

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, August 10, 1998

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**—Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

- a. June 1, 1998 Worksession
- b. June 8, 1998 Regular Session
- c. June 11, 1998 Budget Public Hearing
- d. June 15, 1998 Budget Worksession
- e. June 17, 1998 Budget Worksession
- f. July 6, 1998 Closed Session

4. **Resolution Honoring 100-Year-Old Citizen--Mrs. Jessie D. Lyons**

A resolution honoring centenarian Mrs. Jessie D. Lyons has been prepared by staff. Mrs. Lyons was recently recognized by family and friends at a community event in celebration of her 100th birthday.

4a. **Resolution Supporting Changes in Airline Greeting/Reference Terminology at RDIA**

A resolution supporting changes in airline greeting/reference terminology at Raleigh-Durham International Airport has been prepared by staff. This is in response to a request from Mr. Reyn Bowman, President of the Durham Convention and Visitors Bureau. His request speaks to the "short-handling" references that airlines and airline crews use in saying "Raleigh," while failing to acknowledge the "Durham" area entirely, even though both cities are served by the airport.

5. **NACo Achievement Award Recognition for "ServSafe," Serving Safe Food--Employee Training**

Recognize Suzette Goldmon, Durham County Cooperative Extension Service Center; Marc Meyer, Durham County Environmental Health Specialist; and respective staffs for cooperative efforts which led to a "1998 Achievement Award" from the National Association of Counties (NACo) for "ServSafe," a national certification course for food service operators.

The program was recognized at the Annual Conference held in Multnomah County, Oregon, and will be listed among other winning entries on NACo's Internet home page as well.

6. **Consent Agenda**

- a. Property tax release and refund report (adopt the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- b. Order of Tax Collection for 1998 taxes (adopt the Order of Tax Collection for 1998 property taxes and charge the Tax Administrator, Charles A. Clark, with the responsibility);
- c. Receive and approve the 1997 Tax Settlement Report and authorize the relieving of taxes that are more than ten years past due and motor vehicle taxes that are more than two years past due);
- d. Resolution Not to Collect Minimal Taxes (adopt resolution directing the Tax Administration not to collect minimal taxes in the amount of less than \$4.00);

- e. Appointments—Durham and Wake Counties Research and Production District (appoint the following):

Nancy Schwarm 7-1-98 to 6/30/2001

Robb D. Teer Jr. 7-1-98 to 6/30/2001

Ray Gunner 7-1-98 to 6/30/2001

Joe Griscti 7-1-98 to 6/30/2001);

- f. City-County Tax Collection Agreement (approve the agreement);
- a. Interlocal Agreement for the Countywide Geographic Information Systems Administration (approve the interlocal agreement);
- b. Street annexation petition—High Fox Drive (Ferrell Heights) (adopt a resolution to approve the addition of High Fox Drive [Ferrell Heights subdivision] to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation);
- c. Street closing—Gorman Church Road (SC98-3) (set a public hearing for August 24, 1998 to consider permanently closing 72,005± square feet of Gorman Church Road);
- d. Resolution—Nello Leguy Teer (approve the resolution);
- e. Cooperative Extension Service/Treyburn LLC Grant Resolution (approve resolution);
- f. Public Health—budget amendment to recognize grant revenue for the Tuberculosis Screening Program (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000002 in the amount of \$10,300);
- g. Public Health—budget amendment to recognize grant revenue for the Summer Food Service Program for Children (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000003 for \$2,142);
- h. Public Health—budget amendment to recognize grant revenue for the Infant Mortality Prevention Program in health education (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000004 in the amount of \$25,000);
- i. Coordinated Transportation—approval of funds for Transportation Services for Elderly and Disabled Residents (EDTAP grant funds) (approve the appropriation of grant funds for Coordinated Transportation [99BCC000005] and authorize the County Manager to increase the current purchase order of \$51,628 to \$84,433. Also approve the Board Chairman and County Manager to sign the certified statement agreeing to the conditions of the grant);
- j. Request to set a public hearing for the consideration of allocating Economic Development investment funds to Tivoli, a subsidiary of the IBM Corporation (set the public hearing for Monday, August 24, 1998 at 7:00 p.m.);
- k. Agreement on appointments to Duke University Health System Board (approve the agreement);
- l. Lease between Lincoln Community Health Center and Durham County (approve the lease agreement to formalize the continuing relationship between LCHC and Durham County); and
- m. Final qualifying bid to purchase County property (.44-acre tract located at rear of 2422 Broad Street, parcel 326-02-001) (accept the offer of \$30,000 submitted by Central Medical Park II, LLC for parcel 326-02-001 located at 2422 Broad Street and authorize staff to prepare a deed for the Chairman's signature).

7. Public Hearing--Ronnie Cox (Rezoning Case P98-27)

Ronnie Cox will present to the Board of County Commissioners a request to rezone 3 acres on the north side of Chin Page Road, TM 582-1-7A and 7E. Request: RD (Rural District) to I-2 (Light Industrial). The 2020 Community Growth Map indicates the site as Suburban Neighborhood and as adjacent to but outside two Regional Corridor Study Areas. Triangle Township Small Area Plan Future Land Use Map supports industrial/business park zoning and uses for this site and the whole of the Chin Page Road area. The request is in conformance with the adopted Triangle Township Small Area Plan and the 2020. Staff recommends approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on June 9, 1998, and voted 7-0 to recommend approval.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

8. Public Hearing--Sun River Builders Inc. (Rezoning Case P98-9)

Sun River Builders Inc. will present to the Board of County Commissioners a request to rezone an 11.67-acre site located at 500 Clayton Road, identified as Tax Map 675, Block 2, Lot 3. Request: R-20 (Residential 20) to R-10 (Residential 10 District); F/J-B. The Community Growth Map in the Durham 2020 Comprehensive Plan designates this site as "Suburban Neighborhood." Staff recommends approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on July 14, 1998, and voted 7-0 to recommend approval.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

9. Proposed Amendment to the Performance Section of the Durham Zoning Ordinance Revised Standards for Fences [TC73-98]

To receive citizen comments concerning the proposed amendment to the Performance Section of the Durham Zoning Ordinance to revise standards for fences. The JCCPC and the Zoning Committee recommend approval.

Bonnie Estes will be at the meeting to present this item.

10. Proposed Amendment to the Sign Section of the Durham Zoning Ordinance to Refine Certain Sign Standards [TC77-98]

To receive a staff report concerning refinements in the Zoning Ordinance regarding standards for signs. The JCCPC and the Zoning Committee recommend approval.

Bonnie Estes will be at the meeting to present this item.

11. Proposed Amendment to the Supplementary Standards Section [Section 7] of the Durham Zoning Ordinance to Revise Standards for Certain Swimming Pools [TC78-98]

To receive a report concerning the proposed amendment to the Supplementary Standards Section of the Durham Zoning Ordinance to revise standards for certain swimming pools. The JCCPC and the Zoning Committee recommend approval.

Bonnie Estes will be at the meeting to present this item.

12. Purchase of Real Property to Expand the Brogden Middle School Site

The Durham Public Schools Board of Education has made an offer to purchase real property located adjacent to Brogden Middle School comprising 4.02 acres of undeveloped land for \$65,000. This property is crucial for fully developing the Brogden Middle School, as it will increase our acreage to comply with the impervious surface requirements in keeping with Durham's watershed protection ordinance. The proposed two-story building expansion and parking improvements brings our impervious surface to 24 percent which is the allowable limit for this site. The additional acreage will allow for the construction of the athletic track. The site was surveyed and an environmental assessment was conducted; everything was found to be in order. Funding for this purchase will come from the 1996 State Bond Funds allocated to this project. In accordance with G.S. 115C-426, the Board of Education requests approval by the Board of County Commissioners to complete this purchase.

Michael Mulheirn, Assistant Superintendent for Operations Services, will be present to discuss the acquisition.

13. Application—Public School Building Capital Fund—Durham Public Schools

Previously the Durham Public Schools Board of Education and Durham County Commissioners approved the budget for the new Hope Valley Elementary School. The budget totaling \$8,947,000 comprises

\$2,914,990 State Bond Funds, \$4,200,000 Public School Building Capital Funds, and \$1,832,010 Insurance Proceeds.

This project consists of a 79,228-square-foot building scheduled for completion the summer of 1999 with a planned capacity of 638 students. The site work includes new parking and drives and the renovation of an existing classroom wing and gymnasium.

The Durham Public Schools Board of Education requests approval of a partial release of funds totaling \$3,150,000 from the Public School Building Capital Fund.

Michael Mulheirn, Assistant Superintendent for Operations Services, will be present to discuss the request.

14. Board and Commission Appointments

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots to make appointments to the following boards and commissions:

- Area Mental Health Board
- Criminal Justice Partnership Act Advisory Board
- Durham Civic Center Authority
- Durham Convention and Visitors Bureau
- Library Board of Trustees
- Youth Services Advisory Board

15. Appointment to Board of Directors of Downtown Durham Inc.

The Board of Directors of Downtown Durham Inc. invite the Durham County Commission to make an appointment to the Board of Directors for 1998-99. In 1997-98, the appointment was Commissioner Bell.

The appointment would be for July 1, 1998 to June 30, 1999. The Board member would serve in an ex-officio capacity with full voting privileges.

16. Appointments—Durham County Hospital Corporation Board of Trustees and Duke University Health System Board

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots to make appointments to the Durham County Hospital Corporation Board of Trustees and Duke University Health System Board.