

**February 8, 1999**

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

Monday, February 8, 1999

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, Vice-Chairman Ellen W. Reckhow, and  
Commissioners William V. Bell, Joe W. Bowser, and Becky M. Heron

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 said the appointments of Commissioner Bowser to the Social Services Board and Chairman Black to the Area Mental Health Board will be added to the consent agenda.

Chairman Black distributed the final report dated February 1999 titled "Accelerating Highway Improvements for North Carolina's Research Triangle Area" to the Commissioners, County Manager Thompson, and County Attorney Kitchen. She asked the Commissioners and staff to read the report and give her your reactions to the recommendations on page 41 of the report. A meeting will be held on February 17, 1999 relative to the report.

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Chairman Black requested a time be set to meet with the Durham Public Schools Board of Education. Discussion will be held at the end of the agenda to set the date.

Chairman Black said the merger issue will be added to the agenda to talk about “where we should go” as it relates to the merger of city and county government.

Commissioner Bowser said he will make an announcement at the end of the meeting.

Commissioner Heron wants to discuss the situation with the 911 Emergency Communication with the County Manager.

Vice-Chairman Reckhow wants to talk about the Smart Growth Committee.

**Minutes**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the November 17, 1998 Special Session Minutes and the January 13, 1999 Commissioner Retreat Minutes of the Board as submitted.

The motion carried unanimously.

**Presentation of Outstanding County Program Awards from the North Carolina Association of County Commissioners**

Two Durham County Programs have been recognized by the North Carolina Association of County Commissioners with Outstanding Program Awards. “Welcome Baby” from the Durham Center, and Purchasing’s “Contract Management Program” were selected from among 85 statewide entries for the recognition. The judges recognized these programs for superior innovation and collaboration.

“Welcome Baby” is a program designed to strengthen parenting skills and provide support for new parents. New parents may seek advice, attend classes, and receive informative newsletters. Community partners for this program include Duke University Medical Center, Durham Regional Hospital, Lincoln Community Health Center, and Genesis Home.

Purchasing’s “Contract Management Program” assures the effective, timely management of the contracting program while providing consistent adherence to legal and financial requirements. Contracts are handled in a central county location.

Ms. Debra Henzey, Director of Communications from the North Carolina Association of County Commissioners, will present the awards to Ms. Linda Allsberry, Unit Director, Child Youth and Family Services, The Durham Center, and Ms. Sandra Phillips, Purchasing Director.

County Manager’s Recommendation: Congratulate Ms. Allsberry and Ms. Phillips as well as their respective staff members for receiving recognition for these successful programs.

Ms. Henzey asked our District Director Hubert Garner, from Lee County to present the Outstanding County Program Awards to Ms. Allsberry and Ms. Phillips.

Chairman Black congratulated Anita Daniels for the Communities that Care program that was organized and held in the Main Library on January 27, 28, and 29, 1999. Over seventy agencies participated.

Chairman Black thanked Cheryl Lloyd, Director of Cooperative Extension, and Claudia Odom, Budget Director, for their hard work on the Community Conversations held in conjunction with the FY 1999-2000 Budget process.

Ms. Lloyd and Ms. Odom made brief remarks about the Community Conversations.

**Consent Agenda**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the following consent agenda items:

- \* (a) Street annexation petitions—Ashmont Lane and Chesley Lane (Fairfield Subdivision) (adopt resolutions to approve the addition of the above named streets to the State's road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation);
- \* (b) 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);
- (c) Regional EMS Advisory Council—representation (transfer Mickey Tezai to the consumer position);
- (d) Cancellation of the March 1, 1999 Worksession (cancel the Worksession due to the Commissioners attending the National Association of Counties' Legislative Conference in Washington, DC);
- (f) Durham Regional Hospital's prepaid lease payment (approve the recommendation);
- \* (g) FY1998-99 Budget Ordinance Amendment No. 99BCC000037—Public Health (approve revenue of \$72,590 for the DINE program in the nutrition division);
- \* (h) FY1998-99 Budget Ordinance Amendment No. 99BCC000038—Public Health (recognize grant revenue [\$8,830] for the Breast and Cervical Cancer Control Program);
- \* (i) FY1998-99 Budget Ordinance Amendment No. 99BCC000039—Mental Health (recognize \$354,569--intergovernmental revenue);
- \* (j) FY1998-99 Budget Ordinance Amendment No. 99BCC000040—Social Services (accept additional intergovernmental revenue [\$3,557,846]);
- \* (k) Surplus of County-owned copiers (declare copiers surplus and authorize the disposal through donation to the Durham Public Schools with first right of refusal, and authorize the remaining copiers be donated to nonprofit organizations located in the County by process of application to the County Manager. Authorize that any copier not claimed by the above entities be sold at public auction);
- (l) Request for position in Register of Deeds (approve the hiring of a Staff Assistant III at a total cost of \$26,663); and
- (m) Interlocal Cooperation Agreement Between the City of Durham and the County of Durham Regarding the Durham Convention and Visitors Bureau (approve the interlocal agreement as amended by the City-County Committee).

The motion carried unanimously.

\*Documents related to these items follow:

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Consent Agenda 5(a). Street annexation petitions—Ashmont Lane and Chesley Lane (Fairfield Subdivision) (adopt resolutions to approve the addition of the above named streets to the State's road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation).

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION OF STATE MAINTAINED  
SECONDARY ROAD SYSTEM

North Carolina  
County of Durham  
Road Description: Ashmont Lane (Fairfield Subdivision)

WHEREAS, the attached petition has been filed with the Durham Board of County Commissioners requesting that the above described road, the location of which has been indicated in red on the attached map,\* be added to the secondary road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the secondary road system, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system:

NOW, THEREFORE, BE IT RESOLVED by the Durham Board of County Commissioners that the Division of Highways is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Durham Board of County Commissioners at a meeting on the 8<sup>th</sup> day of February, 1999.

Witness my hand and official seal this the 9<sup>th</sup> day of February, 1999.

/s/ Garry E. Umstead  
Clerk, Board of Commissioners  
County of Durham

\*In the office of the Clerk to the Board.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION OF STATE MAINTAINED  
SECONDARY ROAD SYSTEM

North Carolina  
County of Durham  
Road Description: Chesley Lane (Fairfield Subdivision)

WHEREAS, the attached petition has been filed with the Durham Board of County Commissioners requesting that the above described road, the location of which has been indicated in red on the attached map,\* be added to the secondary road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the secondary road system, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system:

NOW, THEREFORE, BE IT RESOLVED by the Durham Board of County Commissioners that the Division of Highways is hereby requested to review the above-described road, and to take over the road for maintenance if it meets established standards and criteria.

February 8, 1999

CERTIFICATE

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Witness my hand and official seal this the 9<sup>th</sup> day of February, 1999.

/s/ Garry E. Umstead  
Clerk, Board of Commissioners  
County of Durham

\*In the office of the Clerk to the Board.

Consent Agenda 5(b). 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).

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the report details releases and refunds for the month of December 1998.

For current FY 98-99, releases and refunds amounted to \$159,778.37 in taxes for real property, \$40,909.36 in taxes for personal property, \$30,916.96 in taxes for registered motor vehicles, \$450.00 in City vehicle fees, and \$275.00 in solid waste fees.

For prior years, releases and refunds amounted to \$8,911.49 in taxes and fees.

(Recorded in Appendix A in the Permanent Supplement of the February 8, 1999 Minutes of the Board.)

Consent Agenda 5(g). FY1998-99 Budget Ordinance Amendment No. 99BCC000037—Public Health (approve revenue of \$72,590 for the DINE program in the nutrition division).

The Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000037

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 Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$176,232,016	\$72,590		\$176,304,606
<u>Expenditures</u>				
Human Services	\$209,556,172	\$72,590		\$209,628,762

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

This the 8<sup>th</sup> day of February, 1999.

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

Consent Agenda 5(h). FY1998-99 Budget Ordinance Amendment No. 99BCC000038—Public Health (recognize grant revenue [\$8,830] for the Breast and Cervical Cancer Control Program).

The Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000038

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 Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$176,304,606	\$8,830		\$176,313,436
<u>Expenditures</u>				
Human Services	\$209,628,762	\$8,830		\$209,637,592

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

This the 8<sup>th</sup> day of February, 1999.

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

Consent Agenda 5(i). FY1998-99 Budget Ordinance Amendment No. 99BCC000039—Mental Health (recognize \$354,569--intergovernmental revenue).

The Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000039

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 Center (Mental Health Department).

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$176,313,436	\$354,569		\$176,668,005
<u>Expenditures</u>				
Human Services	\$209,637,592	\$354,369		\$209,991,961

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

This the 8<sup>th</sup> day of February, 1999.

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

Consent Agenda 5(j). FY1998-99 Budget Ordinance Amendment No. 99BCC000040—  
Social Services (accept additional intergovernmental revenue [\$3,557,846]).

The Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000040

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  
Department of Social Services.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$176,668,005	\$3,557,846		\$180,225,851
<u>Expenditures</u>				
Human Services	\$209,991,961	\$3,557,846		\$213,549,807

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

This the 8<sup>th</sup> day of February, 1999.

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

Consent Agenda 5(k). Surplus of County-owned copiers (declare copiers surplus and  
authorize the disposal through donation to the Durham Public Schools with first right of  
refusal, and authorize the remaining copiers be donated to nonprofit organizations located  
in the County by process of application to the County Manager. Authorize that any  
copier not claimed by the above entities be sold at public auction).

The list of surplus copiers follows:

<u>DEPARTMENT</u>	<u>COPIER MODEL</u>	<u>LOCATION</u>	<u>COPIER COUNT</u>	
BUDGET	CANNON 2020	200 E MAIN ST 4TH FL	121,779	OWN
CLERK TO BOARD	CANNON NP 3825II	200 E MAIN ST 2ND FL	674,893	OWN
COOPERATIVE EXTENSION	CANNON 3050	FOSTER STREET	1,012,706	OWN
COUNTY ATTORNEY	CANNON F 3050	200 E MAIN ST 2ND FL	534,906	OWN
COUNTY MANAGER	SELEX 3580	200 E MAIN ST 2ND FL	485,299	OWN
ELECTIONS	SELEX 2580	200 E MAIN ST 3RD FL	191,594	OWN
ENV ENGINEERING	SHARPE SF 8350	PARRISH STREET	199,021	OWN
FINANCE	CANNON NP 3825II	200 E MAIN ST 4M FL	363,686	OWN
FIRE MARSHAL	RICOH FT 4421	PARRISH STREET	66,265	OWN
GENERAL SERVICES	RICOH 5570	DILLARD ST	353,827	OWN

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HUMAN RESOURCES	MITA DC 3055	200 E MAIN ST 3RD FL	345,082	OWN
IT	SELEX 3580	200 E MAIN ST 5TH FL	406,703	OWN
LIBRARY ADMINISTRATION 300 N ROXBORO ST	MINOLTA 4230	MAIN 2ND FL	248,500	OWN
	MINOLTA 4230	PARKWOOD	130,745	OWN
	MINOLTA 4230	STANFORD WARREN	264,767	OWN
	MITA DC 100 55612	BRAGTOWN	55,612	OWN
	MINOLTA 4233	SHANNON	93,648	OWN
	KONICA 2028	3RD MAIN COPY RM	449,338	OWN
	KONICA 2125	MAIN TECHNICAL	160,800	OWN
	KONICA 2125	MAIN 1ST FL	137,650	OWN
LIBRARY continued	XEROX 5108	MCDUGAL		OWN
	CANNON NP 3525F	MAIN 3RD FL ADM OF	670,048	OWN
	PANASONIC 7728	RIVERVIEW	16,910	OWN
	PANASONIC 3030	BOOKMOBILE 1ST FL MAIN	867,902	OWN
MENTAL HEALTH ADMINISTRATION 300 N DUKE ST	CANNON 6050	ADM CARMICHAEL	965,883	OWN
	CANNON 6050	ACCESS CRISIS	339,633	OWN
	CANNON 6050	ACCESS CRISIS	461,489	OWN
	KONICA 4345	ACCESS CRISIS	166,491	OWN
	CANNON 1020	GROUP HOME		OWN
	SELEX 4170 R	PARTIAL HOSP	601,975	OWN
	SHARPE 2030	STARR JAIL	235,883	OWN
	MITA 3055	MAIN ST APPTS DESK	68,643	OWN
	MITA 3055	MANGUM ST. RECP. AREA	307,402	OWN
	SELEX 4170R	YELLOW BLDG MANGUM	767,764	OWN
	KONICA 2028	BLUE BLDG MANGUM SEC C	176,190	OWN
	MINOLTA EP-3170	BLUE BLDG MANGUM SEC D	191,943	OWN
	CANNON 6050	MAIN ST 2ND FL	867,708	OWN
	CANNON 6050	MAIN ST 2ND FL HALLWAY	868,196	OWN
	SELEX 4170R	MAIN ST	729,642	OWN
	MINOLTA 2130	GORDON ST		OWN
	MINOLTA 2130	SEVEN OAKS RD		OWN
	PANASONIC 7742	MAIN ST MEDICAL REC	134,156	OWN
NE CENTRAL DURHAM	PITNEY BOWES 9317	HOLLOWAY ST	82,023	OWN
PUBLIC HEALTH ADMINISTRATION 414 E MAIN ST	TOSHIBA 9240	BUSINESS	727,960	OWN
	SHARPE 8300	NUTRITION	462,387	OWN
	SHARPE 8300	CLINIC	526,336	OWN
	SHARPE 8300	RECORDS	302,537	OWN
	SHARPE 2030	NUTRITION	86,364	OWN
	PANASONIC FP7742	ENVIRONMENTAL	70,464	OWN
	CANNON 4050	HEALTH EDUCATION	327,476	OWN
	PANASONIC 6090	NURSING	353,181	OWN
	MINOLTA 3131 496	FAMILY PLANNING	1,049,817	OWN
REGISTER OF DEEDS ADMINISTRATION 200 E MAIN ST GROUND FLOOR	CANNON NTY13775	OFFICE		OWN
	RICHOH FT4727	MARRIAGE LICENSE	396,769	OWN
	RICHOH FT5832	VAULT	84,599	OWN
	RICHOH FT4727	VAULT	332,732	OWN
SHERIFF 201 E MAIN ST	MINOLTA 2050	INVESTIGATIONS JUDICIAL	234,496	OWN
	MINOLTA 4233	EAST SAT	243,785	OWN
	MINOLTA 3050	NORTH SAT	146,460	OWN
	CANNON 2020	PLANNING & DEV JUDICIAL 1ST	133,585	OWN
	CANNON 2020	RECORDS JUDICIAL	121,877	OWN
	CANNON 3825	SOUTH SAT	347,442	OWN
	CANNON 6050	ADM JAIL	1,501,116	OWN
	CANNON 2120	INTAKE JAIL	182,348	OWN
	CANNON 3825	STANDARDS JUDICIAL 4TH	141,130	OWN
	SELEX 3580	SHERIFF'S OFFICE JUDICIAL 1ST	362,143	OWN
	KONICA 2028	CIVIL JUDICIAL 1ST	205,480	OWN
	KONICA 2028	LEGAL JUDICIAL 1ST	258,485	OWN
	PITNEY BOWES 9332	MONEY INTAKE JAIL	371,930	OWN
	PITNEY BOWES 9332	NURSES JAIL	366,140	OWN
	MITA 2254	QUARTERMASTER JAIL	169,832	OWN
	MITA 3585	TRAINING JAIL	219,506	OWN



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	XEROX 5028	NORTH SAT	140,820	OWN
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SOCIAL SERVICES				
300 N DUKE ST	PANASONIC FP 2680	MEDICAID & FOODSTAMPS CARMICHAEL	64,855	OWN
CARMICHAEL	PANASONIC FP 1780	RM 2123 CARMICHAEL	28,794	OWN

TAX ADMINISTRATION 200 E MAIN ST 1ST FL	SAVIN 9027DL	REAL ESTATE	56,841	OWN
	SHARPE 2030	MAPPING	34,773	OWN
	TOSHIBA 3220	MAIN AREA - COLLECTIONS	443,935	OWN

YOUTH HOME	SAVIN 9122	2432 BROAD ST	9,623	OWN
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**Shearon Harris Nuclear Waste Storage Facility Expansion**

On January 11, 1999, the Board of County Commissioners requested that the Environmental Affairs Board (EAB) investigate and monitor Carolina Power & Light's application to the Nuclear Regulatory Commission for expansion of the nuclear waste storage facilities at the Shearon Harris nuclear power plant in Wake County. This matter was discussed by the Commissioners on January 25, 1999, and added to the EAB agenda for January 26, 1999.

The EAB discussed the information distributed to them and the schedule for developing a recommendation as the public comment period ends on February 12, 1999. The EAB agreed that additional information and research would be beneficial and scheduled a special called meeting for Friday, February 5, 1999 to develop a recommendation on this matter. The EAB plans to hear from at least two speakers regarding CP&L's proposal and develop a recommendation for presentation to the Commissioners at their meeting on February 8, 1999.

Resource person: Jim Conner, Chairman, Environmental Affairs Board

County Manager's Recommendation: Receive the report of the EAB and determine if any action is appropriate prior to the end of the comment period on February 12, 1999.

Jim Conner, Chairman, Environmental Affairs Board, presented the Commissioners a detailed report of the work the Board did on the Shearon Harris Nuclear Waste Storage Facility Expansion project.

Mr. Conner commented the Environmental Affairs Board (EAB) does not have an opinion or recommendation regarding whether this project is a good idea or bad idea.

The Board is very concerned that the public comment period of thirty days is closing this week. More public review in Durham County would be in the public interest.

The recommendation of the EAB is that we recommend the Durham County Board of Commissioners join other local governments in the region to intervene with the Nuclear Regulatory Commission (NRC) to allow for a more thorough public examination of the risks of long-term storage of high level radioactive waste in the Triangle Region.

County Manager Thompson said Orange County will receive their report tomorrow from their expert consultant. They will then decide if they are going to intervene.

The EAB and staff problem is that the time frames are very rapid. If we intervene, the NRC has to be notified by Thursday. The question before the Board is how do you keep your options open to get more information on the subject, and how to take a stronger stand in the future if the door is closed on Thursday if you don't intervene.

County Attorney Kitchen said intervention is the filing of an administrative action or lawsuit that would request the permit not be granted to Carolina Power and Light (CP&L). The Commissioners can intervene by hiring an attorney that can practice before the NRC and filing a petition on behalf of the County or the Commissioners can

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comment before the comment period ends on Friday. I do not know what the cost would be to hire an attorney to intervene.

Mr. John Caves, Manager of Nuclear Affairs for CP&L, made comments about the proposal under consideration and answered questions for the Commissioners.

Chairman Black said that on January 11, 1999, the Board adopted a resolution that was sent to the Nuclear Regulatory Commission; North Carolina's delegation to the United States Congress; Durham County's local delegation to the North Carolina Legislature; North Carolina Department of Environment, Health, and Natural Resources; Carolina Power & Light; and Durham City-County Environmental Affairs Board. Five County Commissioners signed the resolution. The Durham County Board of Commissioners requested that the North Carolina Department of Environment, Health, and Natural Resources and the Nuclear Regulatory Commission conduct public hearings in which Carolina Power & Light and appropriate regulatory staff: 1) explain the plans to expand the storage facilities for high level radioactive waste at the Shearon Harris nuclear power plant; 2) outline the risks or lack thereof and explain the risk assessment methodology employed to develop risk projections related to the use of facilities designed for short-term storage of high level radioactive waste for long-term storage; 3) outline the risks or lack thereof and explain the risk assessment methodology employed to develop risk projections associated with the transportation and handling of materials from other distant nuclear power generating facilities; and 4) accept and consider public comments relative to support for or opposition to operating or expanding such a facility in this area.

County Manager David F. Thompson recommended that if we utilize the information from Orange County's consultant to make a decision on this issue, we need to share in the cost of the consultant. On the question of intervention, intervention is very formal, and if we intervene without the background information we may be doing so in error. Durham County should wait until Orange County takes action and then this Board could make a decision about legal fees if we support that intervention financially based on what conclusion the EAB comes to, if Orange County does intervene. I would also suggest we go on record with the NRC again to request the extension of the comment period and also ask CP&L for its response if they are going to request an extension of the comment period.

John Caves stated that the NRC will not recognize the licensee in a request to extend the comment period because it is a contradiction in interest. The NRC will make the decision about extending the comment period.

Attorney Kitchen suggested County Manager Thompson contact Congressman Price in Washington to make a request of the NRC. The congressman's request will be more responsive if he asks the NRC for the extension.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to send a letter to the NRC requesting an extension in the comment period of thirty days and we follow up on the suggestion of the County Attorney and the Chairman of the Board or County Manager to call Congressman Price and request he follow up on our behalf in the request for the extension. At the same time, we ask the EAB to continue researching the situation and we will evaluate at a later date pending Orange County's action if we are going to assist in any further effects that they make.

After some discussion, the following amendment was made to the motion.

Vice-Chairman Reckhow amended her motion to include that we authorize the County Manager to expend up to \$5,000 to reimburse Orange County for their expenses.

Commissioner Heron seconded the amendment.

The motion and the amendment carried unanimously.

County Manager Thompson and the Commissioners thanked the EAB for their work on the nuclear waste storage.

**Pagehurst, Phase 1**

The Perfect Corporation is seeking approval of a site plan request to subdivide an 18.21-acre tract into 57 single-family lots. The site is located on the south side of Lumley Road, west of Page Road, and east of the Stirrup Creek subdivision (Tax Map 540B, Block 3, Parcels 3 & 4). The Development Review Board recommended at its December 30, 1998 meeting, approval of the project.

Mr. Steve Medlin, Senior Planner, Durham City/County Planning, will present the case and answer questions.

Steve Medlin presented the Commissioners an overview of the site plan proposal.

The staff recommends approval of the site plan request.

The Commissioners asked several questions and made comments to which Steve Medlin responded.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the Pagehurst, Phase I site plan request.

The motion carried unanimously.

(Tax Map number: 540 B. Block 3. Parcel 3 & 4; recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**Community Transportation Grant Approval Request**

Board approval is requested to submit a FY1999-2000 Community Transportation Program grant application to the NC Department of Transportation (NCDOT). This Community Transportation Program grant application requests \$112,399 from NCDOT. \$15,515 will be required of Durham County as the local match. The total grant and the local match are substantially less than the FY1998-99 grant because three vehicles were purchased in 1998-99. In 1999-2000, only one vehicle is needed. The grant proposes the transition of administrative functions from our contractor to the community outreach division of Cooperative Extension and greater attention to training and development of transportation staff. Staff will work with NCDOT to develop a transportation development plan and communication plan for the transportation system.

Budget

- |  |                  |
|--|------------------|
| • Administrative   | \$ 80,999        |
| <i>Transportation Coordinator, Clerk and Administrative supplies and support</i> |                  |
| • Capital Expenditure  | 26,900           |
|  | <i>1 vehicle</i> |
| • Employee Development   | 4,500            |
| Total  | \$112,399        |

The revenue from this grant and the expenditures required of the County will be budgeted in the FY1999-2000 budget through organization 580.6700 Coordinated Transportation. Annually, the County applies for grant funding through the NCDOT to purchase vehicles and to subsidize the administrative costs associated with the Community Transportation Program.

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The grant has been presented, reviewed, and endorsed by the County Transportation Advisory Board. Delphine Sellars and Cheryl Lloyd will be available for questions regarding the grant.

County Manager's Recommendation: Adopt the resolution authorizing the Durham Center, NC Cooperative Extension Service to submit the FY1999-2000 Community Transportation Program grant application to the State of North Carolina. This grant application has been approved by the Durham County Transportation Advisory Board. The 1998-99 appropriation was \$301,694; this year's appropriation has been reduced to \$112,399.

The Board of County Commissioners commits \$15,515 for inclusion in the County's FY1999-2000 budget to meet the local match requirements.

Ms. Cheryl Lloyd presented the proposal to the County Commissioners. The total request is \$112,399 for FY 1999-2000. The required match of \$15,515 will be included in the FY1999-2000 budget request.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the Community Transportation Grant request in the amount of \$112,399 from the NC Department of Transportation.

The motion carried unanimously.

The resolution follows:

RESOLUTION

Applicant Seeking Permission to Apply for CTP Funding,  
Enter Into Agreement with the North Carolina Department of Transportation  
and to Provide the Necessary Assurances

A motion was made by Commissioner Heron and seconded by Vice-Chairman Reckhow for the adoption of the following resolution, and upon being put to a vote was duly adopted.

Whereas, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

Whereas, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

Whereas, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

Whereas, Durham County Government hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U.S.C.

NOW, THEREFORE, BE IT RESOLVED that Chairman MaryAnn E. Black of the Durham County Board of Commissioners is hereby authorized to submit a grant

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application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I, Garry E. Umstead, Clerk to the Board of County Commissioners, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Durham County Board of Commissioners duly held on the 8<sup>th</sup> day of February, 1999.

/s/ Garry E. Umstead  
Signature of Certifying Official

Durham County Board of Commissioners  
Name of Local Governing Board

Subscribed and sworn to me 2-16-99

/s/ Susan B. Page  
Notary Public

Durham County Government Administrative Complex  
200 E. Main Street, Durham, NC 27701

SEAL

My Commission expires: 2/20/2000

\*Note that the official authorized to submit the grant application, certifying official, and notary public should be three separate individuals.

**Cooperative Extension Requests Support of Entrepreneurial Investment Program for Youth**

The Durham County Center of NC Cooperative Extension is requesting support of the Board of Commissioners in initiating a Youth Entrepreneurial and Investment Program. The 4-H Youth Development Program is soliciting grant support from the Triangle Community Foundation to initiate the component of this program designed to enhance teenagers' skills in record keeping, teamwork, resource management, and decision making. The program will provide the opportunity for 50 Durham County teenagers to establish investment clubs and work with finance professionals and volunteers in the county to learn saving and investment strategies that allow them to reach their financial goals. This program will serve as the partner to a program for 8-12 year olds that will focus on developing an understanding of how our economy works. Bryan Terry, 4-H Youth Development Agent with the Durham County Center, and Dr. Lisa Giunon, Extension Youth Development Specialist with NCSU, will provide technical support.

Budget:	
Personnel	\$5,056
Equipment & Supplies	5,844
Rewards & Recognition	3,100
Travel	1,000
Total	\$15,000

This project offers informal opportunities for reinforcement of skills taught in schools. The proposal has been discussed with Anita Daniels (Youth Services Coordinator), NCSU 4-H Youth Development Program, and is a collaborative effort with Durham City Parks and Recreation.

Cheryl LeMay Lloyd and Bryan Terry will be available to answer questions related to this request.

County Manager's Recommendation: Authorize Cooperative Extension to submit this Triangle Foundation Grant with the support of the Board of County Commissioners and signature of the Chairman.

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Cheryl Lloyd and Bryan Terry presented the Commissioners an overview of the Entrepreneurial Investment Program for Youth.

Bryan Terry, 4-H Youth Development Agent, responded to the Commissioners' questions and comments.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the Entrepreneurial Investment Program for Youth.

The motion carried unanimously.

### **Demonstration of Proposed New County Home Page**

Deborah Craig-Ray, Public Information Director, will introduce Ian Worthington, Durham County's Public Information Technology Coordinator, who will guide the Commissioners through the County's proposed new Website. This is the first update since the site was established in 1997, and is part of the Public Access to County Government Information Development Plan, which the Board approved.

Highlights of the new Website include a new homepage, a new navigation scheme, information organized by audience and topic, electronic versions of County publications, and feedback and search areas.

This new Website will serve to enhance Durham County's image, allow external and internal entities to more easily conduct business with the County, provide easy links to other sources of County information, and expand the capability and capacity for eventual interactive electronic communications with the citizens of Durham County.

County Manager's Recommendation: Receive the demonstration and direct staff.

Ian Worthington discussed the work he has done to develop the County's proposed new Website.

Ian Worthington demonstrated the proposed new County home page for the Commissioners.

No official action was taken on this agenda item.

The Commissioners asked several questions and made comments to which Ian Worthington responded.

### **Case M98-2 Gearon Communications: Major Special Use Permit For A 300' Lattice Telecommunications Tower (Moores Mill Road/Quail Roost Site)--Order for Denial**

Gearon Communications is requesting the granting of a Major Special Use Permit for a 300' lattice telecommunications tower, equipment building, and five co-location sites within a 100- by 100- (10,000 s.f.) lease parcel. At the public hearing on November 17, 1998, the Board of County Commissioners directed staff to prepare an Order of Denial. On December 14, 1998, the Board requested revisions to the order, which have since been made.

The site is located on the east side of Moores Mill Road and US 50, south of Hill Forest Road, and north of Quail Roost Road.

Mr. Steve Medlin, Senior Planner, Durham City/County Planning, will be present to answer questions.

County Manager's Recommendation: Adopt the Order of Denial.

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Steve Medlin presented a few remarks about the Order of Denial.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the Order of Denial for case M98-2 requested by Gearon Communications.

The motion carried unanimously.

The Order of Denial follows:

**ORDER DENYING A MAJOR SPECIAL USE PERMIT FOR  
CASE M98-2**

THE DURHAM COUNTY BOARD OF COMMISSIONERS, having conducted a hearing on Case M98-2, November 17, 1998 and having considered all evidence and arguments presented at such hearing, hereby finds that the application is complete but that the application should be denied and is hereby denied for failure to comply with Sections 7.39.2.B, 13.2.3.1, 13.2.4.3 and 13.2.4.9 of the Durham City/County Zoning Ordinance as stated below. Specifically, the Board of Commissioners finds the applicant has not met its burden in proving the following:

**FINDINGS OF FACT**

(1.) SECTION: 7.39.2B:

The approving bodies in determining whether a tower is in harmony with the area [as specified in Section 13.1.3(1) and Section 13.2.3(1) or the effects and general compatibility of a tower with adjacent properties [as specified] in Sections 13.1.4(3) and (9) and Sections 13.2.4(3) and (9)] may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics, and may disapprove a tower on the grounds that such aesthetic effects are unacceptable. Factors relevant to aesthetic effects are: the protection of the view in sensitive or particularly scenic areas and areas specially designated in adopted plans such as unique natural features, scenic roadways and historic sites; the concentration of towers in the proposed area; and whether the height, design, placement or other characteristics of the proposed tower could be modified to have a less intrusive visual impact.

(2.) The proposed tower is located adjacent to and within clear line of sight of the designated North Durham County Scenic Byway. The scenic byway is one of forty-four statewide scenic byways designated by the North Carolina Department of Transportation and the only designated byway in Durham County. The historic sites along this byway include Fairntosh plantation, Stagville Plantation, Bahama and Mount Tabor United Methodist Church. The byways are selected based on natural, cultural and historic features along their routes. Most of the scenic byways have little or no development along the routes which detracts from the natural character and quality of the byway. The intent of establishing the byways is to allow citizens to experience a bit of North Carolina geography, culture and history while raising awareness for the protection and preservation of these areas. The North Durham County Scenic Byway was designated because of its beautiful countryside, viewsheds and proximity to historic properties. Photographic evidence was submitted that superimposed the proposed tower on the site, and showed the visual impact from the Scenic Byway. The tower would create a very visible and prominent feature on the skyline in that area and along the Scenic Byway which is inconsistent with the present natural and rural development panorama. It is further the Board's decision that the location of the tower is inappropriate and that alternate placement further away from the proposed location and its appearance, as well as a design that fits into the natural character and quality of the byway corridor could lessen the impact to the Scenic Byway.

(3.) 13.2.3 General Findings:

The following required finding has not been satisfactorily provided for:

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1. In harmony with the area and not substantially injurious to the value of properties in the general vicinity. The Board bases its finding of fact on the following:

That the general area is rural and natural in character. The tower would dominate the skyline which will detract from the quality of life of the community and not be in harmony with the area or the designated scenic byway.

(4.) 13.2.4 Considerations:

The following considerations have not been satisfactorily provided for:

3. Effect on Adjacent Property: Levels of noise, glare or odor; and the effects on adjacent property. The Board bases its conclusion on the following:

That the tower would dominate the skyline which will detract from the quality of life of the community and not be in harmony with the area or the designated Scenic Byway.

Compatibility: The level of general compatibility with adjacent properties and the appropriateness of the use in relationship to other properties. The Board bases its conclusion on the following:

The proposed tower is located adjacent to and within clear sight of the designated North Durham County Scenic Byway. The North Durham County Scenic Byway was designated because of its beautiful countryside, viewsheds and historic properties. Photographic evidence was submitted that superimposed the proposed tower site which showed the visual impact from the Scenic Byway in three different directions. In two of those directions (from Moores Mill Rd. north of the site, and from U.S. 501 north of the site), the tower would create visual clutter and detract from the viewshed and the quality of life of the community and not be in harmony with the area or the designated Scenic Byway.

Based upon the foregoing findings of fact, The Board of County Commissioners makes the following:

#### CONCLUSIONS OF LAW

- (1.) That the proposed use fails to comply with Durham City/County Zoning Ordinance Section 7.39.2B
- (2.) That the proposed use fails to comply with Durham City/County Zoning Ordinance Section 13.2.3.1 and that the use is not in harmony with the area and is substantially injurious to the value of properties in the general vicinity.
- (3.) That the proposed use fails to comply with Durham City/County Zoning Ordinance Section 13.2.4 (3) and (9) and that satisfactory consideration has not been provided for effect on adjacent property and compatibility with adjacent properties and the appropriateness of the use in relationship to other properties.

Wherefore, based upon the foregoing findings of fact and conclusions of law, the Board of County Commissioners hereby finds that the requirements for the granting of a major special use permit in this case have not been met pursuant to the applicable provisions of the Durham City/County Zoning Ordinance, and ORDERS that the major special use permit should not be granted.

The result in the foregoing case was rendered by the Board of County Commissioners on the 17th day of November, 1998 and the written decision confirming said vote was approved by the Board on the 14th day of December, 1998.

This the 14th day of December, 1998.



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Mary Ann Black, Chairperson  
Durham County Board of Commissioners

ATTEST: \_\_\_\_\_

Garry E. Umstead  
Clerk  
Durham County Board of Commissioners

**Setting A Special Meeting for Major Special Use Permit Case M98-1 (Old Hope Valley Farm Road/Farrington Mill Road Site)**

The Board, at its meeting on December 14, 1998, continued a public hearing for Case M98-1 (a major special use permit hearing for a tower site on Old Hope Valley Farm Road and Farrington Mill Road) to allow staff the opportunity to properly notify all surrounding property owners of the request. The applicant has provided a revised and corrected notification list and mailing labels as requested by the Board. The case is now ready to be rescheduled for a new hearing. There is considerable opposition to the request and it has been the Board's directive that when this occurs, a special meeting date be scheduled. The hearing should be scheduled no sooner than three weeks after the hearing date is set to allow proper notification by mail and placement of legal ads.

Mr. Steve Medlin, Senior Planner, Durham City/County Planning, will present the request and answer questions.

Steve Medlin presented the agenda item for the Commissioners' approval.

Elizabeth K. Moore, 109 Lariat Lane, Chapel Hill, NC 27514 suggested the application resubmitted by Gearon Communications is irregular and should be postponed until the easement issue has been shown to be valid. The Neighbors Against Tower organization has hired an attorney to review the easement and she has concerns about its validity and accuracy of the easement. The application should not be resubmitted before the Board at this time.

County Attorney Kitchen said it would be appropriate to schedule a hearing.

The meeting for the Major Special Use Permit for case M98-1 was scheduled for Thursday, March 25, 1999 at 7:00 p.m.

Consent Agenda 5(e). Consideration of a resolution making recommendations to the NC Department of Transportation on the Draft 2000-2006 Transportation Improvement Program (TIP) (adopt the resolution).

The NC Department of Transportation (NCDOT) has released a Draft 2000-2006 Transportation Improvement Program (TIP) which identifies the program of federal and State funded transportation projects to be implemented across the State during the next seven fiscal years. For increased public input, the State has implemented an extended public comment and outreach program. To increase fiscal responsibility, the State has made significant changes to constrain the project funding commitments to federal and State revenue forecasts. As a result of the fiscal constraint, the draft TIP proposes project delays and postponements statewide, including Durham. It is therefore recommended that the Board of County Commissioners adopt a "Resolution Concerning the Draft 2000-2006 Transportation Improvement Program (TIP)" for submittal to the Metropolitan Planning Organization (MPO) and the NCDOT. The resolution contains provisions recommended at the BOCC Worksession of February 1, 1999 and is proposed for adoption.

Wesley Parham, Senior Transportation Engineer, City Public Works Department, will be available for questions on this matter.

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County Manager's Recommendation: Adoption of the resolution identified as Attachment C.

Chairman Black asked Wesley Parham to present the Draft 2000-2006 Transportation Improvement Program (TIP).

Mr. Parham stated the staff revised the resolution that the Commissioners saw earlier this month at the worksession. The insertion is bullet number two. It was dictated by the Commissioners at the worksession. That was the only change made at the worksession.

The Commissioners asked several questions and made comments about this agenda item to which Wesley Parham responded.

The following citizens spoke about this agenda item:

Brian J. Morton, 4417 Sunny Court, discussed the facts relative to Eno Drive that the citizens agreed on. The facts are as follows: transportation problems in northern Durham need to be addressed, protect residential neighborhoods as transportation improvements are designed and implemented, protect the Eno River watershed, and Eno Drive as presently configured cannot satisfy the community. The Eno River Association and No-Build Alternative have developed a comprehensive alternative to Eno Drive. He presented a copy of the report to the Commissioners.

Wayne E. Cash, 3706 Snow Hill Road, representing Eno River Association, commented about his desire to have Eno Drive built in a way that will best serve the community.

Phillip Vereen, 810 Willowdale Drive, representing the Chamber of Commerce, discussed the funding that Durham County received compared to Wake and Orange Counties. He urged the Commissioners to get the funding to build the eastern portion of Eno Drive (US 70 to I-85). A compromise should be worked out to build Eno Drive beyond I-85. An alternative could be to put Eno Drive further north.

Patrick Byker, 2614 Stuart Drive, representing the Chamber of Commerce, urged the Commissioners to adopt the resolution at this meeting as it is written. He urged the Commissioners to keep Eno Drive in the TIP.

Harry Dawley, 1313 N. Gregson Street, urged the Commissioners to make a decision about Eno Drive. The project is needed to relieve traffic congestion in northern Durham.

Ms. Hildegard Ryals, 1620 University Drive, supported the alternatives that have been offered for Eno Drive.

Mr. Bob Novak, 5500-89a Fortunes Ridge, suggested the Board maintain I-85 to Research Triangle Park. The Board should not reduce the need for Eno Drive, the section east to Guess Road needs to be built somewhere in Durham County.

Vice-Chairman Reckhow suggested that in the resolution under the description of (R2630) (the exact alignment to be determined by the City of Durham and Durham County during 1999) be added.

Commissioner Heron requested another whereas be added which would read "Whereas, the Board of County Commissioners strongly encourages the provision of bicycle and pedestrian facilities and protection of residential neighborhoods and the Eno River Watershed as transportation improvements are designed and implemented."

Commissioner Bell commented that he can support the wording that Vice-Chairman Reckhow and Commissioner Heron added in the resolution.

Commissioner Bell moved, seconded by Vice-Chairman Reckhow, to approve the wording that Vice-Chairman Reckhow and Commissioner Heron added to the resolution.

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Chairman Black called for discussion on the resolution.

Commissioner Heron requested that on the second, "Now, Therefore" the last portion should be changed to read "and insuring flexible allocation of Eno Drive monies (R2630 and R2631) to the most appropriate transportation improvements as determined by the Durham County Board of Commissioners and the Durham City Council during 1999, and by seeking new funding sources to advance regional transportation improvements; and . . ."

Commissioner Bell modified his motion to include Commissioner Heron's wording. Vice-Chairman Reckhow seconded the motion.

The motion carried unanimously.

The resolution follows:

RESOLUTION CONCERNING  
THE DRAFT FY 2000-2006  
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

WHEREAS, The Board of County Commissioners recognizes the importance of transportation to the economic and social well-being of the community; and

WHEREAS, A Transportation Improvement Program which identifies transportation projects scheduled for State and Federal funding over the next seven years is prepared and adopted bi-annually by the N. C. Board of Transportation and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

WHEREAS, The Board of County Commissioners strongly encourages extensive and meaningful public participation in the design and construction of transportation projects; and

WHEREAS, The Board of County Commissioners strongly encourages the provision of bicycle and pedestrian facilities and protection of residential neighborhoods and the Eno River watershed as transportation improvements are designed and implemented; and

WHEREAS, The North Carolina Board of Transportation and the Transportation Advisory Committee solicit input prior to and after the development of a Draft TIP; and

WHEREAS, An attached list of priority projects were submitted in October 1997 by the Board of County Commissioners for funding consideration; and

WHEREAS, The N. C. Department of Transportation and the Transportation Advisory Committee have prepared a Draft 2000-2006 TIP and seek further public comment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR DURHAM COUNTY, NORTH CAROLINA THAT:

1. The Durham-Chapel Hill-Carrboro MPO and the N. C. Department of Transportation mutually adopt a 2000-2006 TIP which programs an equitable share of federal and State transportation funds for the City of Durham; and
2. The MPO actively seek additional funding for transportation improvements by working to change the Equity Formula to recognize the special needs of Durham County as an employment hub, by restoring monies to Eno Drive (R-2631) and ensuring flexible allocation of Eno Drive monies (R-2630 and R-2631) to the most appropriate transportation improvements as determined by the Durham Board of County Commissioners and Durham City Council during 1999, and by seeking new funding sources to advance regional transportation improvements; and

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3. The MPO and State should consider financing alternatives which advance both right-of-way and construction for independent phases of the US 15-501 and East End Connector projects to maximize tangible benefits for the traveling public; and
4. The N. C. Department of Transportation and the Transportation Advisory Committee should agree that the phased implementation of the NC 55 widening project should begin at the northern terminus of the project rather than the southern terminus in Wake County.

#### **City-County Merger Discussion**

Chairman Black gave the Commissioners a copy of the City-County merger discussion motion that took place on Saturday at the City Council meeting. She asked the Commissioners to review the motion before the Monday, February 15, 1999 retreat. The Commissioners will spend approximately one hour discussing the merger issue.

#### **Transportation Report**

Chairman Black asked the Commissioners to read the report she distributed at the beginning of the meeting. She requested Commissioner feedback before she goes to a meeting on Tuesday.

#### **Date of Joint Meeting With School Board**

The Commissioners requested the joint meeting be held on March 22, 1999 at 4:30 p.m. The issues to be discussed will be Dropout Suspension, Retention Report, Vocational Education Status Report, and Compulsory School Attendance Age.

#### **Joint Meeting With City Council to Discuss Merger Issues**

The Commissioners set Tuesday and Wednesday, February 23 and 24, 1999 at 8:30 p.m. at the City Hall Committee Room as possible dates for the joint meeting with City Council. February 24, 1999 is the primary date.

#### **Announcement—Commissioner Bowser**

Commissioner Bowser announced that Human Relations Week will begin Sunday, February 14, 1999. The Human Relations Commission will celebrate the week with several local events and activities promoting good human relations in Durham County. He urged the community to support this effort.

#### **Smart Growth Committee Appointment of Representative from the County**

The Commissioners appointed Commissioner Heron and Vice-Chairman Reckhow to the Smart Growth Committee established by Triangle J Council Governments. The appointed Commissioners will designate the permanent and alternate members.

#### **911 Communication Center**

Commissioner Heron told the County Manager a report should be presented to the Commissioners concerning the backup communications center. The presentation should include a time line, "where we are," when it will be in operation, retention of employees, and a review of the interlocal agreement.

County Manager Thompson said a report could be given at the March Worksession.

#### **Appointments—Boards and Commissions**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to appoint Chairman Black to the Area Mental

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Health Board and Commissioner Bowser to the Social Services Board.

The motion carried unanimously.

**Announcement—Chairman Black**

Chairman Black announced that the City of Durham has invited the Commissioners to ride with the Council members to Roxboro on February 10, 1999 to attend the state TIP hearing. Any Commissioner wanting transportation should contact the County Clerk.

**Litter Problem**

The Commissioners discussed briefly the litter problem on I-85 that is being generated by the City of Durham hauling contract. County Manager Thompson will submit a report to the Commissioners on February 9, 1999.

**Adjournment**

Chairman Black adjourned the meeting at 9:45 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board