

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

Monday, April 9, 2001

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 Joe W. Bowser, Philip R. Cousin Jr., 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.

**Minutes**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the March 12, 2001 BOCC/DSS Minutes and the March 12, 2001 Regular Session Minutes of the Board as submitted.

The motion carried unanimously.

**Resolution for Duke University Men's Basketball Team**

A resolution was prepared to recognize Duke University Men's Basketball Team, the 2001 NCAA Basketball Champions. The Duke Blue Devils, led by Shane Battier, Mike Dunleavy, and Jason Williams, defeated the Arizona Wildcats 82-72 to win the national men's basketball title in Minneapolis on Monday, April 2, 2001.

County Manager's Recommendation: Present the resolution along with sincere congratulations to coach Mike Krzyzewski, the coaching staff, and the team for this outstanding achievement.

RESOLUTION

WHEREAS, the Duke University Men's Basketball Team became the National Collegiate Athletic Association's (NCAA) championship team, posting an incredible 82-72 win over the Arizona Wildcats on April 2, 2001; and

WHEREAS, this national title is the third for legendary head coach Mike Krzyzewski and the top-ranked Blue Devils; and

WHEREAS, beyond winning the ACC championship, the road to the NCAA victory included impressive victories over Monmouth, Missouri, UCLA, USC, Maryland, and finally Arizona; and

WHEREAS, stellar Blue Devil players Mike Dunleavy, Shane Battier, and Jason Williams were among the scoring leaders in this championship season which culminated in the title win and an impressive record of 35-4; and

WHEREAS, special recognition is extended to seniors Shane Battier, Ryan Caldbeck, Nate James, and J. D. Simpson for their outstanding contributions in the long-term success of this team; and

WHEREAS, Duke University continues to demonstrate the ability to excel simultaneously in athletic prowess and academic excellence; and

WHEREAS, the success of this amazing team has again brought tremendous pride and recognition to the Durham community:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby salute Coach Mike Krzyzewski, his staff, and members of the

2001 DUKE UNIVERSITY BASKETBALL TEAM

for winning the NCAA National Championship. We call upon all citizens in Durham County to join in saluting these outstanding athletes and the Duke University athletic staff for a job well done!

This the 9<sup>th</sup> day of April, 2001.

/s/ Five Commissioners  
Durham County Commissioners

**Recognition from Triangle United Way**

Durham County Government has received the “Community Recognition Award” for a successful 2000 United Way Campaign. Mr. Mike Smith of Durham County Emergency Medical Services was the coordinator of this year’s outstanding campaign. He was recently presented a recognition plaque from Triangle United Way.

County Manager's Recommendation: Accept the plaque and recognize Mr. Mike Smith for his energy, enthusiasm, and hard work in leading a successful employee campaign.

**Joint Durham/Orange County Award—“Local Government Conservationist of the Year”**

At its annual meeting held April 2, 2001, the Conservation Trust for North Carolina presented Durham and Orange Counties a joint award for the “Local Government Conservationist of the Year” for the Little River Regional Park project. The Conservation Trust is a statewide umbrella organization serving all the land trusts in the state. The award was to recognize outstanding commitment to partnering with land trust for land conservation initiatives and supporting public policies that have a positive influence on land/water preservation in North Carolina.

The Triangle Land Conservancy and Eno River Association, the two nonprofit partners in the regional park project, jointly nominated Durham and Orange Counties to receive the award. Commissioner Becky M. Heron accepted the award on behalf of Durham County and Commissioner Barry Jacobs on behalf of Orange County at the awards presentation.

Resource Person(s): Commissioner Becky M. Heron and Jane Korest, City/County Planning

**Triangle Clean Cities Designation**

The Triangle Clean Cities Coalition recently held a conference and designation celebration to recognize participation in the National Clean Cities Program. Durham County was designated as a partner in the Triangle Clean Cities Coalition. Vice-Chairman Ellen Reckhow attended the conference and received a plaque from the U. S. Department of Energy’s Clean Cities Program.

County Manager's Recommendation: Receive remarks from Vice Chairman Reckhow on Triangle Clean Cities.

### **Recognition from U. S. Census Bureau**

Durham County was the recipient of recognition from the U. S. Census Bureau for outstanding efforts in making Census 2000 a success. Durham County was an early participant in the process. Chairman MaryAnn Black and Mayor Nick Tennyson jointly proclaimed Year 2000 the “Year of the Census.”

The Durham County Commissioners and Durham City Council members formed a partnership and appointed a “Complete Count Committee” to develop local public information initiatives to increase Durham’s participation in the Census. Mr. Dave Neill of the Durham Chamber of Commerce chaired that group. Deborah Craig-Ray, Public Information/Governmental Affairs Director, served as staff liaison.

County Manager's Recommendation: Receive the certificate and thank all who assisted in making Census 2000 a success.

### **Consent Agenda**

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

- \* (a) Street Annexation Petition—Delmar Drive (Delmar Forest Subdivision) (adopt the resolution to approve the addition of Delmar Drive to the state’s road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- \* (b) Street Closing—Alston Avenue (SC00-6): Setting a Public Hearing (set a public hearing for April 23, 2001 to consider permanently closing 486 ± linear feet [.65 acre] of Alston Avenue);
- \* (c) Budget Ordinance Amendment No. 01BCC000059—Youth Home—Payment to State for Out-Of-County Placement of Durham Delinquents (approve the requested appropriation of \$68,000 for the Youth Home; the necessary funds will be reallocated from the Court-Ordered Child Services budget within the Human Services function to the Youth Home budget within the Public Safety function);
- \* (d) Capital Project Amendment No. CPA0000010—Update on the New Hope Trail Construction Project and Authorization for Funding Project Completion (receive the project update and reallocate available

bond funds and appropriate \$30,000 in grant funds and \$8,500 in donations);

- (e) Durham Public Schools—North Carolina Public School Facility Needs Survey (approve based on discussions at the March 29, 2001 Worksession); and
- \*(f) Resolution for Establishment of Policy and Procedures for Appointments to County Boards, Commissions, Committees, or Authorities (approved the revised resolution).

The motion carried unanimously.

\*Documents related to these items follow:

Consent Agenda 9(a). Street Annexation Petition—Delmar Drive (Delmar Forest Subdivision) (adopt the resolution to approve the addition of Delmar Drive to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC 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: Delmar Drive (SR 2046) (Delmar Forest Subdivision) 1/10 mile from Darcy Court to Orson Court, approximately 1 mile east of the Mineral Springs Road and Hwy. 70 intersection

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 9<sup>th</sup> of April, 2001.

Witness my hand and official seal this the 10<sup>th</sup> of April, 2001.

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

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

Consent Agenda 9(b). Street Closing—Alston Avenue (SC00-6): Setting a Public Hearing (set a public hearing for April 23, 2001 to consider permanently closing 486± linear feet [.65 acre] of Alston Avenue).

RESOLUTION DECLARING THE INTENT OF THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY OF DURHAM TO CONSIDER  
PERMANENTLY CLOSING  
486± linear feet [.65 acre] of Alston Avenue  
AND CALLING A PUBLIC HEARING THEREON.

WHEREAS, the Clerk to the Board of County Commissioners of the County of Durham has received a petition to close 486± linear feet [.65 acre] of Alston Avenue:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Durham that:

1. The Board of County Commissioners proposes to consider permanently closing 486± linear feet [.65 acre] of Alston Avenue.
2. A public hearing is hereby called on the question of permanently closing the street named in Paragraph 1 above. Said public hearing shall be on the 23<sup>rd</sup> day of April, 2001 in the Board of County Commissioners' Chambers, Durham, North Carolina.
3. The City-County Planning Department shall notify all owners of property adjoining the street named in Paragraph 1 above as their interests may appear on the County Tax Records.
4. Notice of the closing and public hearing shall be prominently posted in at least two places along the street named in Paragraph 1 above.
5. Any person may be heard at the public hearing on the question of whether or not the proposed closing would be detrimental to the public interest or to the property rights of any individual.

6. If it appears to the satisfaction of the Board of County Commissioners after said public hearing that the closing of all of said street is not contrary to the public interest, and that no property owner would thereby be deprived of reasonable means of ingress and egress to his property, the Board of County Commissioners may adopt an Order permanently closing the street named in Paragraph 1 above.
7. BE IT FURTHER RESOLVED that notice of such hearing shall be published in the Durham Herald once a week for two successive weeks, the first publication to be not less than ten days nor more than 25 days before the date fixed for the hearing.

This the 9<sup>th</sup> day of April, 2001.

Consent Agenda 9(c). Budget Ordinance Amendment No. 01BCC000059—Youth Home—Payment to State for Out-Of-County Placement of Durham Delinquents (approve the requested appropriation of \$68,000 for the Youth Home; the necessary funds will be reallocated from the Court-Ordered Child Services budget within the Human Services function to the Youth Home budget within the Public Safety function).

DURHAM COUNTY, NORTH CAROLINA  
FY 2000-01 Budget Ordinance  
Amendment No. 01BCC000059

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Youth Home.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Public Safety	\$ 30,574,124	\$68,000		\$ 30,642,124
Human Services	\$240,573,444		\$68,000	\$240,505,444

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

This the 9<sup>th</sup> day of April, 2001.

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

Consent Agenda 9(d). Capital Project Amendment No. CPA0000010—Update on the New Hope Trail Construction Project and Authorization for Funding Project Completion (receive the project update and reallocate available bond funds and appropriate \$30,000 in grant funds and \$8,500 in donations).

DURHAM COUNTY, NORTH CAROLINA  
FY 2000-01 Capital Projects Ordinance  
Amendment No. 01CPA0000010

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the New Hope Trail Construction Project Capital Projects Allocation.

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
New Hope Trail	\$88,160	\$38,500		\$126,660

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

This the 9<sup>th</sup> day of April, 2001.

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

Consent Agenda 9(f). Resolution for Establishment of Policy and Procedures for Appointments to County Boards, Commissions, Committees, or Authorities (approved the revised resolution).

RESOLUTION FOR ESTABLISHMENT OF POLICY AND PROCEDURES FOR  
APPOINTMENTS TO COUNTY BOARDS, COMMISSIONS,  
COMMITTEES OR AUTHORITIES

WHEREAS, it is the statutory duty of the Durham County Board of Commissioners, as Governing Body of Durham County, to appoint persons to various boards, commissions, committees, or authorities, to assist in the operation of county government; and

WHEREAS, the Board of Commissioners is desirous of appointing qualified, knowledgeable, and dedicated people to serve on the aforesaid boards, commissions, committees, or authorities, and to that end solicits the interest and participation of the citizens of Durham County in providing information and recommendations to assist the Board of Commissioners in identifying qualified candidates for said appointments; and

WHEREAS, the Board of Commissioners recognizes the need for a policy and procedure to provide for increased public awareness of the appointments to be made from time to time by the Board, to solicit public participation in the submission of names of



qualified candidates, to set forth the subsequent steps for the selections of the candidate(s) by the Board, and to insure attendance at meetings; and

WHEREAS, the Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serving on the boards, commissions, committees, and authorities; therefore, appointment applications will solicit necessary information to achieve a representative sample of the community:

NOW, THEREFORE, BE IT RESOLVED by the Durham County Board of Commissioners that:

Section 1. The policy of Durham County governing appointments to the various boards, commissions, committees, or authorities made by the Board of County Commissioners is as follows:

- A) Words of the masculine gender mean and include correlative words of the feminine and neuter genders and words imparting the singular number mean and include the plural number and vice versa.
- B) Any citizen of Durham County who is eighteen (18) years of age or older is eligible to serve on the appointed boards, commissions, committees, or authorities of the County where such appointment is not prohibited by state statute.
- C) All appointments will be made according to the Appointments Statute or Ordinance that created that board, commission, committee, or authority.
- D) No citizen of Durham County may serve in more than two appointed positions of Durham County Government unless exempted by nature of the position or otherwise.
- E) Unless otherwise stated by statute, no citizen may serve more than three consecutive terms in any one position. This policy may be waived if the Board of Commissioners determines that the removal of a number of individuals made ineligible by the policy would be detrimental to the functioning of that board, commission, committee, or authority, unless such removal is prescribed by statute.
- F) If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year which he or she is required to attend pursuant to his or her appointment, he or she is obligated to resign.
- G) The Clerk to the Board will notify the member that he or she is obligated to resign. An unexcused absence is defined as an absence without prior notification to the chairman, secretary, or staff to the boards, commissions, committees, or authorities.
- H) Excused absences are defined as absences with proper prior notification indicating legitimate conflicts or other circumstances.

- D) For each appointee, the calendar year is counted beginning on the date of appointment.
- J) If a member's absence exceeds these percentages, the Clerk to the Board of County Commissioners should be notified immediately.
- K) The clerk to the boards, commissions, committees, or authorities shall be responsible for keeping an attendance record and notifying the Clerk to the Board, who shall in turn notify the Board of County Commissioners when the limit of absences of any appointee has been reached.
- L) Property tax listing must be current. County and City taxes must not reflect any delinquencies before an application is submitted.
- M) If a member has more than 50% absences (excused or unexcused) or, if the member is delinquent in the listing and/or payment of taxes for which an appeal has not been filed, the Clerk to the Board will notify the Chairman of the Board of County Commissioners. Upon receipt of notification from the Clerk to the Board, the Chairman will notify the member that he or she may be removed from the board, commission, committee or authority. The Commissioners shall consider the board member's status at a regularly scheduled meeting of the Board of County Commissioners.

Each County Commissioner will have available to him or her a binder containing a list of all County appointments, with the following data provided:

1. The name of the board, commission, committee, or authority and the composition of the board according to the statute.
2. A brief description of its functions.
3. The statute or cause creating the board, commission, committee, or authority and the composition of the board according to the statute.
4. The total number of members and length of terms of office.
5. The names of current members, the number of terms each has served, and the date of his or her original appointment.
6. The regular meeting day, time and location, if determined.
7. The date(s) on which appointments should be made.

Section 2. The procedures of Durham County for filling vacancies for appointed positions should be as follows:

- A) Notification of available appointments
  1. A current list of upcoming appointments to County boards, commissions, or authorities shall be kept in the Office of the Clerk to the Board and shall be furnished to any person or group on request.
  2. A list of available positions and the date by which names should be submitted will be published in the Herald Sun, the Carolina Times, or any other newspaper having general circulation throughout the County

that the Board may specify from time to time, once a week for two weeks beginning two weeks in advance of the deadline for submitting applications. The name, phone number, website, and address of the Clerk to the Board shall be provided in the advertisement to obtain more information.

3. A list of available positions stating terms of office, requirements for office, duties of positions, and the date by which names should be submitted will be placed on the Durham County Website beginning two weeks in advance of the deadline for submitting applications.
4. Twenty-five (25) days prior to the expiration of the terms, a notice will be mailed to each person who is eligible for reappointment requesting an indication of his or her interest in continuing to serve. If an individual is not eligible for reappointment, he or she will be notified and given the reason for being ineligible.
5. The Chairman of the Board of Commissioners or his designee will be responsible for carrying out the above notification procedures.
6. If, because of policy or otherwise, an individual is unable to be reappointed, that person will be sent a Letter of Appreciation by the Chairman of the Board of Commissioners at the expiration of his or her term, thanking the person for past services rendered.

B). Selection Process

1. At least twelve (12) days prior to the appointments by the Board of County Commissioners, all applications for a particular position must be in the hands of the Clerk to the Board. The Clerk will check each applicant for eligibility and recheck any prior applicants, if any.
2. A copy of the applications submitted together with the prior applications, if any, shall be sent to all Commissioners at least ten (10) days prior to the meeting at which action will be taken. Those candidates who are ineligible will be noted and the reasons for ineligibility given.
3.
  - a. When the advertising or readvertising of positions for boards, commissions, committees, etc., does not produce within the time frame prescribed the necessary number of qualified persons to fill the vacancies indicated, the Board of County Commissioners on its own initiative will name the appointees.
  - b. When vacancies and positions appointed pursuant to this policy occur prior to the expiration of the term of office, the Board of County Commissioners shall appoint a person to serve the remainder of the term in accordance with the procedures outlined herein.

C) Notification of Appointment

The Chairman of the Board of County Commissioners shall prepare a letter of notification of appointment or non-appointment to the applicants and a copy to the affected board, notifying each of the appointment or non-appointment.

D) Applications

All applications received shall be retained for at least one (1) year and considered if a vacancy occurs during that time period. Applications shall be kept on file for all active appointees. These will be treated as public records and made available upon request for the cost of copying.

As unanimously adopted the 16th day of January, 1984 and amended February 9, 1984, August 27, 1984, June 25, 1990, May 8, 1995, March 26, 2001, and April 9, 2001.

**A Public Hearing to Consider an Amendment to the Zoning Ordinance Regarding Intermittent Stream Buffer Width**

The Durham Zoning Ordinance requires that an undisturbed, naturally-vegetated stream buffer be preserved along all intermittent and perennial streams. The purpose of the stream buffer is to enhance and maintain water quality, protect stream channel wetlands, minimize stormwater runoff, reduce sedimentation and erosion, conserve plant and wildlife habitat, and protect wildlife movement corridors.

Buffers of greater width are required in watershed protection areas. Required buffers are 30, 50, 100, or 150 feet wide on each side of the stream, depending on the type of stream and its location. Generally, wider buffers are required on perennial streams, in critical areas, and in more sensitive watersheds.

Water supply watershed protection requirements cover approximately three-quarters of Durham County and have minimum stream buffer widths of 50 feet. Likewise, Neuse River Basin Management Strategy requirements cover another eighth of the county and also have minimum stream buffer widths of 50 feet. Buffers as small as 30 feet apply only to the portions of Durham County outside of these areas. To offer more consistency and less confusion and to enhance water quality protection, the Joint City-County Planning Committee has recommended that the minimum stream buffer width be increased from 30 to 50 feet throughout the County.

On March 13, the Zoning Committee of the Planning Commission conducted a public hearing and considered this text amendment. The committee voted unanimously to recommend approval. The Planning Staff concurs and recommends that Durham adopt the amendment to the Durham Zoning Ordinance to change the size of intermittent stream buffers.

Resource Person(s): Keith Luck, Planning Supervisor

County Manager's Recommendation: Conduct the public hearing and adopt the amendment to the Durham Zoning Ordinance to change the size of intermittent stream buffers outside of watershed protection areas.

Chairman Black opened the public hearing that was properly advertised.

As no one signed to speak at the public hearing, Chairman Black closed the public hearing and referred the item back to the Commissioners for consideration.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to adopt the amendment to the Durham Zoning Ordinance to change the size of intermittent stream buffers outside of watershed protection areas.

The motion carried unanimously.

TC 114-01

An Ordinance to Amend the Durham Zoning Ordinance  
Section 11.3.3, Stream Buffer Size

Whereas, the Board of Commissioners of Durham County determines that it furthers the public health, safety, and welfare to make the change to the Zoning Ordinance described below for the reasons described in the reports and testimony considered by the Board of Commissioners:

NOW, THEREFORE, BE IT ORDAINED by the Durham County Board of Commissioners that:

Section 1. The Durham Zoning Ordinance, Chapter 24, Section 11.3.3, Stream Buffer Size is hereby amended to eliminate the words and numbers shown in ~~strikeout~~ format and to replace them with the words and numbers underlined, all as shown below.

“11.3.3 Stream Buffer Size

Stream buffers shall apply on each side of the stream and shall be measured from the top of the stream bank perpendicularly to the direction of stream flow.

Stream Buffer Size	
Type of Stream Buffer	Size of Stream Buffer
Intermittent Stream	<del>30-50</del> Feet
Perennial Stream	50 Feet"

Section 2. All ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after adoption for plans submitted for approval after April 9, 2001.

This the 10<sup>th</sup> day of April, 2001.

### **Update on 2001 Durham County Legislative Agenda**

Members of the Durham Delegation introduced several local bills that were included in the Durham County Legislative Agenda. Staff presented a status report on the proposed legislation. Other legislative issues highlighted by Board members were discussed as well.

Resource Person(s): Deborah Craig-Ray and Chuck Kitchen

County Manager's Recommendation: Receive the report and direct staff relative to further support for legislative issues.

Ms. Craig-Ray and Mr. Kitchen presented the County Commissioners and update on the 2001 Durham County Legislative Agenda.

Chairman Black directed Ms. Craig-Ray to schedule a meeting with the Durham County Legislative Delegation and the Board of County Commissioners for Friday, April 20, 2001 at 8:30 a.m. to discuss proposed legislative issues.

The Commissioners asked questions and made comments about the 2001 Legislative Agenda to which staff responded .

### **Establishing Fees for Plan Amendments and Landscape Extension Requests**

The Board was requested to approve new fees for amendments to Small Area Plans, 2020 Plan, and Corridor Plans and for extensions on landscape installation.

In keeping with the BOCC's previously-adopted policy of requiring consistency between a requested rezoning and adopted plans, the Planning staff proposed a fee of \$1,100 to

cover staff time in processing amendments to Small Area Plans, the 2020 Plan, and/or officially adopted Corridor Plans.

Planning staff also proposed a fee to process requests for extensions on the installation of street trees and other required landscaping due to hot weather and other weather-related conditions beyond the developer's control. This proposed fee is in increments of \$75, \$150, and \$300.

Resource Person(s): Norman R. Standerfer, Planning Director, and Dick Hails, Assistant Director

County Manager's Recommendation: The County Manager recommended that the Board adopt the proposed fees as described in the proposal.

Dick Hails, Assistant Planning Director, presented the agenda item to the Commissioners.

The Commissioners asked questions and made comments to which Mr. Hails responded.

Commissioner Heron moved, seconded by Commissioner Cousin, to adopt the proposed fees as described in the proposal.

The motion carried unanimously.

### **Interlocal Agreement to Establish a Bicycle and Pedestrian Advisory Commission**

Bicycle and pedestrian issues are gaining increasing importance in transportation and land use planning, but Durham has no channel for citizen advocacy and input into these discussions. This interlocal agreement will create a 15-member Bicycle and Pedestrian Advisory Commission (BPAC), with six members appointed by the Board of County Commissioners and six by the City Council to represent various constituencies. There will be three additional members as liaisons from the Durham Open Space and Trails Commission (DOST), the Recreation Advisory Commission (RAC), and the Planning Commission. The members appointed by the elected officials will serve three-year terms; the liaisons from the other commissions will serve one-year terms.

The proposed BPAC would have the responsibility to advise the City and County on bicycle and pedestrian issues. The BPAC would also be charged with increasing public education on these same issues and promoting intergovernmental and public/private partnerships on bicycle and pedestrian matters. Staff requested that the Board authorize the County Manager to sign the interlocal agreement to create a Bicycle and Pedestrian Advisory Commission.

Resource Person(s): Norman R. Standerfer, Planning Director, and Beth Timson, Senior Planner

County Manager's Recommendation: The Manager's recommendation was that the Board approve the interlocal agreement and create a Bicycle and Pedestrian Advisory Commission.

Beth Timson, Senior Planner, presented the agenda item to the Board of County Commissioners.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the interlocal agreement and the creation of a Bicycle and Pedestrian Advisory Commission.

The motion carried unanimously.

### **Verizon**

Commissioner Bowser asked that a letter be written to Steve Toler of Verizon requesting that the payment center at South Square Mall not be closed in June 2001. Commissioner Bowser said he is concerned about the telephone service that Durham is receiving from Verizon.

### **Letter to Mayor Rosemary Waldorf**

Chairman Black requested that a letter be written to Mayor Waldorf of Chapel Hill in response to her letter concerning planning issues.

### **Adjournment**

Chairman Black adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board