

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

Monday, August 9, 1999

7:00 P.M. Regular Session

AGENDA

1. Opening of Regular Session—Pledge of Allegiance

2. Agenda Adjustments

3. Minutes

- a. May 24, 1999 Regular Session
- b. June 1, 1999 County Manager's Budget Message
- c. June 7, 1999 Worksession
- d. June 14, 1999 Regular Session
- e. June 16, 1999 Budget Worksession
- f. June 21, 1999 Worksession

4. Commendation for Department of Social Services: "Challenge for Children" Initiative

The foster care system provides an invaluable service for children who cannot remain safely in their own homes as a result of severe abuse, neglect, or dependency. However, it must be used appropriately as a temporary living arrangement with the goal of reuniting the child with his/her family or finding an alternative safe, secure, permanent home within one year. The North Carolina Department of Health and Human Services issued a "Challenge for Children" asking every County Department of Social Services in North Carolina to make foster care backlog reduction a top priority. This initiative, begun in 1997, has been wholeheartedly embraced by Durham County's Department of Social Services for the past two years and is currently continuing in its third year. The County joins the North Carolina Department of Health and Human Services in commending the Department of Social Services for its continued commitment to the "Challenge for Children."

County Manager's Recommendation: Commend the Department of Social Services' staff for their participation and success in the "Challenge for Children" initiative.

5. Consent Agenda

- g. Pharmaceuticals for Public Health Department, Durham County Detention Facility (DCDF), and Emergency Medical Services (EMS) (authorize the County Manager to piggyback on North Carolina State Term Contract #269A and award a contract to Bindley Western Company, Kendall Division, for the supply of pharmaceuticals for Public Health and DCDF in an annual amount not to exceed \$100,000 and for EMS in an annual amount not to exceed \$30,000);
- h. Contract with The Upjohn Company (authorize the County Manager to enter into a contract with The Upjohn Company in an amount not to exceed \$40,000 for the purchase of Depo-Provera injections);

- i. Appointment of New Review Officers (adopt resolution whereby F. Rose Taylor and Judy F. Hosford in the Durham County Land Records Office are appointed as Durham County's Review Officers regarding the review of maps and plats prior to being recorded by the Register of Deeds Office);
- j. Appointments—Durham and Wake Counties Research and Production District (appoint the following nominees to the Research Triangle Park Owners and Tenants Association for the terms specified:

Robert Chase 7/1/99 – 6/30/02
 Sally Johnson 7/1/99 – 6/30/02
 M.S. Huang 7/1/99 – 6/30/02
 Barbara Dearry 7/1/99 – 6/30/00);

- k. Appointment—Juvenile Crime Prevention Council (appoint Linda Allsberry to the Juvenile Crime Prevention Council as Dr. Steven Ashby's designee to serve as his representative);
- l. Settlement of 1998 Property Taxes (receive and approve the 1998 Tax Settlement Report and authorize the relieving of taxes that are more than 10 years past due and motor vehicle taxes that are more than 2 years past due);
- m. Order of Tax Collection for 1999 Taxes (adopt the Order of Tax Collection for the 1999 Property Taxes and charge the Tax Administrator, Charles A. Clark, with this responsibility);
- n. 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); and
- o. Street Annexation Petition—Ardsley Drive (SR 1876) (adopt the resolution to approve the addition of Ardsley Drive (Glen Forest) to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation).

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

6. Public Hearing—Lebanon Township Plan Presentation

(Note: This item was on the July 12, 1999 BOCC agenda and was carried over to the next meeting.)

The Planning Department periodically produces Small Area plans; Durham is subdivided into 15 Small Areas and Downtown. The Lebanon Township Plan is the 12th such plan done. The Lebanon Township Plan planning process involves citizen and staff input; the Plan is the result of input from four community meetings and staff research. The Lebanon Plan contains a summary of existing conditions and a set of policies to guide future growth in the Township and champions concepts outlined in the Durham 2020 Comprehensive Plan. While maintaining the area's rural and suburban character, the Plan proposes several limited areas of more intensive development in an Urban or Regional Corridor. Any new development must be sensitive to environmental and compatibility concerns. The Lebanon Township Plan is generally compatible with and supportive of adopted plans. The attached sheet shows the dates of recent and upcoming meetings on this plan. Planning staff recommends adoption of the Lebanon Township Plan with minor text changes, which are listed in the attached memo "Clarifying Language for Two Implementation Measures in the Draft Lebanon Township Plan."

T.E. Austin, Durham City/County Planning Department, will present this item.

County Manager's Recommendation: Adopt the Lebanon Township Plan subject to corrections and revisions.

7. Public Hearing—Zoning Ordinance Amendment TC 85-99 Regarding Temporary Outdoor Sales

Conduct the public hearing and consider the amendment. This proposal for changes to the standards for temporary outdoor sales resulted from problems with commercial outdoor sales in residential areas and commercial sales on vacant lots in nonresidential areas. The proposal will limit the number of residential yard sales and eliminate many of the outdoor sales on vacant lots and parking lots in commercial areas. The proposal is recommended for approval because it will assist with enforcement of the ordinance and because it will improve the quality of life in Durham by reducing neighborhood impacts of sales and improving the aesthetics of Durham's roadways.

The Zoning Committee of the Durham Planning Commission reviewed this matter at their meeting on June 8, 1999 and recommended its adoption. City Council held a public hearing and adopted this amendment at their meeting on July 19, 1999.

Bonnie Estes, Planning Manager, will present this item.

County Manager's Recommendation: Adoption of the amendment to the zoning ordinance identified as TC 85-99.

8. Public Hearing—Zoning Ordinance Amendment TC 87-99 Regarding Technical Changes to the Ordinance Related to Board of Adjustment Cases

Conduct the public hearing and consider the amendment. This proposal calls for changes to the zoning ordinance to improve the efficiency of the Board of Adjustment. The proposal revises the setback requirement for corner lots in R-20. It also clarifies standards for lots with accessory dwellings and definitions of floor area for accessory dwellings.

The Zoning Committee of the Durham Planning Commission reviewed this matter at their meeting on June 8, 1999 and recommended its adoption. City Council held a public hearing and adopted this amendment at their meeting on July 19, 1999.

Bonnie Estes, Planning Manager, will present this item.

County Manager's Recommendation: Adoption of the amendment to the Zoning Ordinance identified as TC 87-99.

9. Set Public Hearing for Industrial Revenue Bond

The Durham County Industrial Facilities and Pollution Control Financing Authority has entered into an Inducement Agreement with Cormetech Inc. The Agreement provides for the issuance of Industrial Revenue Bonds by the Authority for expansion of the existing facility. The bonds are solely an obligation of the company and not that of the Authority or the County. By issuing the bonds, the company will be able to avail itself of tax exempt financing at a lower rate than otherwise possible. The amount of the bonds is up to \$10,000,000. A public hearing is

required to be held on the issuance of the bonds and possible subsequent approval by the Board of Commissioners. The date requested for the public hearing is the Commissioners' regular meeting on August 23, 1999.

County Manager's Recommendation: Approve the setting of the public hearing on the issuance of the bonds for the expansion of this industry whose corporate headquarters are currently located in Durham County in the Treyburn Corporate Park. This expansion will add approximately 25 new jobs, which pay at least 10 percent above the prevailing industrial rate in North Carolina.

10. Appointments—Alcoholic Beverage Control Board Chairman

North Carolina General Statute 18B-700 states that the appointing authority (Board of County Commissioners) shall designate one of the three members of the local ABC board as chairman.

The current board members are:

<u>Name</u>	<u>Term Expiration</u>
John G. Horton	July 31, 2000
James Randall	July 31, 2001
Mary Ellen Williams	July 31, 2002

The Board of County Commissioners has been requested by General Manager Randy Mills to appoint one of the three members of local ABC Board as chairman effective August 1, 1999 for one year.

The N.C.G.S. is attached for your information.

Resource Person: Garry E. Umstead, Clerk to the Board