

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

Monday, June 11, 2001

6:30 P.M.

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

Closed Session

The Board adjourned into closed session to instruct the staff in negotiating a price for the acquisition of real property pursuant to G.S. § 143-318.11(a)(5).

Commissioner Heron moved, seconded by Vice-Chairman
Reckhow, to adjourn into Closed Session.

The motion carried unanimously.

7:00 P.M.

Regular Session

Opening of Regular Session

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

Agenda Adjustments

At Chairman Black's request, agenda item 4 ("Recognition of 22 Years Service by Gussie Stubbs") was postponed to the meeting of June 25, 2001. Agenda item 11 was changed to consent agenda item 5(m) since it does not involve County funding.

Minutes

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the May 7, 2001 Worksession Minutes as submitted.

The motion carried unanimously.

Consent Agenda

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

- * (a) Street Annexation Petition—Bagpipe Way (Lane) (Callander Estates) (approve the addition to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- * (b) Budget Ordinance Amendment No. 01BCC000066—EMS—Grant (approve in the amount of \$10,000 to recognize a grant received from the Fletcher Foundation);
- * (c) Budget Ordinance Amendment No. 01BCC000067—Cooperative Extension—Durham Merchants Association Foundation Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$5,000 in organization 101.495.2315 for disbursement by Cooperative Extension);
- * (d) Budget Ordinance Amendment No. 01BCC000068—Cooperative Extension—NCSU Health and Human Services Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$15,000 in organization 101.495.2315 for disbursement by Cooperative Extension);
- * (e) Budget Ordinance Amendment No. 01BCC000069—DSS—Request to Accept New DSS CIP Revenues (approve to accept \$300,000 in new DSS Crisis Intervention Program funds);
- * (f) Budget Ordinance Amendment No. 01BCC000070—Recognition of Medicaid Pass Through Dollars (approve to allocate \$9,000,000 as there are no additional local dollars required to recognize these revenues);
- * (g) Resolution Approving Board of Education Multi-Year Contract for Capital Outlay (approve the contract);
- * (h) Adoption of Resolution Supporting Regional Transportation Strategy (adopt the resolution supporting the findings of the study);
 - (i) Approval of a Utility Pipeline Easement at Durham Regional Hospital (approve the easement);
- * (j) North Carolina Hazardous Materials Regional Response Team #4 (adopt the resolution and approve the contract and Hold Harmless and Indemnification Agreement as presented);
- * (k) Agreement Between Freudenberg Spunweb Co. and County of Durham (enter into the agreement with Freudenberg Spunweb Company);

- (l) Cancellation of July 9 and July 23, 2001 Meetings of the Board of County Commissioners (cancel the July 9 and July 23 meetings); and
- (m) Request to approve Durham's Home and Community Care block grant funding plan (approve the plan as presented—funding already incorporated into the Manager's proposed FY 2002 budget).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda 5(a). Street Annexation Petition—Bagpipe Way (Lane) (Callander Estates) (adopt the resolution to approve the addition of Bagpipe Way (Lane) (Callander Estates) to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation).

The resolution follows:

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

North Carolina

County of Durham

Road Description: Bagpipe Way (Lane) Callander Estates Subdivision: West of the intersection of Kilt Way and Russell Road

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 11th day of June, 2001.

Witness my hand and official seal this the 12th day of June, 2001.

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

*In the office of the Clerk to the Board.

Consent Agenda 5(b). Budget Ordinance Amendment No. 01BCC000066—EMS—Grant (approve in the amount of \$10,000 to recognize a grant received from the Fletcher Foundation).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000066

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 Emergency Medical Services Department

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$242,184,786	\$10,000		\$242,194,786
<u>Revenues</u>				
Other Financing Sources	\$ 18,508,546	\$10,000		\$ 18,518,546

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

This the 11th day of June, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 5(c). Budget Ordinance Amendment No. 01BCC000067—Cooperative Extension—Durham Merchants Association Foundation Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$5,000 in organization 101.495.2315 for disbursement by Cooperative Extension).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000067

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

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Economic and Physical Development	\$ 5,202,065	\$5,000		\$ 5,207,065
<u>Revenues</u>				
Intergovernmental	\$202,529,674	\$5,000		\$202,534,674

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

This the 11th day of June, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 5(d). Budget Ordinance Amendment No. 01BCC000068—Cooperative Extension—NCSU Heath and Human Services Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$15,000 in organization 101.495.2315 for disbursement by Cooperative Extension).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000068

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

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Economic and Physical Development	\$ 5,207,065	\$15,000		\$ 5,222,065

Revenues

Intergovernmental	\$202,534,674	\$15,000	\$202,549,674
-------------------	---------------	----------	---------------

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

This the 11th day of June, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 5(e). Budget Ordinance Amendment No. 01BCC000069—DSS—Request to Accept New DSS CIP Revenues (approve to accept \$300,000 in new DSS Crisis Intervention Program funds).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000069

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 Social Services Department.

GENERAL FUND

	<u>Current</u> <u>Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u> <u>Budget</u>
<u>Expenditures</u>				
Human Services	\$242,194,786	\$300,000		\$242,494,786
<u>Revenues</u>				
Intergovernmental Revenue	\$202,549,674	\$300,000		\$202,849,674

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

This the 11th day of June, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 5(f). Budget Ordinance Amendment No. 01BCC000070—Recognition of Medicaid Pass Through Dollars (approve to allocate \$9,000,000 as there are no additional local dollars required to recognize these revenues).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000070

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 Social Services Department

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$242,494,786	\$9,000,000		\$251,494,786
<u>Revenues</u>				
Intergovernmental Revenue	\$202,849,674	\$9,000,000		\$211,849,674

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

This the 11th day of June, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 5(g). Resolution Approving Board of Education Multi-Year Contract for Capital Outlay (approve the contract).

The resolution follows:

RESOLUTION
DURHAM COUNTY BOARD OF COMMISSIONERS
DURHAM COUNTY, NORTH CAROLINA

WHEREAS, the Durham Public Schools Board of Education wishes to enter into a continuing contract for capital outlay with Academic Capital Government Finance Inc. ("Academic Capital") for computers and related equipment and services under N. C. General Statutes 115C-528; and

WHEREAS, the contract may require the Durham Public Schools Board of Education to pay Academic Capital a total of \$237,728.25, with as much as \$80,000 being paid during three fiscal years, beginning in fiscal year 2000-2001 through fiscal year 2002-2003; and

WHEREAS, the contract totals nearly \$250,000 and therefore may be a continuing contract for capital outlay subject to the provisions of N. C. General Statutes 115C-

441(c1) and -528, including the approval of the Durham County Board of County Commissioners:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, agree to appropriate sufficient funds to the Durham Public Schools Board of Education in ensuing fiscal years to meet the Academic Capital contract obligations. Said funds shall be a part of, and not in addition to, regular appropriations made to the Durham Public Schools Board of Education.

This the 11th day of June, 2001.

/s/ Five Commissioners
Durham County Commissioners

Consent Agenda 5(h). Adoption of Resolution Supporting Regional Transportation Strategy (adopt the resolution supporting the findings of the study).

The resolution follows:

RESOLUTION ENDORSING THE FINDINGS OF THE REGIONAL
TRANSPORTATION STRATEGY

June 11, 2001

A motion was made by Vice-Chairman Reckhow and seconded by Commissioner Heron endorsing the findings contained within the Regional Transportation Strategy Report.

WHEREAS, the Regional Transportation Strategy was undertaken in conjunction with transportation officials from the City of Durham, the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO), the Capital Area Metropolitan Planning Organization (CAMPO), the North Carolina Department of Transportation (NCDOT), the Triangle Transit Authority (TTA), and several cities and towns in the Triangle Region as well as representatives from other organizations; and

WHEREAS, the Regional Transportation Strategy was created as a planning tool for use by the public, staff, and elected officials; has been cooperatively developed; is based on information derived from the participating transportation agencies; and records anticipated federal, state, and local funds for transportation improvements within the DCHC and CAMPO Urban Areas; and

WHEREAS, the Regional Transportation Strategy identifies transportation needs beyond those included in the adopted fiscally constrained Long-Range Transportation Plans for DCHC and CAMPO, and these additional projects are needed to maintain a reasonable level of regional mobility in the long-term, since the projected population growth for this region outweighs the committed investment for transportation improvements; and

WHEREAS, the Regional Transportation Strategy supports the development and utilization of a multi-modal system to address the transportation deficiencies identified within the report; and has identified additional sources of transportation funding previously unavailable to local and state jurisdictions that would require legislative action:

NOW, THEREFORE, BE IT RESOLVED that The Durham County Board of Commissioners hereby endorses the findings of the Triangle Regional Transportation Strategy presented to the Board on June 11, 2001. The Durham County Board of Commissioners requests that additional sources of funding for transportation improvements be sought through its legislative members.

/s/Chairman
Durham County Board of Commissioners

Consent Agenda 5(j). North Carolina Hazardous Materials Regional Response Team #4 (adopt the resolution and approve the contract and Hold Harmless and Indemnification Agreement as presented).

The resolution follows:

NORTH CAROLINA
DURHAM COUNTY

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

This agreement entered into this ____ day _____, 2001 by and between DURHAM COUNTY hereinafter referred to as COUNTY and the PARKWOOD VOLUNTEER FIRE DEPARTMENT, hereinafter referred to as PVFD;

WITNESSETH

WHEREAS, the State of North Carolina has implemented a hazardous materials regional response program; and

WHEREAS, Durham County and its Office of the Fire Marshall in association with the PVFD submitted a proposal to become one of the regional response teams to respond to hazardous materials emergencies; and

WHEREAS, the State has contracted with COUNTY, as a local government, to provide services as a hazardous materials regional response team; and

WHEREAS, the PVFD will actually perform the duties and responsibilities contained in the contract between the State and the County:

IT IS THEREFORE agreed as follows:

Notwithstanding the fact that Durham County is the legally responsible party pursuant to its contract with the State, PVFD hereby agrees to hold Durham County, its Commissioners, officers, employees, and agents harmless from all claims and suits or actions of any nature, arising out of activities or omissions committed by PVFD, its officers, employees, members, or agents, while acting as the Hazardous Materials Regional Response Team pursuant to Durham County's contract with the State of North Carolina.

Notwithstanding the fact that Durham County is the legally responsible party pursuant to its contract with the State, PVFD hereby agrees to indemnify and/or reimburse Durham County, its Commissioners, officers, employees, and agents for all damages, expenses, attorney fees, and court costs which Durham County may incur while defending or settling any suits, claims, or actions of any nature, arising out of activities or omissions committed by PVFD, its officers, employees, members, or agents, while acting as the Hazardous Materials Regional Response Team pursuant to Durham County's contract with the State of North Carolina.

Durham County

By: _____
County Manager

Parkwood Volunteer Fire Department

By: _____
President

Consent Agenda 5(k). Agreement Between Freudenberg Spunweb Co. and County of Durham (enter into the agreement with Freudenberg Spunweb Company).

The agreement follows:

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

FREUDENBERG SPUNWEB CO.

AGREEMENT FOR
REIMBURSABLE WORK

and

COUNTY OF DURHAM

THIS AGREEMENT, made and entered into this the 21st day of June, 2001 by and between the Freudenberg Spunweb Co., hereinafter sometimes referred to as the "Company", and County of Durham, hereinafter sometimes referred to as "County":

W I T N E S S E T H

WHEREAS, the County finds that in order to aid and encourage the location of the Company in Durham County, it is necessary and desirable to contract for site improvements; and

WHEREAS, pursuant to G.S. §§ 153A-449, 158-7.1 and 158-7.2, the County and the Company may enter into an agreement in connection therewith; and

WHEREAS, the County finds that the consideration the County receives, based on prospective tax revenues from the improvements to be constructed on the property and prospective sales tax revenues to be generated in the area in the next ten years, from the Company for the site improvements referred to hereafter will be equal to or greater than the value of the site improvements; and

WHEREAS, the County finds that the contracting for site improvements will increase the population, increase taxable property, and increase business prospects in the County of Durham, as well as, result in a substantial number of jobs in the County that pay at or above the median average wage in the County.

NOW, THEREFORE, for valuable consideration and mutual covenants exchanged between the parties hereto, it is agreed as follows:

1. The County agrees to reimburse the Company in the total amount of up to \$450,000.00 for the grading, extension of utilities, and other site preparation as permitted in paragraph 2(a) of the Resolution Establishing the Durham County Economic Development Investment Fund.
2. Payment from the County to the Company shall be made as follows:

- a) \$150,000.00 at the completion of construction of the building and equipment installation with a combined tax value of \$35,292,000.00 or on January 1, 2002, whichever is later.
 - b) \$75,000.00 after production operations have begun with twenty-nine workers employed or on January 1, 2003, whichever is later, provided that the tax value of the building and equipment is at least \$35,292,000.00.
 - c) \$75,000.00 on January 1, 2004, provided twenty-nine or more workers continue to be employed at the facility, provided that the tax value of the building and equipment is at least \$35,292,000.00.
 - d) \$75,000.00 on January 1, 2005, provided twenty-nine or more workers continue to be employed at the facility, provided that the tax value of the building and equipment is at least \$35,292,000.00.
 - e) \$75,000.00 on January 1, 2006, provided twenty-nine or more workers continue to be employed at the facility, provided that the tax value of the building and equipment is at least \$35,292,000.00.
3. The Company agrees to make a full and accurate accounting of all expenditures for the grading and other site preparation referenced above by the end of the 2001-2002 fiscal year.
 4. The Company shall construct on said real estate a manufacturing facility for the manufacture of polyester spunbond nonwovens. Said facility shall have a taxable value for real estate and equipment of at least thirty-five million two hundred ninety-two thousand dollars (\$35,292,000.00). Said facility shall be in operation within two years of the signing of this Agreement.
 5. The Company shall not discriminate against any person on the grounds of race, color, national origin, sex, age, or disability in the administration of this contract. Nor shall any person be excluded from participation in, or be denied the benefits of any project constructed under this contract on the grounds of race, color, national origin, sex, age, or disability. The Company agrees to place a clause in each of its contracts regarding the grading of the site referenced above prohibiting discrimination on these grounds.
 6. The laws of the State of North Carolina shall control and govern this contract.
 7. The County and Company respectively bind themselves, their partners, successors, assigns, and legal representatives to the other party hereto and to partners, successors, assigns, and legal representatives of such other party in respect to covenants, agreements, and obligations contained herein. Neither party to the Agreement shall assign the Agreement as a whole without written consent of the other. If either party attempts to make such an assignment without such consent, that party shall nevertheless remain legally responsible for all obligations under the Agreement.

8. This Contract may be modified only by a written agreement executed by both parties hereto.
9. If Company fails to fulfill any of its obligations under this Agreement, then in that event, the County may hold the Company in default and in addition to any and all other remedies the County may have at law or in equity, a) terminate this Agreement and make no further payments to Company; b) recover any and all payments made to the Company; and c) recover all expenses incurred by the County due to the default including reasonable attorney's fees.
10. Any controversy or claim arising out of this Agreement shall be settled by an action initiated in the appropriate division of the General Court of Justice in Durham County, North Carolina.
11. This Contract sets forth the entire agreement between the County and the Company and supersedes any and all other agreements on this subject between the parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Contract as of the day and year first above written.

(SEAL)

(SEAL)

COUNTY OF DURHAM

FREUDENBERG SPUNWEB CO.

By _____
Chairman

By _____
President

Attest: _____
Clerk to the Board

Attest: _____
Chief Financial Officer

Public Hearing on the FY 2001-2002 Recommended Budget

The Board of County Commissioners conducted a public hearing to receive input from citizens on the FY 2001-2002 recommended budget. A time limit of three minutes was set for each interested citizen to speak.

County Manager's Recommendation:

The County Manager recommended that the Board received input from speakers and incorporate that input in the deliberations prior to finalization of next year's budget.

Chairman Black opened the public hearing that had been properly advertised.

The following citizens spoke at the public hearing on the FY 2001-2002 recommended budget. They are listed by their areas of concern:

Durham Public Library Funding and the Need for a New Branch Library:

John Lubans, 2507 Sevier Street, Durham, NC 27705

Lauren Singdahlsen, 310 Gresham Avenue, Durham, NC 27704 (Library Board of Trustees)

Maddy Wells, 11 Bermouth Court, Durham, NC 27705 (Friends of the Library)

Harlan Brown, 2324 Rolling Pines Avenue, Durham, NC 27703

Altha Trowell and sons Joseph and Charles, 1100 Huntsman Drive, Durham, NC 27713 (Friends of the Library)

Shelley Williamson, 318 Bandoek Drive, Durham NC 27703 (Friends of the Library)

Andrew Scott, 1526 Glasgow Street, Durham, NC 27705 and

Harriette Brinkley, 108 N. Hyde Park Avenue, Durham, NC 27703

General Budget: Ralph McKinney, 3104 Winston Road, Durham, NC 27704

School System and Nonprofits: Jack Steer, 2416 Dawn Trail, Durham, NC 27712 (Friends of Durham)

Continuation of the EMS Wheelchair Service:

Trannis Brewer, 24 Phauff Court, Durham, NC 27703 and

Troy Knowles, 1323 Kendall Drive, Durham, NC 27703

Continuation of the STARR Program: Judge Craig Brown, Englewood Avenue, Durham, NC 27705 (Criminal Justice Partnership Board)

There being no other speakers, the Chairman closed the public hearing. The Chairman made closing remarks about the public hearing.

Public Hearing—Durham Trails and Greenways Master Plan

This item was brought forward to receive public comment and to adopt the Durham Trails and Greenways Master Plan which will replace the 1988 Durham Trails and Urban Greenways Master Plan. The plan combines City and County trail plans into one (allowing for future development of County Open Space Corridor Plans). Its features include (1) coordinating Durham trails with routes on private lands and other public lands; (2) increasing the trails' transportation viability by making connections between trail routes and proposed TTA transit stations; (3) connecting Durham trails into a larger network of regional, state, and national trails; (4) summarizing ten years of accomplishments on trails and greenways by the Durham community; (5) updating and reaffirming goals of the 1988 plan, with new policies recommended for implementing those goals; (6) naming all proposed trails and including them into a larger system, with trail construction specifications defined and standardized; (7) detailed maps of proposed

trail routes, with maps are now available on GIS for other uses; and (8) explanation of polices and adopted plans which affect the trails and greenways program.

Resource Person(s): Beth Timson, Senior Planner

County Manager's Recommendation: The Manager recommended that the Board receive public comment and adopt the plan, if appropriate, based on public comment.

Chairman Black opened the public hearing that was property advertised. There being no speakers signed, the public hearing was closed.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to adopt the Durham Trails and Greenways Master Plan.

The motion carried unanimously.

Public Hearing—An Amendment to the Zoning Ordinance Expanding Requirements for Cellular Towers Regarding Location and Aesthetics

The Planning Department proposed an amendment to Section 7.39 of the Zoning Ordinance which establishes regulations for cellular and other types of towers. The proposed amendment clarifies certain existing regulations, as well as adds new language which allows the approving authority to (a) require more extensive documentation regarding availability of existing towers and structures in the proposed tower area to help decrease the number of towers, (b) consider, to an extent, the aesthetics of the proposed tower in relation to the surrounding area, and (c) have an independent consultant available to review the documentation provided by the tower applicant and to advise the approving authority on its accuracy.

Resource Person(s): Dennis Doty, Planner, and Dick Hails, Interim Planning Director

County Manager's Recommendation: The Manager recommended that the Board approve these amendments.

Chairman Black opened the public hearing which was property advertised. William Brian, 239 Country Club Drive, Durham, NC 27712, addressed the agenda item, representing the Durham Board of Adjustment. There being no other speakers, the public hearing was closed.

Chairman Black directed Planning staff to investigate cellular tower ordinances in surrounding counties which appear to be successful.

Vice-Chairman Reckhow moved, seconded by Commissioner Cousin, to approve TC 108-00 to amend

Section 7.39 of the Zoning Ordinance expanding requirements for cellular towers regarding location and aesthetics.

The motion carried unanimously.

The Zoning Ordinance Text Amendment follows:

TC 108-00

AN ORDINANCE AMENDING THE DURHAM ZONING CODE PROVISIONS
REGARDING CELLULAR TOWERS TO REQUIRE
APPLICANTS TO FURNISH ADDITIONAL INFORMATION AND TO
FUND THE COST OF INDEPENDENT TECHNICAL EXPERTISE.

WHEREAS the Durham zoning code contains various provisions that, in the interest of the health, safety, and welfare of Durham, restrict the placement of cell towers and require certain information from applicants for use permits for such towers; and

WHEREAS these provisions have not proven entirely adequate in ensuring that the aesthetic attractiveness of the community is preserved and that tower proliferation does not occur; and

WHEREAS it is in the community's interest to strengthen the ordinance to better ensure that cell towers are built only when necessary to provide service, that other feasible alternatives to the construction of new towers are fully explored, that towers are designed to be as visually acceptable as possible, and that independent evidence regarding certain technical issues is presented:

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

Section 1.

The following changes are made to Section 7, Subsection 39, of the Durham Zoning Code:

Section 7.39.1.J is hereby amended by deleting current paragraphs (2), (3), and (4) and replacing them with the following paragraphs:

"2. Certification furnished by a registered engineer that the tower has sufficient structural integrity to accommodate multiple users, and the number of additional users that can be accommodated on the proposed tower.

3. *Certification by a registered engineer or other qualified professional regarding service gaps or service expansion that are addressed by the proposed tower ("the proposed service area"), and accompanying maps and calculations.*

4. *A report regarding the adequacy of alternative existing facilities in meeting the applicant's need or the needs of service providers desiring to locate on the proposed tower, if the applicant is not a service provider, and the reasons these existing facilities cannot be used. Alternative existing facilities include all potentially useable utility towers and structures within the proposed service area that would provide additional service to the users of the proposed tower. Documentation included in the report may include such things as calculations regarding coverage, capability of supporting necessary equipment, or other relevant data; lease negotiations; or other information. Technical data included in such documentation shall be certified by a registered engineer or other qualified professional."*

Section 7.39.2.B is hereby amended by deleting the clause at the end of the first sentence that currently reads "and may disapprove a tower on the grounds that such aesthetic effects are unacceptable." Such clause shall be replaced with the following new sentence, which shall follow the phrase "may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics" in the first sentence. *"The approving bodies may disapprove an application on the grounds that the tower's aesthetic effects are unacceptable, or may condition approval on changes in tower height, design, style, buffers, or other features of the tower or its surrounding area. Such changes need not result in performance identical to that of the original application.*

Section 7.39.2 is hereby amended by changing the lettering of current paragraphs C and D, respectively, to F and G, respectively, and by substituting in their place the following new paragraphs:

"C. If the approving body determines that acceptable additional service coverage can be achieved by use of one or more alternative existing facilities addressed in 7.39.1.J.4 above, or by one or more towers sited in alternative locations, it may disapprove the proposed tower application. Acceptable service coverage shall not be deemed to be coverage that meets all the goals and objectives of the applicant, but rather coverage that provides additional useful capacity to the applicant.

D. The applicant shall provide simulated photographic evidence of the proposed tower's appearance from all residential areas within 1,500 feet, and from other vantage points chosen by the Planning Department.

E. The fee charged for a special use permit for a tower shall include not only the costs of administrative services, processing, and hearings, but also a charge sufficient to retain an independent expert witness to provide and/or evaluate relevant evidence, including but not limited to the adequacy of existing nearby facilities and the feasibility of

alternative designs, heights, or locations. The scheduling of hearings on special use permits for tower applications may be varied to allow the retention of such expert."

The following changes are made to Section 4D.3 (General Commercial District).

4D.3.2 regarding permitted uses is amended by deleting current paragraph 55 and replacing it with the following:

"55. Towers for transmitting and receiving electronic signals which are less than 200 feet in height and are not located on a tract that is adjacent to or directly across the street from residentially-zoned property."

4D.3.3 regarding special uses subject to Board of Adjustment approval is amended by adding the following entry to the list of such uses:

"9. Towers for transmitting and receiving electronic signals which are more than 120 feet in height and less than 200 feet in height and are located on a tract that is adjacent to or directly across the street from residentially zoned property."

Conforming changes consistent with the changes to 4D above are made to footnote 18 following Section 6 of the Table of Permitted Uses.

Section 2

Ordinance provisions in conflict with the above are hereby repealed.

Section 3

This ordinance is effective upon adoption.

(Zoning Ordinance amendment recorded in Ordinance Book _____, page _____.)

Public Hearing—To Consider Adoption of an Amendment to the Zoning Ordinance to Change the Definition of Service Stations and Update Standards for Service Stations and Vehicle Repair Shops

This agenda item proposed an amendment related to vehicle repair facilities and service stations. The first part of the proposal modifies the definition of "service stations" by including "oil change facilities and tire sales facilities" to thereby allow these in the Neighborhood Commercial (NC) zone (with a use permit) and thus expand the number of zoning districts that allow these uses. The second part of the amendment proposal would impose additional zoning standards on all vehicle repair facilities and service stations.

Resource Person(s): Bonnie Estes, Assistant Planning Director, and Dick Hails, Interim Planning Director

County Manager's Recommendation: Adopt the zoning ordinance after conducting the public hearing.

Chairman Black opened the public hearing that was properly advertised. There being no one signed to speak, the public hearing was closed.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approve Section 2 of the Zoning Ordinance Text Amendment TC 118-01 by which Section 7 of the Durham County Zoning Ordinance (“Standards for Service Stations and Vehicle Repair Shops”) will be rewritten.

The motion carried unanimously.

Section 1 of the Zoning Ordinance Amendment was denied.

The Zoning Ordinance Text Amendment follows:

TC 118-01

AN ORDINANCE TO AMEND THE DURHAM ZONING ORDINANCE
TO MODIFY THE SUPPLEMENTARY REGULATIONS [Section 7] FOR SERVICE
STATIONS AND VEHICLE REPAIR SHOPS

WHEREAS, the Durham Board of County Commissioners wishes to amend the zoning ordinance; and

WHEREAS, certain performance standards are needed to mitigate the potential off site effects of vehicle repair businesses and service stations; and

WHEREAS, these standards will improve the appearance of Durham, protect water quality and provide for the health, safety and welfare of the citizens:

Therefore be it ordained by the Durham Board of County Commissioners:

[New wording is identified by ***Bold Italics*** and deleted wording is identified by ~~strikethrough~~ .]

SECTION 1

That Section 7 “STANDARDS FOR SERVICE STATIONS AND VEHICLE REPAIR SHOPS” be rewritten as follows:

7.37 Service Stations and Vehicle Repair Shops

When allowed, service stations and vehicle repair shops shall be subject to the following additional requirements:

1. In zoning districts where trucks or other vehicles are displayed as an accessory use for rent, the site plan shall indicate the area to be used to display rental vehicles. Spaces for rental vehicles shall be in addition to any parking spaces required for operation of the other activities. Rental activities may not occupy more than 50% of the site area.
2. Fuel pumps shall be at least 15 feet from property lines. Canopies shall be at least 5 feet from property lines.
3. ***Any repair, servicing, maintenance, or other work on vehicles shall be conducted within an enclosed structure which does not exceed 20 feet in height.***
4. Storage of vehicles for 15 days or more or junking of vehicles shall be prohibited. Vehicle sales shall also be prohibited.
5. Replacement parts ~~or~~ ***and*** accessories shall be stored inside. Discarded parts shall not be allowed to accumulate in open storage. ***stored outside.***
6. Vehicles associated with the use shall not be stored or repaired within federal, state, or local public rights-of-way, including streets and sidewalks.
7. Uses not covered by an existing site plan shall organize the off-street parking areas to provide adequate customer parking and access for emergency vehicles.
8. Nothing in this subsection shall be construed as allowing properties designated as service stations or vehicle repair shops to be involved in disassembling, tearing down, or scrapping of a vehicle or to permit one vehicle to be scavenged or stripped for parts for use on another vehicle.
9. ***Vehicle stacking lanes in addition to the required parking spaces shall be provided when businesses perform services such as oil changes on successive vehicles. Stacking space for at least 4 vehicles shall be provided on the site. Parked vehicles and vehicles waiting for service may not block sidewalks, driveways, or streets.***
10. ***A sight obscuring wall or hedge shall be provided adjacent to residential property in conformance with [Section 10](#). The landscaping plan shall also be designed to reduce clear views through the building from the right of way.***
11. ***A spill preventions and counter measures plan will be provided with the site plan that will include at a minimum:***
 - a. ***cleanup procedures for spills occurring inside and outside the building.***
 - b. ***Counter measures for use in preventing spills from entering the storm water collection system.***
 - c. ***Routine cleanup procedures for work areas and parking areas. Wash down water shall not be permitted to enter the storm water collection system.***
[Please note the standards of Section 8 regarding Waste Products]
12. ***Additional conditions may be added by the approving authority as necessary in order to reduce the visual impact of the site on nearby properties and to protect the health, safety, and welfare of nearby properties. These may include but are not limited***

to additional buffering, additions to the landscape plan to reduce unsightly views, and other such measures.

SECTION 2

This ordinance is effective upon adoption.

(Zoning Ordinance amendment recorded in Ordinance Book _____, page _____.)

Public Hearing on Proposed General Obligation Bond Issue

The Board of Commissioners was requested to hold a public hearing on the Bond Orders which were previously introduced. Following the public hearing, the Board would approve the Bond Orders if the Board, in its discretion, believes the issuance of the debt to be necessary. Also, the Board would adopt a resolution calling the referendum on the Bond Orders for November 2001.

Resource Person(s): Chuck Kitchen, County Attorney

Chairman Black opened the public hearing that was properly advertised. The three speakers were:

Andre D. Vann, 3912 Ludgate Drive, Durham, NC 27713, representing Friends of the Stanford L. Library;

George Conklin, 2905 Scuppernong Lane, Durham, NC 27703, representing Stirrup Creek Homeowners Association;

Herb David, 3001 Scuppernong Lane, Durham, NC 27703, representing Stirrup Creek Homeowners Association.

All supported library facilities bonds. There being no other speakers, Chairman Black closed the public hearing.

The following motions were made to approve the Bond Orders:

Commissioner Cousin moved, seconded by Commissioner Bowser, to approve the "Order Authorizing \$51,800,000 School Bonds."

The motion carried unanimously.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the "Order Authorizing \$10,270,000 Library Facilities Bonds."

The motion carried unanimously.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approve the "Order Authorizing \$5,840,000 Museum Bonds."

The motion carried unanimously.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the "Order Authorizing \$5,550,000 Recreational Facilities Bonds."

The motion carried unanimously.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the "Order Authorizing \$1,200,000 Health Care Facilities Bonds."

The motion carried unanimously.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the "Resolution Calling a Special Bond Referendum" for Tuesday, November 6, 2001 between 6:30 a.m. and 7:30 p.m.

The motion carried unanimously.

The Bond Orders follow:

RESOLUTION CALLING A SPECIAL
BOND REFERENDUM

BE IT RESOLVED by the Board of Commissioners for the County of Durham:

Section 1. A special bond referendum is hereby called to be held between 6:30 A.M. and 7:30 P.M., on Tuesday, November 6, 2001, at which there shall be submitted to the qualified voters of the County of Durham the questions stated in the notice of special bond referendum set forth in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in Durham County shall be used and the registration books, process or records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places as provided in said notice set forth in Section 3 of this resolution, (ii) the chief judges, judges and other officers of election appointed by the Durham County Board of Elections for the precincts and voting places in said County shall be the election officers for such precincts and voting places and (iii) the precincts and voting places for said referendum shall be those fixed by the Durham County Board of Elections as provided in said notice set forth in Section 3 of this resolution, subject to change as provided by law. The Durham County Board of Elections is hereby requested to conduct said referendum and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The Clerk to the Board of Commissioners shall cause a notice to be published in The Herald Sun once at least fourteen days before October 12, 2001 (being the last day on which persons may register for said referendum except as otherwise

provided in said notice set forth in Section 3 of this resolution) and once again not less than seven days before said day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM
IN THE
COUNTY OF DURHAM, NORTH CAROLINA

A special bond referendum will be held throughout the County of Durham, North Carolina, between 6:30 A.M. and 7:30 P.M., on Tuesday, November 6, 2001 at which there will be submitted to the qualified voters of said County the following questions:

SCHOOL BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$51,800,000 School Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for erecting additional school buildings and other school plant facilities, remodeling, enlarging and reconstructing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings and equipment therefor, in order to provide additional school facilities in said County to maintain the school term as required by Section 2 of Article IX of the Constitution, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

LIBRARY FACILITIES BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$10,270,000 Library Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing additional library facilities of said County, including the construction of a branch library in the eastern area of said County, the expansion and renovation of an existing branch library, the acquisition of necessary land, rights of way, furnishings and equipment therefor and the acquisition of necessary land and rights of way for additional branch libraries, and authorizing the levy of

taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

MUSEUM BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$5,840,000 Museum Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging and improving exhibits, parking facilities, visitor facilities, offices and maintenance facilities at the North Carolina Museum of Life and Science and acquiring any necessary furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

RECREATIONAL FACILITIES (SENIOR CENTER) BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$5,550,000 Recreational Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing additional recreational facilities of said County, including the construction of a new center for senior citizens in the downtown area of the City of Durham on land donated to said County and the acquisition of necessary rights of way, furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

HEALTH CARE FACILITIES (EMS BUILDING) BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$1,200,000 Health Care Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing and improving health care facilities of said County, including the construction of a building to house emergency medical services to be relocated from Lincoln Community Health Center and the acquisition of necessary land, rights of way, furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to

pay the principal of and the interest on said bonds, be approved?

The questions hereinabove set forth contains a statement of the purposes for which the bonds are authorized by the orders referred to in such questions.

If said bonds are issued, taxes in an amount sufficient to pay the principal thereof and interest thereon will be levied upon all taxable property in the County of Durham.

For said referendum the regular registration books for elections in the County of Durham will be used and the registration books, process or records will continue to be open for the acceptance of registration applications and the registration of qualified persons from 8:30 A.M. until 5:00 P.M. on Monday to Friday, inclusive, of each week at the office of the Durham County Board of Elections located at 706 West Corporation Street, in Durham, North Carolina.

For said referendum registration applications will be accepted and qualified persons may register also at any Drivers License Examining Station located in the State of North Carolina (the "State") during normal business hours when applying for, renewing or correcting driver licenses.

Moreover, registration applications will be accepted and qualified persons may register at every office in the State which accepts claims for benefits under the Employment Security Law or applications for a program of public assistance under Article 2 of Chapter 108A or Article 13 of Chapter 130A of the General Statutes of North Carolina and at every office in the State designated by the State Board of Elections which accepts applications for State-funded State or local government programs primarily engaged in providing services to persons with disabilities. Such programs include

Medicaid, Aid to Families with Dependent Children, Food Stamps, Women, Infants and Children and programs of the Division of Mental Health and the Division of Services for the Blind.

Qualified persons may also register by mail on forms to be available at the above-mentioned places and otherwise as provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Furthermore, certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces, and members of the Peace Corps may register by mail at any time prior to said referendum in the manner provided in Article 21 of Chapter 163 of the General Statutes of North Carolina and in person at any time, including the day of said referendum.

The last day for new registration of those not now registered under Durham County's permanent registration system and who wish to register for said referendum is Friday, October 12, 2001, except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

The last day on which registered voters who have changed residence may notify the Durham County Board of Elections of their changes of address in order to be registered for said referendum is Friday, October 12, 2001, except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Any qualified voter of the County who is qualified to vote by absentee ballot in said special bond referendum may apply to the Durham County Board of Elections for an absentee ballot. Any qualified voter who is qualified to vote by military absentee ballot pursuant to Section 163-245 of the General Statutes of North Carolina may also apply for

an absentee ballot as provided by Section 163-247 of the General Statutes of North Carolina.

Persons who are not certain whether they are registered to vote or qualified to vote or who desire further information concerning the registration process or said referendum should contact the Durham County Board of Elections at the office of said Board mentioned above, telephone number (919) 560-0700, or by visiting its Website, www.co.durham.nc.us/elec/, or by e-mailing it at elections@co.durham.nc.us.

The registration books for elections in Durham County will be open to inspection by any registered voter of the County during the normal business hours of the Durham County Board of Elections on the days when the office of said Board is open, and such days are challenge days.

The chief judges, judges and other officers of election appointed by the Durham County Board of Elections will serve as the election officers for said referendum.

The Durham County Board of Elections will conduct said referendum.

The precincts and voting places for said referendum, subject to change as provided by law, are as follows:

<u>Precinct</u>	<u>Voting Place</u>
1	Brogden Middle School 1101 Leon St.
2	Watts Street School 700 Watts St.
3	E.K. Powe School 913 Ninth St.
4	N.C. School of Math & Science 1912 Ninth St.

<u>Precinct</u>	<u>Voting Place</u>
5	W.I. Patterson Rec. Center 2000 Crest St.
6	Lakewood School 2520 Vesson Ave.
7	Durham Magnet Center (DHS) 400 N. Duke St.
8	Morehead School 909 Cobb St.
9	Forest Hills Club House 1639 University Dr.
10	C.C. Spaulding School 1531 S. Roxboro Rd.
11	Weaver St. Community Center 3000 Weaver St.
12	Pearson School 600 E. Umstead St.
13	Burton School 1200 Mathison St.
14	Y.E. Smith School 2410 E. Main St.
15	Mt. Calvary Holy Church Gym 500 No. Driver St.
16	Holy Infant Catholic Church 5000 Southpark Drive at Highway 54
17	Durham County Main Library 300 N. Roxboro St.
18	Holloway Street School 1107 Holloway St.

<u>Precinct</u>	<u>Voting Place</u>
19	American Legion Post #7 406 E. Trinity Ave.
20	Agricultural Building 721 Foster St.
21	Club Boulevard School 400 W. Club Blvd.
22	VFW Post 2740 3705 Dearborn Dr.
23	Homestead Heights Baptist Gym 4007 Holt School Rd.
24	Hillandale Learning Center 2107 Hillandale Rd.
25	Northern High School 117 Tom Wilkinson Rd.
26	Bahama Vol. Fire-Rougemont Station 11821 N. Roxboro Rd.
27	Resurrection United Methodist Church 4705 Old Chapel Hill Rd.
28	Bahama Ruritan Club 8202 Stagville Rd. Bahama, NC
29	Gorman Ruritan Club 2400 E. Geer St.
30	Oak Grove School 3810 Wake Forest Rd.
31	Bethesda Ruritan Club 1714 S. Miami Blvd.
32	Neal Middle School 201 Baptist Rd. (WF Hwy)

<u>Precinct</u>	<u>Voting Place</u>
33	Nelson Community Center 4700 Old Page Rd.
34	Pearsontown School 4915 Barbee Rd.
35	Parkwood Elementary School 5207 Revere Rd.
36	Yates Baptist Church 2819 Chapel Hill Rd.
37	Cole Mill Rd. Church of Christ 1617 Cold Mill Rd. (Berini)
38	Hope Valley Baptist Church 6900 Garrett Rd.
39	Parish Hall, St. Stephens Church 82 Kimberly Dr.
40	Rogers-Herr Middle School 911 Cornwallis Rd.
41	White Rock Baptist Church 3400 Fayetteville Rd.
42	Shepard Middle School 2401 Dakota St.
43	Forest View Elementary School 3007 Mt. Sinai Rd. (Erwin)
44	Carrington Middle School 227 Milton Rd.
45	Eno Valley-Holt Athletic Gym 117 Milton Rd.
46	Edison Johnson Community Ctr. 600 W. Murray Ave.

<u>Precinct</u>	<u>Voting Place</u>
47	Irwin R. Holmes Sr. Rec. Ctr. 2000 S. Alston Ave.
48	Christ the King Moravian Church 4405 Hope Valley Rd.
49	James E. Shepard Memorial Library 1801 Fayetteville St.
50	McMannen United Methodist Church 4102 Neal Rd.
51	Southwest Elementary School 2320 Cook Rd.
52	Evangel Assembly of God 1011 Lynn Rd.
53	Triangle Presbyterian Church 5001 Tudor Pl. (Hwy. 54)
54	Christus Victor Lutheran Church 1615 Highway 54

Ronald Gregory
Chairman of the Durham County Board of Elections
North Carolina

Garry E. Umstead
Clerk to the Board of Commissioners for the
County of Durham, North Carolina

Section 4. The form of the questions to appear in the ballots and in the instructions to voters for said referendum shall be substantially as follows:

.....
SCHOOL BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$51,800,000 School Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for

erecting additional school buildings and other school plant facilities, remodeling, enlarging and reconstructing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings and equipment therefor, in order to provide additional school facilities in said County to maintain the school term as required by Section 2 of Article IX of the Constitution, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....
LIBRARY FACILITIES BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$10,270,000 Library Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing additional library facilities of said County, including the construction of a branch library in the eastern area of said County, the expansion and renovation of an existing branch library, the acquisition of necessary land, rights of way, furnishings and equipment therefor and the acquisition of necessary land and rights of way for additional branch libraries, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....
MUSEUM BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$5,840,000 Museum Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging and improving exhibits, parking facilities, visitor facilities, offices and maintenance facilities at the North Carolina Museum of Life and Science and acquiring any necessary furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....
RECREATIONAL FACILITIES (SENIOR CENTER) BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$5,550,000 Recreational Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing additional recreational facilities of said County, including the construction of a new center for senior citizens in the downtown area of the City of Durham on land donated to said County and the acquisition of necessary rights of way, furnishings and equipment

therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....
HEALTH CARE FACILITIES (EMS BUILDING) BONDS

Shall the order adopted on June 11, 2001, authorizing not exceeding \$1,200,000 Health Care Facilities Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for providing and improving health care facilities of said County, including the construction of a building to house emergency medical services to be relocated from Lincoln Community Health Center and the acquisition of necessary land, rights of way, furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....
Section 5. The Clerk to the Board of Commissioners is hereby directed to mail or deliver a certified copy of this resolution to the Durham County Board of Elections within three days after the passage hereof.

Section 6. This resolution shall take effect upon its passage.

Adjournment

There being no further business, Chairman Black adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board

GEU:SBP