

REVISED

Remove Item No. 8

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

Monday, June 2, 2008

9:00 A.M. Worksession

AGENDA

1. **Neighborhood College: Class Presentations from Spring 2008 Session**

15 min.

Durham City-County Neighborhood College is a unique educational program offered by Durham City and County Governments to provide information on key City and County services. During a series of classes held over nine weeks, class members are divided into four groups and charged with exploring a relevant public policy question and presenting reports to fellow classmates. This term, two topics were explored: Reducing Gang Violence and Examining Relevant Revenue Options for County Government.

At the April graduation event, Chairman Ellen Reckhow invited members of the class to share the presentations with the Board of Commissioners.

Resource Person(s): Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: Receive the reports from Spring 2008 Neighborhood College participants.

2. **Duke University's new Warning System**

15 min.

Duke University is currently in the process of installing an outdoor warning system. This system will allow emergency personnel to alert and direct individuals in the event of an emergency. The system will feature seven strategically placed, pole-mounted sirens with speaker arrays that blast warning tunes and recorded or live messages. These messages can be isolated to a specific area and may travel up to one-half mile. The system is provided by Federal Signal Corporation. Installation and testing is scheduled to be completed in August.

Representatives from Duke University will provide a brief overview and explanation of the system. The 911 Advisory Board and members of the County's EMS, Fire, and Emergency Management Departments have received the presentation and are coordinating emergency efforts with Duke University.

Resource Person(s): Carolyn Titus, Deputy County Manager; Michael Palmer, Duke University Assistant Vice President, Office of Community Affairs; and Aaron Graves, Duke University Associate Vice President for Campus Safety and Security

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

3. Left Blank Intentionally

4. **Durham County Justice Center Update**

30 min.

The Board is requested to receive an update on the design development (DD) phase of the proposed Durham County Justice Building Center and Parking Deck to be located on the site adjacent to the current Detention Facility. The award of the architectural design services contract to O'Brien/Atkins Associates (O/A), P.A. was approved by the Board of County Commissioners on July 24, 2006. The BOCC received a similar presentation on the schematic design phase of the project on December 3, 2007, and since, efforts have progressed on the design development.

A series of meetings and workshops with the court staff, county staff, project consultants, and other occupants of the building have been completed as part of the design development phase. The intent of this update is to receive input/approval from the Board on the exterior appearances of the building and parking deck, which will allow the project to advance to the construction document phase. Also, a stakeholders meeting is being planned in order to receive citizens' comments and inputs on the design of this facility. The architect will provide an update to the Board.

Resource Person(s): Glen Whisler, P.E., County Engineer, Engineering Department; Kevin Montgomery, FAIA, O'Brien/Atkins Associates, P.A; and Franklin L. Turner, Jr. AIA, O'Brien/Atkins Associates, P.A.

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

5. **Southwest Branch Library Update**

20 min.

The Board is requested to receive an update on the design development phase for the expansion and renovation of the Durham County Southwest Branch Library located at 3605 Shannon Road. On April 23, 2007, the Board of County Commissioners awarded a design contract to Cherry Huffman Architects, P.A. (CHA) to provide architectural services for this branch. The Board received a similar update on the schematic design phase of the project on February 4, 2008.

The intent of this update is to receive the Board's input on the design development phase of the project, in particular, the exterior views of the building. This project includes renovation of the existing 10,000 square-foot building and construction of a 15,000 square-foot addition, including site improvements. The next phase of the project is construction drawings.

On December 10, 2007, the Board authorized the County Manager to initiate a zoning map change application for the library to allow for the expansion beyond the limitations imposed by the current development plan. A stakeholder's meeting was held on April 12, 2006, during which County staff and the architects presented the status of the project and received public input. A former review by the Appearance Commission was held on March 19, 2008, and the initial site plan was submitted on March 26, 2008. Public hearings for the zoning map change were held and approved by the Planning Commission on March 11, 2008 and by the City Council on May 5, 2008.

Resource Person(s): Glen Whisler, P.E., County Engineer; Ademola Shobande, Assoc. AIA, Sr. Project Manager, Engineering; James Faress, P.E., Project Manager, Engineering; Skip Auld, Director of Library Services, and Louis Cherry, AIA, Cherry Huffman Architects, P.A.

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

6. **SWAP Guarantor**

10 min.

Over the past year, the credit quality of our SWAP guarantor Ambac has deteriorated to a point where it is expected to fall out of the investment grade required by our agreement. As such the counterparty, Rice Financial Products is requesting to replace Ambac with the Bank of New York as guarantor.

Resource Person(s): George K. Quick, Finance Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners suspend the rules, approve this request, and authorize the Manager to execute the required documents subject to LGC approval.

7. **Impervious Surface Transfer Acceptance Criteria**

30 min.

This request is for the Board to provide comments on the proposed acceptance criteria for impervious surface easements. The Unified Development Ordinance (UDO) provides for a new option within watershed overlay areas for addressing impervious surface requirements. Traditionally, new development needed to meet any impervious surface coverage requirements on site. The new provision allows for non-contiguous land, called "donor" parcels, to be used to meet overall impervious surface requirements if the donor parcel area is permanently protected through the use of a conservation easement that requires the land to be left natural and prohibits any impervious surfaces. The Board has approved one impervious surface transfer to date and has two pending requests for acceptance of easements which will be brought to the Board for acceptance in the near future.

Permanent easements conveyed to the County under this UDO option will become the County's responsibility to monitor and manage in perpetuity to ensure that no impervious surfaces are constructed in the future. As a result, it is important that this open space be protected where the County has an interest in managing and preserving open space. The proposed acceptance criteria would provide guidance for the types of parcels the County will accept under the impervious surface transfer provisions. If the County chose to do so, there would also be benefit for both the County and applicants to pre-select sites in separate watershed areas that would be suitable locations for impervious transfer donor requests. By pre-selecting sites, the County can ensure that the land proposed for permanent open space is located where the County has a long-term management interest, rather than those sites for which the applicants are able to obtain easements. The report introduces the concept of creating a County "land bank" for impervious surface transfers within the watershed overlay zones in order to receive Board direction on this idea.

Resource Person(s): Jane Korest, Open Space and Real Estate Manager

County Manager's Recommendation: The Manager's recommendation is that the Board endorse the Acceptance Criteria for Impervious Surface Transfer Requests, and direct staff to begin to develop a land bank program for impervious surface transfers.

8. Resolution of the Durham County Board of Commissioners Regarding Collection of Delinquent Property Taxes upon Transfer of Property

15 min.

~~N.C.G.S. § 161-31 authorizes the Board of Commissioners by resolution to require the Register of Deeds to not accept any deed transferring real property for registration unless the County Tax Collector has certified that no delinquent *ad valorem* taxes, or other taxes with which the collector is charged, are a lien on the property described in the deed;~~

~~Durham County is one of the counties to which N.C.G.S. § 161-31 is applicable; and~~

~~The Durham County Board of Commissioners has been requested to consider the adoption of the resolution.~~

~~Resource Person(s): Kim Simpson, Tax Administrator, and Lowell Siler, Deputy County Attorney~~

~~County Manager's Recommendation: The Manager recommends that the Board of County Commissioners consider and discuss the proposed resolution and place it on the Board's agenda for approval on June 9, 2008.~~

LUNCH BREAK
12:00 Noon

9. **Closed Session (to be held during lunch)**

The Board is requested to adjourn to Closed Session to consider the performance of a public officer or employee pursuant to G.S. § 143-318.11(a)(6).

1:00 P.M.
Budget Worksession

City/County Departments

City/County Planning Department—Steve Medlin	1:00-1:45 p.m.
911 Emergency Communications/Surcharge—Jim Soukup	1:45-2:30 p.m.

Compensation

Compensation/Benefits/Retiree Benefits—Marqueta Welton p.m.	2:30-3:15
--	-----------