THE BOARD OF COUNTY COMMISSIONERS DURHAM, NORTH CAROLINA

Monday, August 8, 2005

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 Ellen W. Reckhow, Vice-Chairman Becky M. Heron, and

Commissioners Lewis A. Cheek and Philip R. Cousin Jr.

Absent: Commissioner Michael D. Page

Presider: Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Announcements

Chairman Reckhow announced that Commissioner Page was excused from this meeting; he was out of town. She requested a motion to excuse Commissioner Cousin from the August 1 Worksession due to a family emergency.

Commissioner Cheek moved, seconded by Vice-Chairman Heron, to excuse Commissioner Cousin from the August 1, 2005 Worksession.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

Chairman Reckhow publicized the following meetings for citizens to learn more about the Unified Development Ordinance:

- Little River Community Complex—Tuesday, August 16—4:00 to 7:00 p.m.
- Southwest Branch Library—Wednesday, August 17—4:00 to 7:00 p.m.
- Downtown Main Library Auditorium—Thursday, August 18—4:00 to 7:00 p.m.

Commissioner Cheek made the following statement as a matter of personal privilege:

"Over the past week, I have been criticized in the media for my personal professional decision to provide legal advice and assistance to Centex Homes in a rezoning case before the City Council as a paid consultant.

It has been suggested that my representation was in some way a conflict of interest, given my service on this Board, or that at the very least, there was an appearance of unethical conduct on my part.

I could not disagree more. I have no intention of fencing with the press. I said what I needed to say about my actions in the column that appeared on the editorial page of <u>The Herald-Sun</u> today, but my ability to be fair, impartial, and just in my decision-making as a member of this Board has been questioned.

I'll stand on my record for honesty and integrity in almost 30 years of the Practice of Law, four years on the City Council, and about eight months on this Board.

What I will say is this:

There are some things in life that are a lot more important than money, a lot more important than service on this Board. For me, one of those things is my reputation for honesty in my dealings and integrity in my actions.

It is much too hard to do what I do to also have to fight about whether contacts I have and have had with people and businesses over 30 years in this community preclude me from being impartial in acting as a County Commissioner.

I know many people. I have represented many clients. I have neither the time nor the energy to fight that fight and to have constantly to defend myself.

Over the next 30 days, I will consider whether to continue on this Board.

I'll say this now to the citizens of Durham County: If I choose to continue and if I am foolish enough to ever run for another elected office in Durham, if you doubt my honesty, my integrity, my impartiality or my ability to be fair, you should vote against me. I do not want someone like that involved in governing me. You shouldn't either.

Chairman Reckhow, Vice-Chairman Heron, and Commissioner Cousin urged Commissioner Cheek to remain in office. The following comments were made:

"Commissioner Cheek, I just want to say that I hope that you will decide over the next 30 days to stay on this Board. I appreciate your expertise and your experience on this Board. It would be a true loss if you decided to leave the Board," remarked Chairman Reckhow. "Beyond that, I just want to say that Durham County has one of the more stringent ethics policies in the state. It is my understanding that nothing you did relating to the recent case

with Centex Homes violates that Ethics Policy. I think you should have a clear conscience in terms of your dealings on that matter."

"I agree totally with Ellen, Lewis. You are a real addition to this Board. We want you to stay on this Board and continue to do what you have to do," Vice-Chairman Heron commented. "We appreciate your service that you've given in the past. We look forward to a long term of service in the future. We all have a few battle scars; we just wipe them off and go on. So just hang in there."

"Commissioner Cheek, I, too, want to echo that I hope you do stay on the Board," conveyed Commissioner Cousin. "It is a difficult thing to be in public service and also try to earn a living. I think that by making this sacrifice, you are certainly showing every day your concern for what is the real interest—the citizens of Durham County. I read your editorial, and I thought you stated your case quite eloquently."

Minutes

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to approve as submitted the July 25, 2005 Regular Session Minutes of the Board.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

NACo Achievement Award for Neighborhood College

The National Association of Counties' Achievement Award Program recognizes counties for improving the management of and services provided by county government. Since the program began in 1970, the Achievement Award Program has honored hundreds of county government initiatives that have improved service delivery, achieved cost efficiency, provided excellent customer service, and helped develop a better-trained workforce. Awards are made in more than 20 categories ranging from Arts and Historic Preservation to Volunteerism. This year's winners represent 25 states and 93 counties.

Chairman Reckhow stated that Durham County was presented a 2005 NACo Achievement Award for "Neighborhood College". This three-year-old program, which is a joint initiative with the City of Durham, provides residents with a 10-week series of interactive classes facilitated by a variety of department heads and officials. The goal of the program is to provide participants with a wealth of information to empower them to play a more active role in their neighborhoods and the Durham community at large.

Chairman Reckhow recognized Assistant County Manager Deborah Craig-Ray, chief program administrator, and Public Information Specialist Wil Glenn, program assistant.

Ms. Craig-Ray gave remarks of appreciation for the award, stating that the program also won a State award earlier last year. A new session of "Neighborhood College" would begin on September 15, 2005.

Mr. Glenn stated that he was pleased to be a part of such a great program. Citizens who participate not only enjoy the program, but learn a great deal as well.

County Manager Ruffin remarked that the feedback from the program is always constructive. The reviews are very high. In addition, improvements are made with each new session. Several graduates have decided to run for public office, and others now serve on boards and commissions across county and city governments. He thanked Ms. Craig-Ray and Mr. Glenn for their leadership.

Ms. Craig-Ray and Mr. Glenn accepted the award from the Commissioners.

NACo Achievement Award for Little River Regional Park and Natural Area

Chairman Reckhow commented that Durham County received another 2005 NACo Achievement Award for "Little River Regional Park and Natural Area". The Little River Regional Park and Natural Area is a cooperative project between Durham and Orange Counties, funded by both, with major assistance from the Triangle Land Conservancy, Eno River Association, NC Clean Water Management Trust Fund, NC Parks and Recreation Trust Fund, and the Land and Water Conservation Fund. The 391-acre park is managed by Orange County, is located at the Orange and Durham County border, and opened to the public on December 5, 2004. Chairman Reckhow recognized Jane Korest, Open Space/Real Estate Administrator, and Mike Giles, Open Space Land Manager, who contributed countless hours on the project and deserve much tribute.

Ms. Korest thanked the Board and expressed her gratitude for the award. The property was acquired in Year 2000 in conjunction with Orange County. The park has received heavy use and many compliments from Durham and Orange County citizenry and is a testament to a cooperative partnership.

Mr. Giles commented that he has enjoyed working at the park for the last 2½ years with the many partners, groups, volunteers, and staff. Since the park's opening, over 45,000 people have visited the park.

Chairman Reckhow called Ms. Korest and Mr. Giles forward to accept the award.

Vice-Chairman Heron commented that this is a typical example of "good things happening in Durham".

Consent Agenda

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

- -a. Budget Ordinance Amendment No. 06BCC000004

 Vehicle and Equipment Financing (approve \$2,117,164 and authorize the Manager to sign the appropriate documents); (removed from the agenda prior to the meeting)
- *b. Budget Ordinance Amendment No. 06BCC000005— Approve \$909,512 for Additional Smart Start Revenue;
- *d. Budget Ordinance Amendment No. 06BCC000007— Approve \$8,000 in Additional Revenue for Durham County EMS from Northfield Laboratories Inc. for Education and Training Related to the Polyheme Research Study;
- *f. Capital Project Amendment No. 06CPA000002— Appropriate Approved Capital Project Funds to the Collection System Rehabilitation Project (\$400,000) and the Reused Wastewater Facility Project (\$250,000);
- g. Award of Contracts for Fleet Maintenance and Repair Services (RFP# 05-001R) (authorize the Manager to execute two requirement contracts on an as needed basis with Auto World Service Center and Speights Auto Center; the terms of the contract are for three years with the option to extend for two additional two-year periods; price adjustments will be agreed upon prior to the beginning of each fiscal year);
- h. Transfer of Durham County Asset to Durham Police Department (authorize the transfer of the 2001 Chevrolet Express Van to the City of Durham Police Department for emergency management command and negotiation operations); and
- *i. Liability Claims and Subrogation Recovery for FY 04-05 (receive the report of Risk Management that recognizes the continuing efforts of the County administration to decrease costs associates with Government operations).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

Commissioner Cheek remarked that Consent Agenda Item No. h reflects collaborative efforts between the City and the County. He commended everyone involved.

<u>Consent Agenda Item No. b</u>. Budget Ordinance Amendment No. 06BCC000005—Approve \$909,512 for Additional Smart Start Revenue.

^{*}Documents related to these items follow:

DURHAM COUNTY, NORTH CAROLINA FY 2005-06 Budget Ordinance

Amendment No. 06BCC000005

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

Current Budget	Increase/Decrease	Revised Budget
\$293,697,434	\$909,512	\$294,606,946
\$355,689,783	\$909,512	\$356,599,295
	\$293,697,434	\$293,697,434 \$909,512

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

This the 8 th day of August, 2005.	

<u>Consent Agenda Item No. d.</u> Budget Ordinance Amendment No. 06BCC000007—Approve \$8,000 in Additional Revenue for Durham County EMS from Northfield Laboratories Inc. for Education and Training Related to the Polyheme Research Study.

DURHAM COUNTY, NORTH CAROLINA FY 2005-06 Budget Ordinance Amendment No. 06BCC000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND Intergovernmental	\$294,651,858	\$8,000	\$294,659,858
Expenditures: Activity			
GENERAL FUND Public Safety	\$ 40,973,938	\$8,000	\$ 40,981,938

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

This the 8th day of August, 2005.

<u>Consent Agenda Item No. f.</u> Capital Project Amendment No. 06CPA000002—Appropriate Approved Capital Project Funds to the Collection System Rehabilitation Project (\$400,000) and the Reused Wastewater Facility Project (\$250,000).

DURHAM COUNTY, NORTH CAROLINA FY 2005-06 Capital Project Ordinance Amendment No. 06CPA000002

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

	Current Budget	Increase/Decrease	Revised Budget
Expenditures			
Collection System			
Rehabilitation Project	\$500,000	\$400,000	\$900,000
Reused Wastewater			
Facility Project	\$100,000	\$250,000	\$350,000

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

Inis the 8	day of August, 2005.	

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<u>Consent Agenda Item No. i.</u> Liability Claims and Subrogation Recovery for FY 04-05 (receive the report of Risk Management that recognizes the continuing efforts of the County administration to decrease costs associates with Government operations).

COMPARISON OF TOTAL MONEY SPENT FOR LIABILITY CLAIMS FISCAL YEAR MONEY SPENT

TISCHE TEHN	MONET SIENT
1998-1999	\$19,928.62
1999-2000	\$67,128.58
2000-2001	\$48,036.67
2001-2002	\$62,237.89
2002-2003	\$30,034.64
2003-2004	\$42,280.83
2004-2005	\$18,052.43

COMPARISON OF TOTAL SUBROGATION RECOVERY FISCAL YEAR MONEY RECEIVED

1998-1999	\$27,061.79
1999-2000	\$26,932.12
2000-2001	\$11,251.07

2001-2002	\$50,251.47
2002-2003	\$15,114.47
2003-2004	\$41,136.65
2004-2005	\$141,878.87

Consent Agenda Items Removed for Discussion

<u>Consent Agenda Item No. c</u>. Budget Ordinance Amendment No. 06BCC000006—Approve \$44,912 for an Additional Provisional School Social Worker.

Signed speaker <u>Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702</u>, commended the County Commissioners for allowing citizens to make comments at meetings. She asked the Board to increase funding for school social workers. Any additional funds should be allocated to the guidance department. She stressed that the City, County, and Durham Public Schools (DPS) Board of Education should address each student's needs.

Chairman Reckhow conveyed that the County would be working with the DPS system on the Truancy initiative. More information will be provided at the August 22, 2005 Regular Session of the Board.

Commissioner Cousin moved, seconded by Commissioner Cheek, to approve Consent Agenda Item No. c—Budget Ordinance Amendment No. 06BCC000006—Approve \$44,912 for an Additional Provisional School Social Worker.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

DURHAM COUNTY, NORTH CAROLINA

FY 2005-06 Budget Ordinance Amendment No. 06BCC000006

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	Current Budget	Increase/Decrease	Revised Budget
<u>GENERAL FUND</u>			
Intergovernmental	\$294,606,946	\$44,912	\$294,651,858

Expenditures:

Activity
GENERAL FUND

Human Services \$356,599,295 \$44,912 \$356,644,207

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

This the 8th day of August, 2005.

<u>Consent Agenda Item No. e.</u> Capital Project Amendment No. 06CPA000001—Appropriate Approved Capital Project Funds for budgeted County Contribution costs for the New Justice Center project, Head Start Relocation/YMCA project, Sheriff's Detention Center Annex project, and Sheriff's Fingerprinting project.

<u>Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702</u>, expressed her opinion that additional funds should be expended for the Head Start Relocation/YMCA. She requested more information on the Sheriff's fingerprinting initiative. Dr. Allison asked how much money would be expended for each of the four projects. She opined that if other problems were solved, the fingerprinting project would not be necessary. Dr. Allison stated overall satisfaction with more capital funds being expended towards the four projects.

Chairman Reckhow directed the Clerk to the Board to give Dr. Allison a copy of the agenda item to show the expenditure amounts for each item.

County Manager Ruffin clarified for Dr. Allison that the Board approved the Capital Improvement Program in May 2005. These annual appropriations are reflected in the current budget ordinance and are now being transferred into the Capital Projects account. He stated that the costs are not for operations but are associated with capital improvement construction or activities.

Ms. Victoria Peterson, P.O. Box 101, Durham, NC 27702, stated that approximately \$200,000 study on jail expansion is too costly; the \$200,000 could be better spent. This community needs an Adult Vocational/Technical Center to work with individuals who drop out of high school and begin criminal activity.

Chairman Reckhow thanked the speakers for their comments. She informed that the County is working with the City on a new vocational center that may be housed at Holton School.

Commissioner Cheek moved, seconded by Vice-Chairman Heron, to approve Consent Agenda Item No. e—Capital Project Amendment No. 06CPA000001—Appropriate Approved Capital Project Funds for budgeted County Contribution costs for the New Justice Center project, Head Start Relocation/YMCA project, Sheriff's Detention Center Annex project, and Sheriff's Fingerprinting project.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

DURHAM COUNTY, NORTH CAROLINA FY 2005-06 Capital Project Ordinance Amendment No. 06CPA000001

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

<i>U</i> 1 <i>J</i>	Current Budget	Increase/Decrease	Revised Budget
Expenditures New Justice Center	\$10,021,455	\$2,800,000	\$12,821,455
Head Start/YMCA Building Project	\$ 749,750	\$ 181,250	\$ 931,000
Sheriff's Detention Center Annex	\$ -0-	\$ 200,000	\$ 200,000
Sheriff's Finger Printing Initiative	\$ -0-	\$ 50,000	\$ 50,000

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

This the 8th day of August, 2005.

Preliminary Plat—Fieldmist Cluster Subdivision (D05-137)

Chairman Reckhow recognized Frank Duke, Planning Director, who gave a brief overview of the request to approve a Preliminary Plat for Fieldmist Subdivision submitted by Tony M. Tate Landscape Architecture, P.A. on behalf of Perimeter Developers, LLC for 56 single-family residential cluster lots on a 30.28-acre site zoned R-20 and F/J-B, finding that the lot size proposed for lots fronting on Herndon Road (at least 12,312 square feet) is appropriate, considering the lot size directly across Herndon Road (10,000 square feet). [The property is located north of Scott King Road and west of Herndon Road. PIN 0717-02-96-8518, 8306, 8125; 0717-02-95-8906, 8718, 8508, 8317, 8116; and 0717-04-94-8904] Staff recommended approval.

Commissioner Heron asked the following:

 Zoning requirements under "motor vehicle parking" reflect only one space per single-family lot. Where would additional cars park?
 Mr. Duke responded that additional cars could park in either driveways or garages, if

provided. The lots are large enough for a home with an attached garage and a

driveway. At a minimum, these quarter-acre lots are larger than many lots in other Durham developments.

Vice-Chairman Heron voiced concern about one strip of land meeting three requirements (stream buffer, tree preservation, and open space).

Mr. Duke stated that the Zoning Ordinance expressly states that if land is required to be set aside as a stream buffer, it automatically meets the tree save requirement (even though no trees may exist in the stream buffer) and can be used to meet the open space requirement. The Joint City-County Planning Committee recommended a change, which is reflected in the UDO, to eliminate the ability to get credit as tree cover for areas that do not have trees.

Commissioner Cheek asked:

- Why is no sidewalk required north of Fenwick Parkway but is required south of Fenwick Parkway?
 - Mr. Duke stated that a sidewalk is required by the Ordinance on one side of the road.
- Is the sidewalk along Herndon Road? Yes, all along Herndon Road.

Commissioner Cousin asked the following questions:

- What is the next step after plat approval?

 After plat approval, the applicant will be able to move forward with detailed engineering drawings. Once those drawings are complete, the applicant will submit a final plat to be able to move forward with the development.
- When will the final plat be presented to the Board? Provisions in the UDO (if adopted) do not require plats to come back before the Board unless special exceptions are requested. The school impact issue is dealt with at the zoning stage, not at the site plan or plat stage, because Durham does not have an adequate public schools facility ordinance. Approval of this preliminary plat requires administrative action as opposed to legislative action. The Board has more discretion at the time of a rezoning or a plan amendment.

Chairman Reckhow stated that a provision of the Ordinance, which is not used often, allows for flexibility and design with no rezoning involved. In this case, the Board does not have the legislative discretion that it has with rezoning. If a preliminary plat meets the technical requirements, then it should be approved. The good news is that the overall density will be the same if the developer could build by right. A plan was submitted to show how many homes could be built with R20 zoning, which is the maximum number of homes. This plat shows preservation of a couple of larger open space areas. She expressed her opinion that this plat reflects a solid development for the community and should be an asset for south Durham.

<u>Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702</u>, applauded the architect on the preliminary plat for Fieldmist Subdivision. She again commended the Board for allowing the public to speak on agenda items.

Commissioner Cheek moved, seconded by Vice-Chairman Heron, to approve the preliminary plat—Fieldmist Cluster Subdivision (D05-137).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

Major Site Plan and Preliminary Plat—Triangle Metro Center—Phase 1A (D05-160)

Chairman Reckhow stated that this major site plan and preliminary plat is a small portion of a larger development plan previously approved by the Board.

Frank Duke, Planning Director, stated that the Board is requested to approve a Major Site Plan and Preliminary Plat for Triangle Metro Center—Phase 1A submitted by Ballentine Associates, P.A. on behalf of TMC Associates, LLC for 55 townhouse units and 160 condominiums units and related infrastructure in Phase 1A on a 15.68-acre site zoned RM-20(D) and SC(D). [The property is located west side of Davis Drive and north of Hopson Road. PIN 0747-03-25-0657 and 0747-03-04-0944] This request requires administrative action as opposed to legislative action and gives the Board less discretion than with a rezoning request. Staff recommended approval because the request is in conformance with all Ordinance requirements, including those specified through the development plan.

Chairman Reckhow inquired about the walking path referenced on the site plan.

Bob Peter, Little and Little Landscape Architecture, informed Chairman Reckhow that the walking path is actually a concrete sidewalk that extends internally through the project.

Chairman Reckhow asked Mr. Duke if a walking path on a development plan is equivalent to a sidewalk.

Mr. Duke stated that the Ordinance requires a walking system to interconnect all elements of the project. In this case, a series of sidewalks is acceptable for the walking system. More sidewalks are being provided than typically required by the Ordinance. This is consistent with the development plan.

Mr. Peter added that there is a multi-purpose trail throughout the larger, southern portion of this project across Davis Drive, which is not required by the Ordinance but is included by the developer as an amenity.

Commissioner Heron asked for an explanation of the committed element, "The internal pedestrian system will connect to the existing trail system at the north-east end of the property." "Does the Planning Director have an overall plan showing these trail systems."

Mr. Peter responded that the trail system on the south side connects to Davis Drive across the street from the edge of the project. On the northern end of the project, the trail system will connect directly across the street in one of the future phases. This project also connects to the existing trail system that dead ends on the northern property line on Davis Drive. The approved development plan shows the trail system.

Vice-Chairman Heron voiced concern that the amenities on the site plan would not be available to the homeowners during the first stage of the project.

Mr. Duke stated that everything shown in this phase, including open space, must be completed with this phase. This is a small part of a much larger project. The committed elements must be shown on the site plan and plat even if they do not directly affect this phase. Mr. Duke informed that trail system referenced by Vice-Chairman Heron deals with the northeast corner of the overall development plan and is not affected by this particular phase. The committed element from the development plan is not connected to this phase, because this phase is not in that particular area. This plan shows more sidewalks than the Ordinance requires in order to achieve the pedestrian connection that was discussed with the development plan. The committed elements will be phased in.

Chairman Reckhow stated that the approved development plan proposed a range for dwelling units. The first phase reflects the highest density in the approved range. She asked whether staff, when they analyzed the development plan, felt comfortable that the road infrastructure and other public facilities could support the development with the absolute maximum number of units in range? Will staff be assessing, with each phase, the adequacy of the improvements that are being constructed coincident with the development to assure there is no miss-match?

Mr. Duke responded that the infrastructure was looked at by NCDOT and the City's Transportation Division. The timing of road improvements may be advanced if each project is brought in at the high end, but overall, the entire project can be supported with the planned infrastructure. The transportation division and NCDOT will be evaluating the project as part of their review of the various phases during the DRB process.

<u>Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702</u>, expressed opposition to the proposed development because of the school impact.

Chairman Reckhow stated that this unique development plan with higher density is in an urban form. This project is appropriate near RTP and one of the Regional Rail transit stations. Upon completion, the development will offer full service mixed-use with commercial activities, recreation within the development, and will basically be a self-contained community.

Commissioner Cheek agreed with Chairman Reckhow's comments. He expressed that this type of housing will not have the same impact on the school system. The philosophy of providing housing closer to where people work along major transportation corridors will

reduce commute time and resolve other issues, which is part of the Smart Growth idea. This is a new plan for a new age. The advantages outweigh the disadvantages.

Commissioner Heron stated that it would have been advantageous if the overall view of the Triangle Metro Center had been presented tonight instead of an isolated section.

Patrick Byker, representing Kennedy Covington Law Firm, presented to the County Attorney a phasing plan for the Triangle Metro Center project. He stated that the rezoning would be brought back before the Board later this year for approval of the commercial and residential sections. The goal is to make the commercial areas pedestrian oriented and to serve the residents of RTP.

Chairman Reckhow questioned whether the townhouses would be rented or sold.

Mr. Peter stated that the townhouses would be sold.

Chairman Reckhow stated that the townhouses appear to be nice units (with garages). Structured parking helps reduce the land coverage associated with the density.

Commissioner Cousin stated that this project is on the cutting edge of future mixed use, envisioning a desire in people to reduce commute time. This project clustered around the Metro site models development in larger, more metropolitan areas.

Chairman Reckhow stated that citizens are seeking alternative transportation, especially since gas prices are increasing. She announced that the Triangle Transit Authority has started its express bus service.

Chairman Reckhow moved, seconded by Commissioner Cheek, to approve the Major Site Plan and Preliminary Plat—Triangle Metro Center—Phase 1A (D05-160.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Heron, and Reckhow

Noes: None Absent: Page

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Vonda C. Sessoms Clerk to the Board