



# Durham County

200 E. Main Street  
Durham, NC 27701  
(919) 560-0025

## Meeting Agenda Board of County Commissioners

*Michael D. Page, Chair*  
*Brenda A. Howerton, Vice Chair*  
*Fred Foster, Jr., Commissioner*  
*Wendy Jacobs, Commissioner*  
*Ellen W. Reckhow, Commissioner*

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Monday, September 28, 2015

7:00 PM

Commissioners' Chambers

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### "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 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)

2. Agenda Adjustments (5 min)

3. Announcements (5 min)

[15-661](#) Announcements

4. Minutes (5 min)

[15-665](#) Minutes

Attachments: [Regular Session - September 15, 2015](#)

5. Ceremonial Items (15 min)

[15-670](#) LGFCU Excellence in Innovation Award

Agenda Text: The Board is requested to recognize Durham County's Misdemeanant Diversion Program which was honored last month in Pitt County at the 108th Annual NCACC Conference. The 2015 LGFCU (Local Government Federal Credit

Union) Excellence in Innovation Award comes with a \$1000 prize and a trophy for each winning county. The program serves court involved 16 and 17 year olds in Durham County and is led by the Criminal Justice Resource Center.

**Alignment with Strategic Plan:** Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Matt Gunnet, NCACC; Darlene Jacobs and Krissy Dubovec, LGFCU

**County Manager's Recommendation:** The County Manager recommends that the Board present the check and award to the entire Misdemeanant Diversion Team along with sincere congratulations.

### **15-667**

#### **Proclamation- Life Insurance Awareness Month in Durham County**

**Agenda Text:**

The Board is requested to approve the attached proclamation naming September as "Life Insurance Awareness Month" in Durham County. The goal of the proclamation is to educate the community on importance of providing financial security for families in the event of a death. It is important to raise awareness of the seriousness this important consumer issue and to help others the importance of life insurance.

**Alignment with Strategic Plan:** 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 proclamation and present to Ms. Del Mattioli.

**Attachments:**

[Proclamation - Life Insurance Month](#)

### **15-677**

#### **Proclamation to Recognize Minority Enterprise Development Week October 5-9, 2015**

**Agenda Text:**

On January 14, 2008, The Board of County Commissioners approved an ordinance to continue the County's Minority/Women Business Enterprise Program. As a part of the program promotion and continued efforts to enhance participation in governmental contract awards to minority and women businesses, it is hereby requested that October 5-9, 2015 be recognized as Minority Enterprise Development Week in the County of Durham, North Carolina.

Local and National Minority Enterprise Development programs provide assistance to minority and women groups who own or wish to start or expand their own businesses.

**Alignment with Strategic Plan:** To align with *Goal 1 Community and Family Prosperity and Enrichment* by increasing minority and women business participation. Create awareness and engagement by allowing minority and women businesses to learn about contracting opportunities, and events of the

Durham County Minority and Women Business Enterprise (M/WBE) program.

**Resource Persons:** Jacqueline Boyce, Procurement Manager

**County Manager's Recommendation:** The Manager recommends that the Board approves the Resolution and recognize October 5-9, 2015 as Minority Enterprise Development Week in Durham County.

**Attachments:** [MED Week 2015 Brochure 09-01-15](#)  
[2015-Minority Enterprise Development Week](#)

## 6. Consent Agenda (15 min)

### [15-602](#)

### 2016 Reappraisal Schedule of Values - Approval

**Agenda Text:**

The Board is requested to adopt the proposed schedules of values, standards, and rules to be used for the 2016 Reappraisal, as submitted to the Board at its August 24, 2015 meeting, and to advertise the adoption of the rules in a manner consistent with North Carolina General Statutes 105-317(c)(3), which provides:

When the board of county commissioners approves the final schedules, standards, and rules, it shall issue an order adopting them. Notice of this order shall be published once a week for four successive weeks in a newspaper having general circulation in the county, with the last publication being not less than seven days before the last day for challenging the validity of the schedules, standards, and rules by appeal to the Property Tax Commission. The notice shall state:

- a. That the schedules, standards, and rules to be used in the next scheduled reappraisal of real property in the county have been adopted and are open to examination in the office of the assessor; and
- b. That a property owner who asserts that the schedules, standards, and rules are invalid may except to the order and appeal therefrom to the Property Tax Commission within 30 days of the date when the notice of the order adopting the schedules, standards, and rules was first published.

**Alignment with Strategic Plan:** The public hearing is required by state statute, but is also consistent with Goal 5, Accountable, Efficient and Visionary Government.

**Resource Persons:** Kimberly Simpson, Durham County Tax Administrator

**County Manager's Recommendation:** The County Manager recommends that the Board adopt the proposed schedules of values, standards, and rules for the 2016 Reappraisal; and that the Board direct staff to publish in the Durham Herald-Sun a notice of the adoption in a manner consistent with NCGS 105-317(c)(3)

**Attachments:**      [ORDER ADOPTING FINAL](#)

### **15-650**

## **Property Tax Releases and Refunds for August 2015**

**Agenda Text:**

The Board is requested to approve the Releases and Refunds for the month of August, 2015. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of August, 2015.

Releases and Refunds for 2015 total equals \$151,466.87. Prior year's (2009-2014) releases and refunds for August, 2015 are in the amount of \$18,534.30. The current year and prior year's releases and refunds amount to \$170,001.17.

**Alignment with Strategic Plan:** Goal 5, Accountable, Efficient, Visionary Government. To ensure the County complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E & R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

**Resource Persons:** Kimberly H. Simpson, Tax Administrator

**County Manager's Recommendation:** The County Manager recommends that the Board accept the property tax release and refund report for August, 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Sponsors:** Board of County Commissioners

**Attachments:**      [BackUp-Releases & Refunds-Aug.2015-Sept 28, 2015](#)

[BackUp-Releases & Refunds Details-Aug. 2015-Sept. 28, 2015](#)

[NCVTS Tax Refund Interface-Aug. 2015-Sept. 28, 2015](#)

### **15-651**

## **Criminal Justice Advisory Committee Appointment**

**Agenda Text:**

The Board is requested to appoint Shannon McCabe, Director of Durham's Treatment Accountability for Safer Communities (TASC), to a two-year term on the Criminal Justice Advisory Committee. The Criminal Justice Advisory Committee was established in 2012 to develop a comprehensive continuum of services for the adult criminal justice system, identify gaps and develop intervention strategies.

The Director of the local TASC Office holds a designated position on the committee.

**Alignment with Strategic Plan:** This appointment aligns with the Strategic Plan Goal of Safe and Secure Communities.

**Resource Persons:** Gudrun Parmer, Director, Criminal Justice Resource Center

**County Manager's Recommendation:** The County Manager recommends that the Board appoint Shannon McCabe, Director of Durham's Treatment Accountability for Safer Communities to a two-year term on the Criminal Justice Advisory Committee.

**15-653****Sole Source Contract with Schneider Electric in the Amount of \$306,384.00 for Cameras and Storage in Detention Center****Agenda Text:**

The Board is requested to provide approval for sole source exemption for the purchase and installation of cameras and additional storage in the Detention Center, from Schneider Electric, which were approved for the 2015-2016 budget year. This sole source request is for the compatibility with the existing equipment and will supplement the current Schneider system put in place by General Services in 2014.

The services provided under the proposed Contract are the purchase and installation of high definition cameras in the Detention Facility. The current outdated analog camera system is over twenty years old, has poor video quality, suffers from equipment failure, and no longer meets our observation needs. Attached is a memo containing justification and support documentation for the Schneider system.

This agenda item has been reviewed by the Purchasing Division for compliance with the request for sole source exemption.

**Alignment with Strategic Plan:** This service aligns with Goal 3 of the strategic plan.

**Resource Persons:** Capt. Elijah Bazemore, Sheriff's Office Detention Services; Kim Franklin, Finance Manager Sheriff's Office; and Shawn Swiatocha Assistant Director General Services

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Sole Source Contract with Schneider Electric in the amount of \$306,384.00, and authorize the Manager to execute the Agreement.

**Attachments:**

[Durham County Detention Center Video Project - Sole Source Justification Letter](#)  
[Schneider Electric \(Detention Camera System\) Service Contract FY16.pdf](#)

**15-663****Interact Intranet Contract Amendment in the Amount of \$27,512.40 to Mitigate Security Concerns and Facilitate Software Implementation****Agenda Text:**

The Board is requested to approve an additional cost of \$27,512.40 to implement the Interact Intranet software. The Board approved \$50,987.60 for the initial purchase on April 27, 2015. As a result of Information Security concerns identified with sign in procedures to the Intranet, Information Services and Technology (IS&T) has made the decision to host this software locally in its own data center as opposed to being hosted in the cloud. The additional funds will cover the cost to: 1) purchase the software and run locally, 2) installation and implementation fees, and 3) implement a custom designed template for

Durham County Government. The funds to cover this additional cost have been identified in the IS&T budget as the department will no longer have to pay year one maintenance fees. The overall annual maintenance cost will also be reduced as a result of running the software locally.

As stated in the original request, the Interact Software will replace our current Intranet (DCINFO), to improve overall communications and collaboration with staff, and to improve transparency within the County. This technology will also play a key role in support of Managing for Results.

**Alignment with Strategic Plan:** This action aligns with Goal 5: Accountable, Efficient and Visionary Government by facilitating a secure, community-based platform to increase County employee collaboration, transparency and more effective information sharing.

**Resource Persons:** Greg Marrow, Chief Information Officer

**County Manager's Recommendation:** The County Manager recommends that the Board amend the contract with Interact Intranet by approving the additional cost of \$27,512.40 to mitigate security concerns and facilitate software implementation.

**Attachments:** [Durham County - Interact Intranet - Sales Agreement - On Prem - 08-15](#)

**15-664**

**Interlocal Cooperation Agreement with City of Durham for Sodium Chloride FY15-16**

**Agenda Text:**

The Board is requested to approve an Interlocal Agreement for the acquisition of Sodium Chloride (road salt) from the City of Durham for fiscal year 2015-2016 at the cost of \$160 per ton for maximum of 200 tons. The City will bill the County for loads received up to a maximum of \$32,000. The salt will be used to address winter weather events at County properties and ABC facilities. This annual Interlocal Cooperation Agreement is the second year of this relationship between the City and County.

**Alignment with Strategic Plan:** This cooperative relationship aligns with Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Motiryo Keambiroiro, Director of General Services

**County Manager's Recommendation:** The County Manager recommends that the Board approve Interlocal Cooperation Agreement with City of Durham for Sodium Chloride for fiscal year 2015-2016 at the cost of \$160 per ton for maximum of 200 tons.

**Attachments:** [Interlocal Agreement with Durham Co for Sodium Chloride 2015-2016](#)

[Interlocal Cooperation Agreement - Durham County FY 15 16-signed](#)

**15-666**

**Budget Ordinance Amendment No. 16BCC000013 - Appropriation of Risk Management Unassigned Fund Balance for Increased FY2016**

**Property Insurance Premium and Implementation of Comprehensive Property Insurance Appraisal Study in the amount of \$114,847.00****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000013 appropriating \$114,847.00 of Risk Management Unassigned Fund Balance to support the increase in the County's property insurance premium and to implement a comprehensive property insurance appraisal study.

The County's total insurable value (TIV) for property insurance increased from \$420,470,787 in FY2015 to \$562,112,986 for FY2016. This higher TIV resulted in a \$74,947 increase in premium that was not contemplated in the FY2016 budget. The increase in TIV is the result of the Risk Management Division better capturing capital improvement project values into the County's property insurance schedule.

A comprehensive property insurance appraisal study is required periodically to ensure the County is appropriately determining the replacement value of its buildings and business personal property. Further, a third party assessment provides documentation to justify values in the event of a claim. The cost of the study is \$39,900.00. Risk Management best practices suggest that a comprehensive study occur once every 10 years. Between appraisal studies, Risk Management will coordinate with Engineering to account for increases TIV from capital improvement projects.

**Alignment with Strategic Plan:** This request relates to the following elements of the Durham County Strategic Plan: the effort aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

**Resource Persons:** Lowell Siler, County Attorney; David English, Risk Manager

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000013 appropriating \$114,847.00 of the Risk Management Unassigned Fund Balance to support the increase in the County's property insurance premium and to implement a comprehensive property insurance appraisal study.

**Attachments:**

[Durham County FY2016 Property Insurance Schedule](#)

[AAF-13 Legal Risk Management Insurance Premium increase and study](#)

**15-671****Appointment of the Chairperson for the Durham County ABC Board****Agenda Text:**

The Board is requested to appoint Wayland Burton as Chairperson of the Durham County ABC Board by a recommendation made from its board members at their regular board meeting on August 17, 2015.

**Alignment with Strategic Plan:** (brief statement and relevant goal)

**Resource Persons:** Barry Sessoms, General Manager, Durham County ABC Board

**County Manager's Recommendation:** The County Manager recommends that the Board appoint Wayland Burton as Chairperson of the Durham County ABC Board.

**15-672****Approval for the Durham County ABC Board to Adopt the County of Durham's Travel Policy****Agenda Text:**

The Board is requested to approve the Durham County ABC Board's use of the County of Durham's travel policy modified with the appropriate changes in titles, departments, form names, terminology, etc. that reflect the Durham County ABC organization.

Each fiscal year, per 2010 legislation, local ABC boards must obtain the approval of their appointing authority to adopt their travel policy or the local board must use the policy of the State. With the advent of FY2016, the Durham County ABC Board is requesting this approval.

The Durham ABC board has tentatively approved the enclosed policy for FY2016. The final adoption of the policy is contingent upon the Board of Commissioners' approval.

**Alignment With Strategic Plan:** (brief statement and relevant goal)

**Resource Persons:** Barry Sessoms, General Manager, Durham County ABC Board

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Durham County ABC Board's use of the County of Durham's travel policy modified with the appropriate changes in titles, departments, form names, terminology, etc. that reflect the Durham County ABC organization.

**Attachments:**

[ABC Travel Policy 2016 final](#)

**15-675****Approval of Security Services Contract Amendment with Old Dominion Security Co., Inc.****Agenda Text:**

The Board is requested to authorize the County Manager to make a second amendment to the Old Dominion Security Co., Inc. (ODS) contract dated May 26, 2015 and amended on August 10, 2015 to increase the contract amount by \$23,000.00 to reflect the addition of a contract security Field Supervisor position.

A contract security Field Supervisor is needed to insure that day-to-day security operations are managed, new officers are provided effective post training, and to schedule officers for posts and additional security requirements. The Field Supervisor will report to the contract security site supervisor.

This frees up the site supervisor to manage the overall contract security program, participate in meetings with clients, handle personnel issues, and

perform administrative functions such as payroll and the interview/hiring of officers.

The original base contract for security services was \$1,276,623.50. The previous amendment included additional approved coverage for the libraries and night patrol which increased the cost of security services to \$1,505,340.00. With the above change, the Board is requested to approve an amended agreement total not to exceed \$1,528,340.00.

**Alignment with Strategic Plan:** The requested agreement aligns with Goal 3, Safe and Secure Community, by partnering with the community to prevent and address unsafe conditions, protect life and property and respond to emergencies.

**Resource Persons:** Motiryo Keambiroiro, General Services Director; Ed Miller, Security Manager

**County Manager's Recommendation:** The Board is requested to authorize the County Manager to approve a second amendment the Old Dominion Security Co., Inc. (ODS) contract to increase the contract amount by \$23,000.00 to reflect the addition of a contract security Field Supervisor position.

**Attachments:**

[ODS Contract Amendment FY 2015-2016 \(09162015\)](#)

[ODS FY 2015-2016 Contract Amendment AAF 09162015](#)

**15-682**

**Approval of Surplus Personal Property Sale by Electronic Public Auction with GovDeals**

**Agenda Text:**

The Board is requested to 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.

As provided by the NC General Statutes 160A-270, the County desires to dispose of accumulated surplus vehicles. See the attached 2015 Surplus Vehicle Listing and the Vehicle/Equipment Replacement Policy - Section 5 Replacement Criteria. A Resolution authorizing the electronic public auction sale with a specific time, place and conditions of the sale shall be published in the local media and on the County's website at least ten (10) days prior to the date of sale.

We are recommending the use of GovDeals, our governmental on-line auction service provider. GovDeals will be compensated for the sale at 7.5% of the total gross sale price through auction proceeds. The last Durham County electronic public auction sale of surplus vehicles was held in December 2015 with gross sales of \$48,211.26.

**Alignment with Strategic Plan:** Promotes accountability and efficiency in government (Goal 5)

**Resource Persons:** Jacqueline Boyce, Procurement Manager

**County Manager's Recommendation:** The County Manager recommends that the Board 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 accumulated surplus vehicles.

**Attachments:** [AAF Surplus 2015-Attachment 1](#)  
[AAF Surplus 2015 Attachment 2 - Replacement Criteria](#)

### **15-683**

#### **Amended Board of Health Rule: Regulation of Smoking in Prescribed Public Areas**

**Agenda Text:** The Board is requested to approve the amended Board of Health Rule, Regulation of Smoking in Prescribed Public Areas.

Over the past year, the Board of Health researched and discussed the implications of the prevalence of e-cigarettes for the aforementioned Rule. After reviewing scientific evidence and hearing presentations from representatives from the NC Tobacco Control Branch, on August 13, 2015 the Board of Health voted unanimously to amend the Rule to include e-cigarettes.

**Alignment with Strategic Plan:** This agenda item is aligned with Goal 2, Health and Well-being for All, in that it creates the opportunity to reduce the number of toxicant exposures to our residents

**Resource Persons:** Gayle B. Harris, Public Health Director; Attorney Bryan Wardell

**County Manager's Recommendation:** The County Manager recommends that the Board approve the amended Board of Health Rule, Regulation of Smoking in Prescribed Public Areas.

**Attachments:** [Regulation of Smoking in Prescribed Public Areas](#)

### **15-685**

#### **Naming the Field and Scoreboard at the Durham County Memorial Stadium**

**Agenda Text:** The Board is requested to vote on naming the field, scoreboard, and the wall inside the seating bowl, at the Durham County Memorial Stadium, in honor of Coach Willie R. Bradshaw. Also, the Board is requested to approve the placement of two plaques inside of the Stadium, in the concourse area; one in memory of Willie R. Bradshaw, which has information about his life and contributions, and the other plaque to explain the historical context of the word "Memorial" in the Stadium's name and that the Stadium was named in honor of the Veterans of World Wars I and II.

**Alignment with Strategic Plan:** Goal 5 - Accountable, Efficient and Visionary Government

**Resource Persons:** Lowell L. Siler, County Attorney; Willie S. Darby, Senior Assistant County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board approve naming the field, scoreboard, and the wall inside the seating bowl, at the Durham County Memorial Stadium, in honor of Coach Willie R. Bradshaw. Also, to approve the placement of two plaques inside of the Stadium, in the concourse area; one in memory of Willie R. Bradshaw, which has information about his life and contributions, and the other plaque to explain the historical context of the word "Memorial" in the Stadium's name and that the Stadium was named in honor of the Veterans of World Wars I and II.

**Attachments:** [9.8.15 - Memorial Stadium, Willie Bradshaw naming](#)

## 7. Public Hearings (60 min)

### [15-654](#) **Public Hearing - Durham Comprehensive Plan Text Amendment, Research Triangle Park Amendments A1500007)**

**Agenda Text:** The Board is requested to conduct a public hearing and receive public comments on the Durham Comprehensive Plan Text Amendment, Research Triangle Park Amendments (A1500007); and

Motion: To adopt a resolution amending the Durham Comprehensive Plan, incorporating revisions to Chapter 2, Land Use Element; and Chapter 6, Economic Development Element.

Summary. Plan amendment A1500007 is a privately-initiated application submitted by the Research Triangle Foundation to amend the text of the Durham Comprehensive Plan. Currently, text within the Comprehensive Plan does not specifically address the Research Triangle Park (RTP) except for policy 2.5.3d, Research Triangle Park Master Plan. The proposed text amendments are intended to address land use and economic development issues specific to RTP. Furthermore, establishing policies, goals, and objectives specific to RTP would provide a basis for support for a new zoning district proposed by the applicant, and subsequent rezoning of property within RTP to the new zoning district. No changes to the Future Land Use Map are proposed.

Attachments:

Attachment A: Application by Research Triangle Foundation.

Attachment B: A Resolution to Amend the Durham Comprehensive Plan Regarding Research Triangle Park (A1500007)

Attachment C: Planning Commission Comments

The Planning Commission recommended approval, 8-6, of the plan amendment on August 11, 2015.

**Alignment with Strategic Plan:** The plan amendment aligns with Goal 5 by maintaining a transparent government and welcoming public input.

**Resource Persons:** Michael Stock, AICP, Senior Planner, and Steven L. Medlin, AICP, City-County Planning Director

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing on the proposed Durham Comprehensive Plan amendment and, if appropriate based on the comments received during the hearing, approve the amendment.

**Attachments:** [BOC Memo A1500007](#)  
[Attachment A Application](#)  
[Attachment B Resolution](#)  
[Attachment C Planning Commission Comments](#)

**15-655** **Public Hearing - Unified Development Ordinance Text Amendment, New Zoning District SRP-C (TC1400006)**

**Agenda Text:** The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, New Zoning District SRP-C (TC1400006); and

**First Motion:** To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

**Second Motion:** To 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 8, Environmental Protection; Article 9, Landscaping and Buffering; and Article 11, Signs.

**Summary.** Text amendment TC1400006 is a privately-initiated application submitted by the Research Triangle Foundation to amend the text of the *Unified Development Ordinance* (UDO) for a new zoning district called Science Research Park-Center (SRP-C). The intent of the new district to accommodate a mix of uses adjacent to properties zoned Science Research Park (SRP) and the request is a County-only application. In addition to the text amendment establishing the new zoning district, a plan amendment application has been submitted (A1500007) to establish policies appropriate to Research Triangle Park (RTP) and in support of the new district, and a zoning map change has been submitted (Z1500018) to establish the zoning district on the official zoning map.

Attachments: **Attachment A:** Application by Research Triangle Foundation.

**Attachment B:** An Ordinance to Amend the Unified Development Ordinance Establishing a New Zoning District Titled Science Research Park-Center (SRP-C) (TC1400006)

**Attachment C:** Statement of Consistency Pursuant to NCGS § 153A-341

**Attachment D:** Planning Commission Comments

**Attachment E: BPAC Comments**

The Planning Commission recommended approval, 8-6, of the text amendment on August 11, 2015. The Planning Commission determined that the ordinance request is not consistent with the adopted *Comprehensive Plan*. However, should the plan amendment be approved, the request would be consistent with the *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

**Alignment with Strategic Plan:** The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

**Resource Persons:** Michael Stock, AICP, Senior Planner, and Steven L. Medlin, AICP, City-County Planning Director

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

**Attachments:**

[BOCMemo TC1400006 final - revised 9-21-15](#)

[Attachment A TC1400006 application](#)

[Attachment B TC1400006 BOCfinal revised 9-18](#)

[Attachment C TC1400006 BOC Consistency statement](#)

[Attachment D Durham Planning Commission Members Written Comments](#)

[Attachment E BPAC Zoning Changes Letter](#)

**15-657****Public Hearing - Zoning Map Change, Park Center at RTP (Z1500018)****Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the Zoning Map Change, Park Center at RTP (Z1500018), a request to change the zoning of 100.4 acres located on the north side of NC Hwy 54, south side of I-40, west side of Davis Drive, and east side of NC 147.

Request: CC, SRP to SRP-C

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341.

Staff Determination: Staff determines that, should the plan amendment be approved, this request would be consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval, 8-6 on August 11, 2015. The Planning Commission finds that the ordinance request is not

consistent with the adopted Comprehensive Plan. However, should the plan amendment be approved, the request would be consistent with the Comprehensive Plan. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

Second Motion: To adopt an ordinance amending the Unified Development Ordinance to change the zoning designation from Commercial Center (CC) and Science Research Park (SRP) to Science Research Park-Center (SRP-C) zoning for the property.

- Attachments:
- A. Context Map
  - B. Future Land Use Map
  - C. Aerial Photography
  - D. Application
  - E. Statement of Consistency Pursuant to NCGS § 153A-341
  - F. Ordinance
  - G. Planning Commission Comments

**Alignment with Strategic Plan:** The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

**Resource Persons:** Michael Stock, AICP, Senior Planner, and Steven L. Medlin, AICP, City-County Planning Director

**County Manager's Recommendation:** The County Manager recommends that the Board conduct a public hearing on the proposed zoning map change request, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the request.

**Attachments:**

[Z1500018 staffreport BOC final](#)

[Attachment A\\_Z1500018\\_context](#)

[Attachment B\\_comp fluse\\_new\\_Z1500018](#)

[Attachment C\\_Z1500018aerial](#)

[Attachment D\\_Z1500018\\_application](#)

[Attachment E\\_Z1500018 Consistency Statement](#)

[Attachment F\\_Z1500018\\_BOC\\_ORDINANCE](#)

[Attachment G\\_Durham Planning Commission Members Written Comments](#)

**15-656**

**Public Hearing - Unified Development Ordinance Text Amendment, Accessory Structures-Home Occupations (TC1500005)**

**Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Accessory Structures-Home Occupations (TC1500005); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations.

Summary. Text amendment TC1500005 is a privately-initiated text amendment to Sec. 5.4, Accessory Uses and Structures, of the Unified Development Ordinance (UDO) to allow accessory structures to be located to the side of primary structures on property zoned Residential Suburban-20 (RS-20) and at least two acres in size, and to explicitly allow accessory structures to be used for home occupations that do not qualify as rural home occupations.

Attachments: Attachment A: Application by Parker & Ellis PLLC

Attachment B: An Ordinance to Amend the Unified Development Ordinance Regarding Accessory Structures and Home Occupations (TC1500005)

Attachment C: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment D: Planning Commission Comments

The Planning Commission recommended approval, 14-0, of the text amendment on August 11, 2015. The Planning Commission determined that the Ordinance request is consistent with the adopted Comprehensive Plan and that the request is reasonable and in the public interest based on comments received at the public hearing and the information in the staff report.

**Alignment with Strategic Plan:** The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

**Resource Persons:** Name(s) and title of responsible person(s) to present and/or answer questions.

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

**Attachments:**

[BOC9-28-15Memo TC1500005](#)

[Attachment A TC1500005 Application](#)

[Attachment B TC150005 BOC9-28-15](#)

[Attachment C TC150005 BOC Consistency statement](#)

[Attachment D Durham Planning Commission Members Written Comments](#)

## 8. Other Business (20 min)

**15-680****Approval of Public-Private Project Agreement with Research Triangle Foundation of North Carolina for Park Center Phase I****Agenda Text:**

The Board is requested to approve the Public-Private Project (PPP) Agreement negotiated with Research Triangle Foundation of North Carolina (RTF) in an amount of Twenty Million (\$20,000,000.00) Dollars over 10 years for the development of the Park Center Project Phase I. The County will significantly benefit from participation in the development of the project from increases to annual property taxes, local sales and mass transit taxes, and from the creation of new jobs.

For over 50 years, The Research Triangle Park (RTP) and Durham County Government have built a proud legacy of partnership, investing in education, building a national jobs engine and forging a global brand. RTF has created an exciting and new physical plan for RTP to establish an exceptional 21st-century live-work-play community designed to maintain RTP's reputation as one of the great innovation hubs in the world and to keep RTP at the forefront of the economy.

In 2012, the RTF and its partners released a Master Plan to develop Park Center and to guide RTP for the next 50 years. Park Center is the 98-acre area of RTP that will serve as the cornerstone of the Master Plan. Park Center is designed to attract and support businesses and to drive growth in Durham, The Triangle and across the state.

During the past 24 months, RTF invested more than \$25M in acquiring the Park Center assets, demolishing buildings that could not be reused, in master planning the site and in working to obtain entitlements associated with the development. RTF is committed to spending at least another \$20M from the Foundation's assets in the coming years and has asked the County to partner with it for Phase I of the development by matching RTF's \$20M investment. The Durham-Wake Counties Research and Production Service District will also partner to invest \$10M in Phase I of Park Center for open and park space.

The County will pay a maximum of \$20,000,000.00 over a 10 year period to match funds made by RTF for the development of Park Center Phase I. This agreement covers the terms and conditions of the County's investment in the project.

**Alignment With Strategic Plan:** This project aligns with Goal 1: Community and Family Prosperity and Enrichment by contributing Park Center Phase I infrastructure which is designed to attract new business and support existing business, thereby increasing the County's tax base and supporting the creation of new jobs.

**Resource Persons:** Marqueta Welton, Deputy County Manager; Bob Geolas,

President and CEO, The Research Triangle Park

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Public-Private Project (PPP) Agreement negotiated with Research Triangle Foundation of North Carolina (RTF) in an amount of Twenty Million (\$20,000,000.00) Dollars over 10 years for the development of the Park Center Project Phase I.

**Attachments:** [Durham BOCC RTP Park Center Slide](#)  
[RTF Durham PPP Agreement](#)

## 9. Board and Commission Appointments (10 min)

### **15-668** Board and Commission Appointments

**Agenda Text:** Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Adult Care Home Community Advisory Committee
- Audit Oversight Committee
- Community Child Protection Team/Child Fatality Prevention Team
- Dangerous Dog Appeal Board
- Durham Tourism Development Authority
- Historic Preservation Commission
- Library Board of Trustees
- Nursing Home Community Advisory Committee
- Triangle J Water Resources Committee
- Workforce Development Board

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

**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:** V. Michelle Parker-Evans, County 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.

**10. ITEMS PULLED FROM CONSENT AGENDA (20 min)****11. Closed Session (45 min)****15-684****Closed Session****Agenda Text:**

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.

**Alignment with Strategic Plan:** This discussion aligns with Goal 1: Community and Family Prosperity and Enrichment.

**Resource Persons:** Marqueta Welton, Deputy County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board 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.

**12. Adjournment**