

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

Monday, January 13, 2014

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 pm Regular Session

1. **Opening of Regular Session** - Pledge of Allegiance (5 min)
2. **Agenda Adjustments** (5 min)
3. **Announcements** (5 min)
 - 1) "In Touch with Durham County," the Durham County Television show, airs daily on Cable TV Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. 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.
 - 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov for more information. Please note that all City and County taxes must be current at the time of application.
 - 3) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
 - 4) The 9th Annual Durham City-County Martin Luther King, Jr. Observance Program will be held Wednesday, January 15th at noon, at the First Presbyterian Church, located at 305 E. Main Street. The keynote speaker is Rev. Dr. Luke A. Powery, Dean of Duke Chapel, and an Associate Professor of the Practice of Homiletics at Duke Divinity

School. This free event is open to the public, and will feature the City-County Martin Luther King, Jr. Mass Choir.

- 5) As Chair of the Board of County Commissioners, I will begin office hours for citizens on Wednesday, January 15th from 2:00 pm to 5:00 pm. Appointments can be made by calling me at 919-949-4022;
- 6) Got a question for Durham County Government? Durham County will host an “Ask DCo” live Twitter chat on Wednesday, January 29 from 2:00 p.m. - 3:00 p.m., featuring guest host the Durham County Sheriff’s Office. Just use the hashtag #AskDCo and staff will be available to answer your questions. Be sure to follow the Twitter accounts @DurhamCounty and @DurhamSheriff and get ready to “Ask DCo” from your computer or mobile device.

4. Minutes (5 min)

- a) December 9, 2013 Regular Session
- b) December 2, 2013 Worksession

5. Consent Agenda (15 min)

- a. Approve the Records Retention and Disposition Schedule for Durham County Management;
- b. ~~ITEM REMOVED Approve Budget Ordinance No. 14BCC000035 to recognize revenues from Duke Energy Progress, the Home and Community Block Grant, and Low Income Energy Assistance Payments funds in the amount of \$13,865;~~
- c. Approve the sole source exemption and authorize the county Manager to enter into a contract with Bradshaw Consulting Services, Inc. for the purchase of the Mobile Routing and Vehicle Location System (MARVLIS) in the amount of \$135,600.00;
- d. Authorize the County Manager to enter into a contract with Withers & Ravenel to provide Engineering and Hydrogeology services for the Rougemont Critical Water Infrastructure Improvements in an amount not to exceed \$150,000.00;
- e. Approve the sole source exemption and authorize the County Manager to enter into a contract with Schneider Electric in the amount of \$43,851.00 for upgrading the HVAC building automation system at the County Detention Center;
- f. Authorize the Tax Assessor to grant extensions for taxpayers, required by North Carolina General Statutes to list business personal property, who request an extension and show good cause during the month of January until April 15, 2014;
- g. Approve Budget Ordinance Amendment No. 14BCC000036 and increase the budget for Coordinated Transportation by \$41,572;
- h. Approve Budget Ordinance Amendment No. 14BCC000037 and increase the budget for Coordinated Transportation by \$37,950;

- i. Approve Budget Ordinance Amendment No. 14BCC0000038 to pay out compensatory time balances. The funding source will be a fund balance appropriation from the General Fund for general fund employees and a fund balance appropriation from the Enterprise Fund for enterprise fund employees;
- j. Approve the Wastewater Pretreatment Program Interlocal Agreement with the City of Durham.

6. Public Hearing – Zoning Map Change – Triangle Paintball (Z1300027) (15 min)

- 1) The Board is requested to approve a request for a zoning map change for a 1.84 acre site located at 7460 Wake Forest Highway, south side of Wake Forest Highway between Southview Road and Coley Road.

Request: RS-20 to RR

- 2) To adopt as support for its action on the proposed zoning map change the determinations that the action is consistent with the *Comprehensive Plan* and is reasonable and in the public interest in light of information presented at the public hearing and in the accompanying agenda materials; or
- 3) Alternatively, in the event that a motion to approve the item fails, the Commissioners adopt as support for their actions on the proposed zoning map change the determination that, notwithstanding its consistency with the *Comprehensive Plan* the request is neither reasonable nor in the public interest in light of information presented at the public hearing and in the accompanying agenda materials.
- 4) Staff Determination: staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances as presented in the staff report.
- 5) Planning Commission Recommendation and Vote: Approval, 14-0 on November 12, 2013. The Planning Commission finds that the ordinance request is consistent with the adopted 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: This item is aligned with Goal 1 of the County Strategic Plan (Community and Family Prosperity and Enrichment), based on the fact that this action would facilitate the expansion of an existing business in Durham County.

Resource Persons: Patrick O. Young, AICP, City-County Assistant Planning Director and Scott Whiteman, Zoning Supervisor

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.

7. ITEMS PULLED FROM CONSENT AGENDA (20 min)

8. CLOSED SESSION

- 1) The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6). **(TO BE HELD AT 2:00 PM);**
- 2) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.;
- 3) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege.

County Manager's Recommendation: The County Manager recommends that the Board adjourn to Closed Session and direct staff as appropriate.