilities and Pollution Control Financing Authority (the "Authority") of its Revenue Bonds (Durham-Chapel Hill Jewish Federation Community Center project), Series 2010 (the "Bonds") in an amount not to exceed \$7,500,000, the proceeds of which will be loaned to Durham-Chapel Hill Jewish Federation, a North Carolina non-profit corporation (the "Federation") and used to finance the acquisition, construction and equipping of a new approximately 34,000 square foot facility to be known as the Charlotte and Dick Levin Jewish Community Center (the "2010 Project"). The Project is located between the Lerner Jewish Community Day School and the Judea Reform Synagogue on 10 acres of land at 1933 West Cornwallis Road, Durham, Durham County, North Carolina. The Center will be

owned and operated by the Federation, and open to the general public. Federal and North Carolina law require the County Board of Commissioners to approve "in principle" the issuance of the bonds for this project after a public hearing.

Resource Person(s): Mary-Nash Rusher, Hunton & Williams, Bond Counsel

County Manager's Recommendation: The County Manager recommends that the Board hold the public hearing on the issuance of the bonds for Durham-Chapel Hill Jewish Federation for the acquisition, construction and equipping of a new approximately 34,000 square foot Jewish Community Center to be located at 1933 West Cornwallis Road, and approve the issuance of the bonds in principle.

8. **Public Hearing for Special Purpose Project Revenue Bonds – RTI, Inc.**

10 min.

The Board of Commissioners is requested to hold a public hearing concerning the issuance and sale by The Durham County Industrial Facilities and Pollution Control Financing Authority of its Revenue Bonds in an amount not to exceed \$25,000,000, the proceeds of which will be loaned to Research Triangle Institute ("RTI"), a North Carolina non-profit corporation and used to finance the acquisition, construction and equipping of a new approximately 120,000 square foot office building to be known as the O-9 Office Building and related approximately 500 space parking deck (the "2010 Project"). The Project is located on the Company's campus at 3040 Cornwallis Road, Research Triangle Park, Durham County, North Carolina, and will be owned and operated by RTI. Federal and North Carolina law require the County Board of Commissioners to approve "in principle" the issuance of the bonds for this project after a public hearing.

Resource Person(s): Mary-Nash Rusher, Hunton & Williams, Bond Counsel

County Manager's Recommendation: The County Manager recommends that the Board hold the public hearing on the issuance of the bonds for the expansion of Research Triangle Institute whose operations are currently located in Research Triangle Park in Durham County, and approve the issuance in principle.

9. **Board and Commission Appointments**

10 min.

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- **Criminal Justice Partnership Act Advisory Board**
- **Environmental Affairs Board**
- **Historic Preservation Commission**
- **Open Space & Trails Commission**

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 members to the above-mentioned boards/commissions.

1 hr. 10 min.