

September 14, 1998

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

Monday, September 14, 1998

7:00 P.M. Regular Session

**MINUTES**

Place: Commissioners' Room, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman MaryAnn E. Black and Commissioners William V. Bell, Joe W. Bowser, Becky M. Heron, and Ellen W. Reckhow

Absent: None

Presider: Chairman Black

**Opening of Regular Session**

Chairman Black called the Regular Session to order with the Pledge of Allegiance.

**Agenda Adjustments**

Chairman Black remarked that an Alcoholic Beverage Control Board member will be appointed at the end of the meeting. The Alcoholic Beverage Control Board chairman will also be appointed.

Commissioner Heron requested that the Commissioners discuss the ABC Board candidates since they have all been interviewed.

Chairman Black said the candidates will be discussed at the end of the meeting.

County Attorney Chuck Kitchen informed the Commissioners that the discussion must take place in Open Session according to the Open Meetings law.

Chairman Black reported that the reappointment of Cindy Bailey as Animal Cruelty Investigator will be added to the consent agenda.

Chairman Black stated that a resolution will be presented by Vice-Chairman Reckhow regarding Triangle Area transportation improvements.

**Resolution Honoring Durham County Council on Physical Fitness & Sports**

A resolution congratulating the Durham County Council on Physical Fitness & Sports for receiving a Vanguard Award was prepared at the request of Vice-Chairman Ellen W. Reckhow. The primary goal of the fitness council is to provide formal and informal networking opportunities among those agencies and organizations who have concerns in the areas of safety, health, and physical activity.

County Manager's Recommendation: Congratulate members of the council and approve the requested resolution.

**RESOLUTION**

WHEREAS, the Durham County Council on Physical Fitness & Sports is a volunteer organization with representatives from the Durham County Health Department, Duke University, Durham Public Schools, North Carolina Central University, the Durham Police Department, the YMCA, and other interested citizens; and

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WHEREAS, the major goal of the Durham Fitness Council is to provide formal and informal networking opportunities among those agencies and organizations which have a concern in the areas of safety, health, and physical activity; and

WHEREAS, the Governor's Awards for Health and Fitness are presented annually to outstanding health and fitness programs in North Carolina; and

WHEREAS, the Durham County Council on Physical Fitness & Sports has been recognized as an innovative leader in health and fitness volunteer organizations by winning the top honor--the Vanguard Award; and

WHEREAS, the Vanguard Award is an annual award designed to recognize the outstanding health, safety, and fitness programs provided by local communities:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby congratulate the

Durham County Council on Physical Fitness & Sports

for its recognition as an innovative leader in community health and fitness volunteer organizations in the State of North Carolina. We call upon all citizens to recognize this outstanding achievement and to join the Council in promoting the benefits of being safe, healthy, and physically active.

This the 14<sup>th</sup> day of September, 1998.

/s/ Five Commissioners

Durham County Commissioners

Louis Holstein, Duke University Faculty; Katherine Hennison, Grants Manager, Durham Police Department; Diane Beth, Health Promotion Nutritionist, Durham Public Health Department; and Artie Kamiya, Board Chairman, N. C. Department of Public Instruction, received the resolution, banner, and plaque.

The banner read: 1998 Governor's Award for Local Fitness Councils

The plaque read as follows:

Governor's Awards  
for Local Fitness Councils  
1998 Vanguard Award

BlueCross BlueShield  
of North Carolina

Presented to

Durham County  
Council on Physical Fitness and Sports

North Carolina  
Governor's Council  
on Physical Fitness  
and Health

Vice-Chairman Reckhow announced that the Durham County Commissioners' Great Family Fun Walk, sponsored by the Durham County Fitness Council, will be held on Saturday, October 3, at Duke's Wallace Wade Stadium from 10:30 a.m. until 12:30 p.m. The proceeds from this walk will fund mini grants to the schools to help promote fitness.

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Mr. Kamiya thanked the Commissioners for the award.

**Resolution Regarding Triangle Area Transportation Improvements**

A resolution regarding Triangle Area transportation improvements was prepared at the request of Vice-Chairman Ellen W. Reckhow.

County Manager's Recommendation: Discuss the requested resolution and direct staff.

Vice-Chairman Reckhow read the following resolution into the record.

RESOLUTION

WHEREAS, the Greater Triangle Region of North Carolina is experiencing unprecedented growth; and

WHEREAS, traffic in this fast-growing region has quadrupled in the past 25 years, and the total miles driven has increased more than twice as fast as population growth; and

WHEREAS, the need for transportation improvements in the Triangle is far outpacing the funding for those needs, with almost a quarter of a billion dollars worth of road projects postponed by the North Carolina Department of Transportation in recent years; and

WHEREAS, the continued delay of those projects causes increased congestion on the already overburdened roads, thus adversely impacting the economic vitality and quality of life in the area; and

WHEREAS, part of the reason for the delay of those projects is the failure of the funding formula used by the North Carolina Department of Transportation to determine funding priorities to recognize the true impact of growth on the need for road construction; and

WHEREAS, Durham County, as a major employment center, must satisfy the commuting needs of people who live in other counties but commute to Durham:

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Durham County Board of Commissioners, do hereby request that the North Carolina Department of Transportation and the members of our local delegation to the North Carolina General Assembly initiate actions to determine ways to channel more resources for roads, public transportation, van pooling, and other efforts to reduce congestion in the Triangle area.

This the 14<sup>th</sup> day of September, 1998.

/s/ Five Commissioners  
Durham County Commissioners

Commissioner Heron said the resolution is "right on target."

The resolution will be sent to Secretary E. Norris Tolson and the Durham Legislative Delegation.

**Minutes**

- a. June 22, 1998 Regular Session
- b. July 6, 1998 Worksession
- c. August 3, 1998 Worksession

Commissioner Heron requested the Clerk include in the August 3, 1998 Worksession Minutes that she mentioned the KCI report relative to a survey on Ellerbee Creek. Approval of the minutes would be delayed until the next meeting.

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Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the June 22, 1998 Regular Session Minutes and the July 6, 1998 Worksession Minutes of the Board as submitted.

The motion carried unanimously.

Commissioner Heron asked County Manager David F. Thompson about development rights for farmland preservation mentioned in the June 22, 1998 minutes.

County Manager Thompson said a meeting was held recently with Wayne Cash and the County Attorney about the development rights. A report has been received from the City-County Planning Department regarding this issue. Further discussion can take place at the October 5, 1998 Worksession providing Mr. Cash has returned from vacation.

**Consent Agenda**

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the following consent agenda items:

- \* (a) Proclamation: Hunting and Fishing Day (approve the proclamation to proclaim Saturday, September 26, 1998, as hunting and fishing day in Durham, North Carolina);
- \* (b) Durham County Library Advisory Board recommendation regarding change in by-laws (approve the change to the by-laws as recommended by the Library Board);
- \* © Mental Health—FY 1998-99 Budget Ordinance Amendment No. 99BCC000008 (approve a state allocation of \$50,952 from the Department of Health and Human Services, Division of Epidemiology, for the Mental Health Center);
- \* (d) Public Library—FY 1998-99 Budget Ordinance Amendment No. 99BCC000009 (approve amendment to receive and expend gift funds [\$7,232] and funds [\$2,000] from a Library Services and Technology Act [LSTA] grant); and
- \* (e) Zoning text amendment regarding freestanding signs (adopt a zoning text amendment regarding freestanding signs with the date of adoption being the effective date); and
- (f) Appointment—Animal Cruelty Investigator (appoint Cindy Bailey for a one-year period to expire September 13, 1999).

The motion carried unanimously.

\*Documents related to these items follow:

Consent Agenda 6(a). Proclamation: Hunting and Fishing Day (approve the proclamation to proclaim Saturday, September 26, 1998, as hunting and fishing day in Durham, North Carolina).

The resolution follows:

PROCLAMATION

WHEREAS, hunting and fishing have always been an important part of the North Carolina tradition, and most Americans perceive correctly that such activities continue in

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popularity, especially when one considers that the number of women involved in the shooting sports has increased by more than 80 percent in the past ten years; and

WHEREAS, hunting and fishing are so much more than recreational pursuits, as hunters and anglers have been at the forefront of the conservation movement for over 100 years, giving of their time and finances and, in fact, have provided over \$20 billion to wildlife management programs, contributing \$3.5 million per day nationally, and in 1996 in North Carolina contributed nearly \$30 million for licenses and wildlife stamp and excise taxes on sporting equipment; and

WHEREAS, this financial support has provided the basis for scientific research, habitat restoration, and education which have led to the dramatic comeback of wildlife in North Carolina such as wild turkey, river otters, tundra swans and other water fowl, alligators, shore birds, bald eagles and other raptors, and fur bearers; and

WHEREAS, hunters and anglers are also important to the economy, with the average sportsman spending \$1,024 on food, lodging, equipment, real estate leases, and conservation fees, such that one million jobs are directly or indirectly supported by hunting and fishing; and

WHEREAS, dollars and cents alone do not represent the true worth of our outdoor traditions, wealthier than any millionaire is one with greater awareness, understanding, and respect of the national environment and its wildlife, and wealthier still are the ethical hunters and anglers who share this treasure with a youngster, friend, or relative:

NOW, THEREFORE, BE IT RESOLVED, that in recognition of past and current conservation achievements of ethical hunters and anglers, we, the members of the Durham County Board of Commissioners, do hereby proclaim Saturday, September 26, 1998 as

HUNTING AND FISHING DAY IN DURHAM COUNTY.

This the 14<sup>th</sup> day of September, 1998.

/s/ Five Commissioners  
Durham County Commissioners

Consent Agenda 6(b). Durham County Library Advisory Board recommendation regarding change in by-laws (approve the change to the by-laws as recommended by the Library Board).

The amendment to the Library Board by-laws follows:

Article II, Section V:

Change: "A quorum for the transaction of business shall consist of four members."  
To: "A quorum for the transaction of business shall consist of a majority of members."

This change was approved by the Library Board at a regular meeting held on August 24, 1998, with a unanimous vote of the full Board.

This change is made necessary by a change made to the by-laws in June to increase the size of the Board from seven members to nine.

Consent Agenda 6©. Mental Health—FY 1998-99 Budget Ordinance Amendment No. 99BCC000008 (approve a state allocation of \$50,952 from the Department of Health and Human Services, Division of Epidemiology, for the Mental Health Center).

The budget ordinance amendment follows:

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DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Durham County Mental Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,530,791	\$50,952		\$175,581,743
<u>Expenditures</u>				
Human Services	\$208,456,932	\$50,952		\$208,507,884

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 14<sup>th</sup> day of September, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 6(d). Public Library—FY 1998-99 Budget Ordinance Amendment No. 99BCC000009 (approve amendment to receive and expend gift funds [\$7,232] and funds [\$2,000] from a Library Services and Technology Act [LSTA] grant).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Durham County Public Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,581,743	\$9,232		\$175,590,975
<u>Expenditures</u>				
Cultural and Recreation	\$ 6,728,078	\$9,232		\$ 6,737,310

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 14<sup>th</sup> day of September, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 6(e). Zoning text amendment regarding freestanding signs (adopt a zoning text amendment regarding freestanding signs with the date of adoption being the effective date).

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The ordinance amendment follows:

TC 77-98 Durham County Adopted 9/14/98

AN ORDINANCE TO AMEND THE DURHAM ZONING ORDINANCE  
TO REFINE THE ZONING ORDINANCE STANDARDS REGARDING SIGNS

WHEREAS, the Durham Board of County Commissioners wishes to amend the zoning ordinance concerning standards for signs; and

WHEREAS, the zoning ordinance seeks to establish standards which balance the desire for signs with concerns for safety and aesthetics; and

WHEREAS, the standards of the zoning ordinance will help mitigate situations where signs would negatively affect aesthetics; and

"WHEREAS, the potential for the unlimited placement of signs may contribute to visual clutter which may reduce values of other businesses; and"

WHEREAS, the potential for unlimited placement of signs may show a lack of sensitivity to neighborhood appearances, may not meet neighborhood objectives, and may negatively affect residential property values; and

WHEREAS, Durham City and County wish to create an environment that supports good design and community aesthetics:

NOW THEREFORE, BE IT ORDAINED THAT:

Note: new proposals are designated by *bold italics*.

SECTION 1

That Section 12.2.1 [Sign Definitions] be amended by replacing the existing definition for "freestanding signs" with the following definition:

"Freestanding signs: A sign which is not attached to a building and permanently attached to the ground by one or more supports. *There are 2 types of freestanding signs:*

- a. *low stature freestanding signs [ground signs] - freestanding signs in which the distance from the ground to the highest point of the sign is 5 feet or less.*
- b. *high stature freestanding signs - freestanding signs in which the distance from the ground to the highest point of the sign is more than 5 feet."*

SECTION 2

That the second sentence in the 3<sup>rd</sup> paragraph of Section 12.6.1 be changed from the existing:

"The approving authority may allow modifications to the lettering style to accommodate federally registered trademarks(logos) . . . ."

to the following:

"The approving authority may allow modifications to the lettering style to accommodate *state and* federally registered trademarks (logos) . . . ."

SECTION 3

That Section 12.8.2 [Freestanding signs in Non Residential Districts] be rewritten to read as follows:

"Freestanding signs shall be permitted for uses in nonresidential zoning districts subject to the following requirements:

1. The signs shall not be placed within the required buffer area but may be placed within other landscaped areas.
2. Signs within the MTC overlay district shall not exceed 12 feet in height. Other freestanding signs shall not exceed 16 feet in height unless approval has been received from the Development Review Board [DRB] in accordance with provisions found elsewhere in this Section.
3. **Sign setback -**  
**Signs shall be located so as not to impair an individual's ability to safely see other vehicles or pedestrians at intersections, driveways, crosswalks, or alleys.**
  - a. *if the sign height is 5 feet or less, there is no minimum setback from the property line.*
  - b. *if the sign height is over 5 feet:*
    - *for sign areas of 32 square feet or less - a minimum 5 foot setback*
    - *for sign areas of more than 32 square feet - a minimum 10 foot setback.*
4. **Sign landscaping -**
  - a. *The proposed heights and locations of all signs must be included as a part of the site plan.*
  - b. *Signs over 5 feet in height require:*
    - *a defined landscaped area at the base of the sign. The required landscaped area shall be parallel to the face[s] of the sign. The required landscaped area shall be at least 50 square feet in area. For signs with multiple faces, the landscaped area shall be allocated so that a portion of the required landscaping is located in front of each sign face. If the size of the site imposes practical difficulties on the placement of the plant materials, the DRB may make adjustments in these requirements.*
    - *the required landscaped area shall contain materials such as, but not limited to, vegetative ground covers, perennials, shrubs, and ornamental trees covering at least 50% of the defined landscaped area at maturity. Paving and artificial plant materials shall not be included in fulfilling this requirement. A plan of the landscaped area with the name, quantity, and spacing of plant materials shall be included as a part of the sign permit application.*
  - c. *Signs 5 feet or less in height are not required to have a defined landscaped area at the base but landscaping is encouraged.*
5. Signs shall be located at least 25 feet from any property line which is adjacent to property in residential use or residential zone. **Sign illumination shall be in accordance with the requirements of Section 12.9.1**
6. **For each street frontage of a property, one freestanding sign shall be allowed on each street on which the property fronts. One additional sign may be allowed by the DRB for a street frontage which exceeds 300 feet. If two signs are placed on a single street frontage, no individual sign shall exceed 80 square feet in area and there shall be a minimum of 150 feet between the signs. The DRB, in making its determination shall consider the approval standards found in Subsection 12.8.2(12)B below.** Each sign must meet all other requirements for free standing signs.
7. **The DRB may approve signs up to 40 feet in height for restaurants, hotels, motels, and fuel sales establishments, when:**
  - a. *The property on which the sign is located is within 400 feet of the right of way of a controlled access highway, and*
  - b. *The property is either adjacent to, or within 150 feet of, a street providing access to the controlled access highway.*
8. **Individual signs on each street frontage of a property shall not exceed 32 square feet in area when the frontage is 150 feet or less, and shall not exceed 80 square feet in area when the frontage is over 150 feet.**
9. The DRB may allow the freestanding sign to be placed on property which is contiguous to the property being served if there is a recorded easement for the property. However, any additional street frontage gained from the easement shall not be added to the computations to determine the total allowable square footage for freestanding signs.
10. A directory sign may be approved by the DRB. Directory signs shall have uniform lettering and design and conform to the common signage plan.



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11. Out parcels in shopping centers may have one freestanding signs up to 32 square feet in area and 4 feet in height if the out parcel has a width of at least 100 feet.
12. The DRB may approve additional freestanding signs for medical facilities containing 250 beds or more.
  - a. The approval shall be subject to the following limitations:
    1. the information contained on the sign must relate to medical facility services.
    2. each sign shall not exceed 12 feet in height and 50 square feet in area;
    3. the number of signs allowed shall not exceed a ratio of 1 sign per 150 feet of medical facility property street frontage measured on the street on which the signs are to be located; and
    4. all signs associated with the medical facility shall be approved as part of a common signage plan in conformance with the requirements of Section 12.6 [Common Signage Plan] prior to the issuance of any sign permits.
  - b. In making its determination to approve additional signs, the DRB shall consider the following standards:
    1. the signs comply with other applicable provisions of the ordinance;
    2. the views of adjacent properties or from adjacent properties are not impaired;
    3. the signs do not interfere with public utilities, government uses, transportation, landscaping or other factors felt relevant by the DRB;
    4. the width of the street, the traffic volume, and the traffic speed warrant the proposed signage;
    5. the signs do not pose a hazard to public safety.”

SECTION 4

That Section 12.9 [General Requirements for All Signs] Subsection 12.9.1 “Illumination” be amended to add the following :

***“4. Within 200 feet of off site residential zones or uses, only internally illuminated signs which allow only the sign characters and logos to emit light or signs which are illuminated by means of a light that shines on the face of the sign shall be allowed. For the purposes of this subsection, property on the other side of a public right of way other than a controlled access highway shall be considered adjacent property.”***

SECTION 5

That Section 17.3 B (2) [Simplified Site Plans approved by Planning and Inspections] add the following subsection:

“d. Involves only changes to the landscaping at the base of freestanding signs.”

SECTION 6

That the Zoning Ordinance be renumbered when necessary to accommodate this change.

SECTION 7

That this ordinance become effective upon adoption.

The ordinance to amend the Durham Zoning Ordinance is recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**Major Site Plan Approval For Research Commons--Building 4101**

John R. McAdams Company Inc., agent for Highwoods Properties Inc., presented to the Board of County Commissioners its request for approval of a site plan for Research Commons--Building 4101, comprising a three-story office building totaling 75,000 square feet proposed on 4.92 acres, zoned Research Park (RSCH), located north of I-40, west of NC 147, and east of T. W. Alexander Drive (Tax Map 545-1-4A). The Development Review Board recommended approval of the plan at its July 17, 1998 meeting.

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Clay Shepherd, Senior Planner, Durham City-County Planning Department, presented the case and answered questions.

**Excused From Voting**

Commissioner Heron requested that she be excused from voting on this major site plan since she is a stockholder in Highwoods Properties Inc.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to excuse Commissioner Heron from voting on this agenda item.

The motion carried with the following vote:

Ayes: Bell, Black, Bowser, and Reckhow  
Noes: None  
Excused: Heron

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Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the major site plan for Research Commons—Building 4101.

The motion carried with the following vote:

Ayes: Bell, Black, Bowser, and Reckhow  
Noes: None  
Excused: Heron

**Electronic Benefits Transfer Services**

The Board was requested to authorize the County Manager to negotiate and enter into a contract with Service Design Associates (SDA) in an amount not to exceed \$71,549 to provide training to Durham County Food Stamp recipients to access food stamp benefits with the electronic benefits transfer (EBT) card. Federal legislation mandates the 50 states to replace food stamp coupons with electronic benefits transfer cards by 2002. North Carolina legislation requires that EBT be implemented in all 100 counties by June 1999 and that face-to-face EBT training be provided. Durham County is scheduled to convert to EBT on December 1, 1998. The use of the EBT card will provide recipients with easier access to their benefits and will enable the Department of Social Services (DSS) to respond to the needs of its customers more efficiently. The funds for this were appropriated in the FY '99 budget.

Request for Proposals #99-002 was publicly advertised and mailed to three companies on July 14, 1998. Only one proposal was received on August 13, 1998 from SDA for \$104,920. This figure was based on training 10,000 recipients and their authorized representatives. To obtain a more favorable cost, DSS elected to perform some of the services by appointing the County's EBT Coordinator as manager of the project to handle the mailing of the EBT cards to the recipients, increase the number for "no shows" by 25%, and reduce the number of recipients and their authorized representatives to 6,500. This resulted in a \$33,371 reduction of the amount originally submitted by SDA.

SDA is a woman-owned business with corporate offices in Indiana, North Carolina, and Washington DC. More than 170 full-time employees are currently working in eight states to handle EBT programs, child welfare, child support, juvenile justice, and a variety of technical skills.

Gail Perry, Assistant Director for Protection of Vulnerable Adults and Children, and Sandra W. Phillips, Director of Purchasing, presented this recommendation.

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County Manager's Recommendation: Authorize the County Manager to enter into a contract with Service Design Associates (SDA) in an amount not to exceed \$71,549 to provide EBT services.

The Commissioners asked several questions and made comments about the proposal to which Ms. Perry and Ms. Hallenbeck responded.

Commissioner Bell said he is in support of the program and the associated cost.

Commissioner Bell moved, seconded by Vice-Chairman Reckhow, to authorize the County Manager to enter into a contract with Service Design Associates (SDA) in an amount not to exceed \$71,549 to provide EBT services.

The motion carried unanimously.

**Request Approval for the Sale of Durham County Solid Waste Permits to City Residents for the Disposal of Solid Waste and Recyclable Materials at County Convenience Centers**

The Department of General Services requested authorization to sell Durham County solid waste permits to City of Durham residents for access to the County's convenience centers located in the Parkwood, Bahama, Rougement, and Redwood communities. Currently only County residents are authorized to use these facilities. The sale of County solid waste permits to City residents will increase services to the public and help to avoid the illegal disposal of solid waste on County roads.

With the July 1, 1997 City annexation of 3,373 households, approximately 150 City residents have requested continued access to County convenience centers for the disposal of certain types of waste. The City of Durham provides curbside collection, hauling, and disposal for residential household garbage and recycling services, but does not pick up other items such as waste oil, anti-freeze, batteries, yard waste, scrap metal, and appliances. City residents are required to take these materials to the old Durham City landfill or transfer station for their disposal. This will be a convenience particularly for residents of the Parkwood area because of the distance they must drive to City facilities located off Club Boulevard.

With the adoption of the FY 1998-99 Operating Budget, Durham County solid waste permits increased from \$45.00 to \$55.00 per year for County residents. Staff recommends the sale of solid waste permits to City residents in the amount of \$38.60 for FY 1999. The difference of \$16.40 is the per household cost that County residents pay for recycling services which is provided to City residents curbside. It is estimated that the sale of 150 to 200 permits at \$38.60 will generate approximately \$6,755 in additional revenues for Durham County.

Resource Person(s): Michael Turner, Director of General Services, will be available for questions.

County Manager's Recommendation: Approve the sale of Durham County solid waste permits to City residents for the disposal of solid waste and recyclable materials at Durham County convenience centers. This proposal coincides with the County's emphasis on beautification as one of the Board's adopted goals.

Mr. Turner presented an overview of the proposal.

The Commissioners asked questions and made comments about the proposal to which Mr. Turner responded.

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Commissioner Bell moved, seconded by Commissioner Bowser, to approve the sale of Durham County Solid Waste Permits to City residents for the disposal of solid waste and recyclable materials at Durham County convenience centers.

The motion carried unanimously.

**Appointment to Board of Directors of Lincoln Community Health Center Inc.**

The Board of Directors of Lincoln Community Health Center Inc. requested that the Board of County Commissioners make an appointment to its Board of Directors for the period October 1998 through October 2000. The Board member will serve with full voting privileges. The 1997-98 appointment was Commissioner Bell.

Chairman Black asked Commissioner Bell if he would be willing to continue serving on the board.

He responded that he would be willing to continue to serve, but if someone else wishes to serve, he would be willing to relinquish the position. He had several conflicts with meetings due to his UDI/CDC board meetings.

Commissioner Heron moved, seconded by Commissioner Bowser, to reappoint Commissioner Bell to the Board of Directors of Lincoln Community Health Center Inc.

The motion carried unanimously.

**Quasi-Judicial Public Hearing Date**

Chairman Black said the date of October 15th for the three quasi-judicial public hearings must be changed because one of the attorneys will be out of the country.

After considerable discussion, the new hearing date was set for Tuesday, November 17, 1998, beginning at 5:30 p.m.

**Appointment—Alcoholic Beverage Control Board Chairman**

The Board of County Commissioners took official action to appoint the chairman of the ABC Board.

Commissioner Bell was in support of Vice-Chairman Mary Ellen Williams as chairman.

Commissioner Bell moved, seconded by Commissioner Heron, to appoint Mary Ellen Williams as chairman of the Durham County Alcoholic Beverage Control Board for one year.

The motion carried unanimously.

**Appointment—Alcoholic Beverage Control Board Member**

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots to make one appointment to the Durham County Alcoholic Beverage Control Board.

Chairman Black said Commissioner Heron requested time to discuss each candidate since all four candidates were interviewed by the Commissioners.

During the discussion, the Commissioners expressed their concerns and ideas about each candidate and the operation of the ABC system.

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After a lengthy discussion, Chairman Black suggested the Commissioners request that Frank A. Ward come before the Board for another interview at 6:30 p.m. on September 28, 1998 prior to the Regular Session.

Chairman Black asked the Clerk to the Board to contact Mr. Ward about the interview.

**Adjournment**

Chairman Black adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board

GEU:VCS