

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, February 27, 2006

Durham County Government Administrative Complex, Commissioners Room(2nd floor)

200 E. Main Street, Durham, NC 27701

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.
4. **Minutes** 5 min.

- a. **February 6, 2006 Worksession**
- b. **February 13, 2006 Regular Session**

5. **February Anchor Award Winner?Terri Richardson** 5 min.

Terri Richardson, a Personal Property Appraiser in Tax Administration, was selected to receive the February Anchor Award. Terri was recognized for this honor because of superior work, and particularly for her initiative to take a lead in the Call Center to ensure that the Tax Department customer service goals were met.

- Terri's office was recently remodeled, which forced her to move to a location in the Call Center. The space that Terri occupied was used as an overflow desk when additional staff members would be needed in the Call Center. Terri recognized the need for additional help within the CallCenter due to call volume and a staff shortage within the CallCenter, and took a lead within the Center to ensure that the Tax Department's customer service goals were met. She has continued to work in the Call Center even after her staff was moved back into their permanent locations.

- Terri has maintained her responsibilities as well as assisted the supervisor in the training of new employees recently hired. She has taken this role upon herself without being asked to assist.

Chairman Ellen Reckhow will lead the presentation.

6.

Consent Agenda 20 min.

- a. **Appointment of the 2006 Equalization and Review Board Members (appoint a special E&R Board, designate membership, appoint Chair and Vice Chair, and establish compensation rate at \$50.00 per session and \$15.00 per hour after the three-hour session);**

b.

Property Tax Releases and Refunds?Fiscal Year 2004-05 (accept the property report for January 2006 and authorize the Tax Assessor to adjust the tax records as outlined);

c.

AAA Transport Inc. Franchise Renewal (approve the three-year ambulance franchise renewal request);

d. ADDITIONAL PERSONNEL FOR THE DURHAM EMERGENCY COMMUNICATIONS CENTER (APPROVE THE FUNDING AND ESTABLISHMENT OF FOUR ADDITIONAL TELECOMMUNICATOR POSITIONS BEGINNING APRIL 10, 2006);

e. Replacement Vehicles for the Durham County Fire Marshal and Emergency Management Department (authorize the County Manager to enter into a contract with University Ford in the amount of \$103,839.84 for the purchase of four replacement vehicles);

f. Request to Establish Two Fire Insurance Rating Districts and Response District (approve establishment of the two Durham County Fire Insurance Rating Districts and initiate a contract between the County of Durham and Durham Fire Department for provision of primary fire protection for the new response district);

g. Request Approval of Revised Legal Written Description of the Six-Mile Parkwood Fire Insurance District (approve the revised legal written description of the six-mile Parkwood Fire Insurance District);

h. Request Approval of Revised Legal Written Description of the Six-Mile Redwood Fire Insurance District (approve the revised legal written description of the six-mile Redwood Fire Insurance District);

i. Request Approval of Revised Legal Written Description of the Six-Mile Lebanon Fire Insurance District (approve the revised legal written description of the six-mile Lebanon Fire Insurance District);

j. Budget Ordinance Amendment No. 06BCC000043?Public Health?Recognize Revenue From NC Department of Health and Human Services Via Durham Public Schools and Establish Seven Provisional School Nurse (Public Health Nurse II) Positions (recognize \$146,292 in revenue from the N.C. Department of Health and Human Services via Durham Public Schools and establishing seven provisional school nurse positions (Public Health Nurse II) to implement the Child and Family Support Team Initiative in Durham Public Schools);

k. Budget Ordinance Amendment No. 06BCC000044 Request Additional Provisional School Social Worker (recognize \$140,000 in revenue from the NC Department of Health and Human Services via Durham Public Schools, and to establish seven provisional Social Worker II positions for the last 4 months of the fiscal year);

l. Interlocal Agreement for Reclaimed Water Facilities (authorize the Chairman to execute the attached Interlocal Agreement between Durham County, Wake County, and the Town of Cary for the design and permitting of Reclaimed Water Facilities and the associated distribution system at the Triangle Wastewater Treatment Plant); and

m. Execution of Architectural Design Service Agreement with Cherry Huffman Architects, P.A., for the Proposed Durham County Animal Control Office: Project No.: DC076-50/58 (authorize the execution of an architectural design contract with Cherry Huffman Architects, P.A., in the total amount of \$74,800.00 plus additional services and reimbursable expenses estimated at \$5,200.00 thus totaling \$80,000.00).

7

Public Hearing to Consider Allocating Economic Development Investment Funds to Eisai, Inc. 15 min.

Eisai Inc., U.S. pharmaceutical subsidiary of Tokyo based Eisai Co., Ltd., is considering building an additional pharmaceutical manufacturing facility and new central utility building on its existing 125-acre site located in Research Triangle Park (RTP). Since 1997, Eisai has rapidly grown to become a successful U.S. pharmaceutical company with sales nearly \$2 billion. Its current RTP manufacturing facility is the only one in the United States. Eisai develops, manufactures, and commercializes

biopharmaceutical products for the treatment of Alzheimer's disease and gastroesophageal reflux disease.

The proposed new investment for the RTP campus is estimated to be approximately \$105 million, with an estimated net depreciated taxable value of approximately \$35 million. Upon completion, Eisai will manufacture a new liquid injectable oncology product. It is expected that Eisai will bring 84 new jobs to Durham County by 2013 as a result of this expansion.

Eisai Inc. is in the process of making the final decision as to where to locate the proposed expansion. Staff is aware of several other sites being considered for this investment, including Japan and Italy. Eisai has communicated to the County Manager and staff that Durham County's financial support for this project will be a key consideration in the final decision. Eisai is requesting that the County participate in the costs of site preparation activities, such as site clearing and grading, and extension of utilities.

Staff is recommending that the County participate in this economic development project by reimbursing Eisai up to one million dollars (\$1,000,000.00) for the costs of site preparation activities and extension of utilities.

This public hearing was advertised on Friday, February 17, 2006, as required by Statute.

Resource Person(s): Carolyn P. Titus, 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 THE REIMBURSEMENT CONTRACT BETWEEN THE COUNTY OF DURHAM AND EISAI, INC. TO ALLOW FOR THE REIMBURSEMENT OF COSTS ASSOCIATED WITH THE SITE PREPARATION, SUCH AS SITE CLEARING AND GRADING, AND THE EXTENSION OF UTILITIES.

8. PUBLIC HEARING TO CONSIDER ALLOCATING ECONOMIC DEVELOPMENT INVESTMENT FUNDS TO STIEFEL LABORATORIES, INC. 10 MIN.

Stiefel Laboratories Inc. is considering relocating its global research and development headquarters to the Research Triangle Park, including the acquisition of the vacant facility formerly owned and occupied by the Eli Lilly Company. Stiefel is a global skin care pharmaceutical firm with world headquarters in Coral Gables, Florida. The proposed investment for the RTP facility is estimated to be in excess of \$42 million and would include 200 new jobs within five years.

Staff is recommending that the County participate in this economic development project by reimbursing Steifel up to seventy-five thousand dollars (\$75,000.00) for the costs of relocation and employee training.

Stiefel Laboratories Inc. has indicated that they have decided to locate in Durham County subject to receiving the incentives which are proposed.

This public hearing was advertised on Friday, February 17, 2006 as required by Statute.

Resource Person(s): Carolyn P. Titus, 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 the standard reimbursement contract between the County of Durham and Stiefel Laboratories, Inc. in the amount of seventy-five thousand dollars (\$75,000) to allow for the reimbursement of costs associated with relocation and employee training.

9.

Public Hearing Durham County Sheriff's Office and the City of Durham Police

Department on the 2006 Edward Byrne Memorial Justice Grant (JAG) 15 min.

Durham County and Durham City are seeking authorization to submit a joint on-line application for funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. JAG blends the previous Byrne Formula and Local Law Enforcement Block Grant (LLEBG) Programs to provide agencies with the flexibility to support a broad range of activities to prevent and control crime based on their own local needs and conditions.

An Interlocal Agreement will be presented for consideration, which appoints the Sheriff's Office to serve as the applicant/fiscal agent for the joint funds and agrees to a fifty-fifty split of the funds with the City.

The Sheriff's Office funds will be used to replace outdated radar units; replace Search and Recovery equipment; purchase multi-media equipment to facilitate gang, school, and community presentations; to purchase of crime analysis equipment and tools; and to support the Durham County Gun Safety Team.

The Police Department funds will be used to fund the gang prosecution attorney in the District Attorneys Office and to support the five district Partners Against Crime community groups.

One of the conditions of this grant award is to conduct a public hearing to receive public comment as to the use of these funds. This public hearing has been advertised in The Herald-Sun on February 5, 2006 as well as on both Police Department and Sheriff's Office websites since February 2, 2006.

No additional funding is required and no subsequent year budget impact is anticipated. The total award is \$143,662; the Sheriff's Office and Police Department will each receive \$71,831 from the grant award.

| Resource Person(s): Marcia Margotta, Sheriff's Comptroller; Sheriff's Chief Deputy C. Wes Crabtree; and Jesse Burwell, Fiscal Services Manager, DPD

| County Manager's Recommendation: The Manager recommends that the Board congratulate the Sheriff and the Durham Police Department on seeking another grant opportunity to support local law enforcement and criminal justice system activities. Furthermore, it is recommended that the Board conduct the public hearing to receive citizen comments and approve the Interlocal Agreement, authorizing the County Manager to sign.

10. **Public Hearing on Two-Thirds Bonds** 10 min.

The Board is requested to hold public hearings on the four bond orders which were introduced at its previous meeting. The bond orders are for the following:

\$3,117,000 Open Space Bonds

\$2,933,000 Library Facilities Bonds

\$2,158,000 Public Building Bonds

\$4,022,000 School Bonds

A copy of the suggested minutes has been prepared by Bond Counsel. Following the hearings, the public hearing on the School Bonds is requested to be adjourned until the March 27 meeting in order to receive additional information from the Board of Education.

| Resource Person(s): Chuck Kitchen, County Attorney; George Quick, Finance Director; and Glen Whisler, County Engineer

| County Manager's Recommendation: The County Manager recommends that the Board hold the public hearings on the bond orders; adjourn the public hearing on the School Bonds until the March 27 meeting of the Board; and separately approve each of the remaining three bond orders.

11. **Public Hearing Zoning Map Change Triangle Metro Center South (Z05-25)** 20 min.

The Board is requested to approve a zoning map change for 107.2-acre site located at the northeast quadrant of the intersection of Davis Drive and Hopson Road.

PIN 0747-03-14-2716; --15-6012; --24-7670; --25-0657

Request: OI(D) to OI(D) Change to Development Plan

To approve as support for its action on the above ordinance amendment the findings that the ordinance is consistent with the Comprehensive Plan and that the request is reasonable and in the public interest considering the determination and facts as set forth in the accompanying staff report.

Staff recommends approval based on the consistency with the Comprehensive Plan and the information contained within the staff report. The Durham Planning Commission conducted a public hearing on January 10, 2006 and recommended approval with a vote of 12-1 based on the consistency with the Comprehensive Plan and the information contained within the staff report and testimony provided at the public hearing.

This item was continued from the February 13, 2006 meeting.

| Resource Person(s): Frank M. Duke, AICP, Planning Director

| County Manager's Recommendation: The Manager recommends that the Board conduct a public hearing on the proposed zoning map change and approve it, if appropriate, based on the comments received.

12. **Board and Commission Appointments** 10 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to make appointments to the following boards and commissions:

- City-County Appearance Commission
- Design District Review Team
- Emergency Medical Services Council
- Environmental Affairs Board
- Nursing Home Advisory Committee
- Workforce Development Board

Resource Person(s): Vonda Sessoms

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

13. **Closed Session** 5 min.

The Board is requested to adjourn to Closed Session to consult with an attorney and to preserve the attorney-client privilege pursuant to G.S. § 143-318.11(a)(3).

2 hrs. 20 min.