

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, October 26, 1998

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**—Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

- a. September 28, 1998 Regular Session
- b. October 5, 1998 Worksession

4. **Chamber of Commerce City of Medicine Program—High School Awards**

Chairman MaryAnn E. Black requested the winners and runners-up of the Durham City of Medicine High School Awards be placed on the agenda so the Commissioners can recognize the accomplishments of the four seniors.

Dr. William Anlyan, Chairman of the City of Medicine Board of Directors, will introduce the winners in the categories of medical specialist and medical technician and the runners-up in the two categories.

The winner in the medical specialist category is Lauren Parnell of Southern High School. The medical technician winner is LaToya Harris, also of Southern High School. The runner-up in the medical specialist category is Erica Quick of Hillside High School. Carla Rich of Cresset Christian Academy is the runner-up in the medical technician category.

5. **September and October Anchor Award Winners—Jane Korest and Beverly Norwood**

Jane Korest has been in the Planning department for 15 years. She has worked exceedingly hard in support of the Durham Open Space and Trails Commission (DOST). Ms. Korest clearly goes the extra mile in maximizing our open space and trails efforts. She can frequently be found outdoors investigating development sites and exploring options for expansion of Durham's network of open spaces or seeking reservations of land containing unique natural features. Most recently, as a result of Ms. Korest's grant writing talent, the DOST will receive \$750,000 in grant funding from the State to further the County's open space and trails program. While working diligently with the DOST, Ms. Korest makes time to train other staff members to assume active roles in trail planning, acquisition, and design. Ms. Korest's dedication, professionalism, and expertise have earned her the respect of staff, board members, State Officials, and her peers around the state who frequently seek her advice and solicit her opinion.

Beverly Norwood has been with the Planning Department for two years. She has been tasked with the special assignment of accelerating the implementation of the Durham Greenways Master Plan, which calls for the acquisition of property to be used for greenway trails. Ms. Norwood has provided exceptional leadership in this work. The range of activities for this role require a multi-talented individual.

Ms. Norwood has demonstrated: creativity and perseverance in converting plan proposals into site specific trail locations, negotiation skill and salesmanship in convincing property owners of the benefits of devoting their property to trail use, and project management and facilitation abilities in bringing together representatives from many departments to resolve successfully the many logistical challenges which accompany a Plan of this scope.

Additionally, Ms. Norwood has gone the extra mile and demonstrated her "civic dedication" by successfully organizing a squad of volunteers to spend a weekend constructing trails in the vicinity of New Hope Creek on two occasions.

Paul Norby, Planning Director, will provide introductory comments.

County Manager's Recommendation:

Present the September Anchor Award to Jane Korest and the October Anchor Award to Beverly Norwood.

6. Consent Agenda

- a. Street annexation petition—Upchurch Farm Road (adopt the resolution to approve the addition of Upchurch Farm Road to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation);
- b. Property tax release and refund report (adopt the property tax release and refund reports as presented and authorize the Tax Administrator to adjust the tax records as outlined by the reports. These are normal recurring releases and refunds that are presented for your consent agenda.);
- c. Untimely application for property tax exemption (grant the untimely application of the Durham Church of Christ and authorize the release of 1998 taxes);
- d. FY 1998-99 Budget Ordinance Amendment No. 99BCC000013 (Teen Court and Restitution Program. Authorization is requested to recognize \$43,154 in intergovernmental revenues for the program);
- e. FY 1998-99 Budget Ordinance Amendment No. 99BCC000014 (Public Health—recognize grant revenue of \$38,546 for an STD/HIV Risk Reduction Program in health education);
- f. FY 1998-99 Budget Ordinance Amendment No. 99BCC000015 (Equipment Leasing Fund—authorization is requested to amend the equipment leasing fund for \$21,980); and
- g. FY 1998-99 Budget Ordinance Amendment No. 99BCC000016 (Special Park District Fund—recognize \$85,965 of additional revenue for the Special Park District to be paid out to the Research Triangle Park Foundation).

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.

7. Public Hearing for the Consideration of Providing Parking Spaces for the West Village Development

The developers of West Village propose to adaptively reuse five (5) vacant Liggett & Myers buildings adjacent to the Carmichael facility (300 North Duke Street), into a mix of apartments, retail shops, and office space. The proposed development requires additional parking facilities for residents during the evening and weekend hours. The lease agreement between Durham County and Trackside Group, LLC would provide West Village with seventy-five (75) parking spaces at no cost during the hours of 6:00 p.m. to 8:00 a.m. Monday through Friday and whenever County operations are closed, such as during weekends and holidays.

The County will retain the right to use the parking spaces during the times mentioned above if the County requires the spaces for a special event or function. Trackside Group, LLC will bear the sole responsibility to regulate the use of the parking spaces by residents of West Village during the specified hours and will be required to issue parking decals and install a gated entrance with restricted card access. The lease agreement can be terminated by the County upon thirty (30) days' written notice if the County considers that the shared parking arrangement limits or impairs County operations or if the County decides to sell the property.

Resource Person: David M. Powell

8. Public Hearing—Utility Fee Schedule

The Environmental Engineering Office is requesting the approval of revisions to the Utility Fee Schedule. These revisions were a part of a fee study completed by the Raftelis Environmental Consulting Group, which was presented to the Board at the October 5 Worksession.

The revisions consist of replacing the current capital facility, line frontage, and acreage fees with a single, new capital recovery charge. The revised fee schedule and associated ordinance are attached.

This public hearing was scheduled at the October 5 Worksession and advertised as required 10 days prior to the hearing.

Glen Whisler will present this item and answer questions raised by the Board.

County Manager's Recommendation:

Adopt the attached ordinance and fee schedule.

9. Public Hearing—Brier Creek Associates, LP (Rezoning Case P98-43)

Brier Creek Associates, LP will present to the Board of County Commissioners a request to rezone 8.22 acres in Durham County on the east side of Page Road, south of Globe Road (TM 581-3-4). Request: RD (Rural District) to I-2 (Light Industrial District). The Community Growth Map of the Durham 2020 Comprehensive Plan designates this area as in the Regional Corridor B: East Durham to Research Triangle Park. The site is in the Triangle Township Planning Area; the Township's Future Land Use Map shows office use for the site. Staff recommends approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on September 16, 1998, and voted 7-0 to recommend approval.

Gail Sherron, Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

10. Public Hearing—Richmark Corporation & W. Jackson Hay Jr. (Rezoning Case P98-31)

Richmark Corporation & W. Jackson Hay, Jr. will present to the Board of County Commissioners a request to rezone 67.46 acres at 3007 & 3019 Mt. Moriah Road (TM 476-1-3 and 4). Request: R-20 (Residential 20) to PDR-4 (Planned Density Residential). The Durham 2020 Comprehensive Plan's Community Growth Map shows "Suburban Neighborhoods" for the site. Recommended densities for Suburban Neighborhoods is 2.0 to 4.0 units per acre. The Future Land Use Map in the Southwest Durham Plan adopted April, 1990 shows Low Density Residential (less than 4 units per acre) and Recreational/Open Space/Floodplain. Staff recommends approval of the request because it complies with land use density recommendations and accomplishes other planning objectives, such as preservation of wildlife habitat and bottomland forest, and establishment of greenway trail connections. Some concerns that have been voiced against the request include incompatibility with adjacent low density uses and traffic safety on the Mt. Moriah Road bridge over Dry Creek. The Zoning Committee of the Durham Planning Commission conducted a public hearing on September 15, 1998, and voted 6-1 to recommend approval.

Nazeeh Abdul-Hakeem, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

11. Street Closing—Crystal Lake Road (SC98-1): Public Hearing Continuation from October 12, 1998

To continue the public hearing to consider permanently closing a 24,763± square-foot portion of Crystal Lake Road west of Guess Road.

At the public hearing on October 12, 1998, members of the Greater Durham Lodge stated their opposition to the closing of Crystal Lake Road. The Lodge owns land on the north side of the portion of Crystal Lake Road proposed for closing. Staff has been discussing options with members of the Lodge and the applicant. A progress report will be presented to the Commissioners.

Vonda Frantz, Senior Planner with the Durham City-County Planning Department, will be present to answer questions of staff regarding the request to close this street.

County Manager's Recommendation:

The County Manager recommends that the Board of County Commissioners approve the request to permanently close 24,763± square feet of Crystal Lake Road.

12. **A Public Hearing on Zoning Ordinance Amendment TC80-98 Regarding Signs for Events**

Conduct the public hearing and consider the amendment. This proposal resulted from a question raised by the County Attorney related to free speech issues and the regulation of campaign signs. While the Planning Department prefers the retention of the current ordinance requirements, it was the Attorney's opinion that to conform with state and federal case law, changes would need to be made in the sections of the ordinance regulating all temporary signs to assure that all signs were treated uniformly.

Lowell Siler will be at the meeting to present this item. Paul Norby will also be available for questions.

County Manager's Recommendation:

Adoption of the amendment to the zoning ordinance identified as TC80-98.

13. **Computer Hardware/Software Approval for Data General Terminal Replacement**

Information Technology requests the Board to approve the purchase of 61 personal computers, including software in the amount of \$ 94,572 from Compucom, per State convenience contract 250-15. (Prices are from the price list updated biweekly during our meetings with Compucom.)

The selected hardware/software is in compliance with Durham County's computer equipment standards.

This purchase is part of the implementation of the Data General Replacement Project (DC042), originally presented to the Board as a key component of the Information Technology County technology plan and funded by the Board as a Pay-As-You-Go project in February 1998, and the Year 2000 Compliance Project.

As presented by the County Manager in September 1998, the Year 2000 Project is proceeding on schedule. The replacement of the Data General terminals with personal computers on the Durham County Wide Area Network is a critical component of implementation of the applications now being converted from the Data General computer to the AS/400. Our plan is to allow continued access from the PCs to the Data General until the AS/400 application is converted and tested. At that time the DG access will be removed and the application will continue on the AS/400.

Costs for locations and departments effected by this project include:

- Carmichael Building - 42 DG Terminals will be replaced by PCs, and these will be added to the existing Mental Health LAN. Some additional wiring will be needed for new PCs to be added to the LAN. A local mail server and increased wide area network line speed will provide better performance for Mental Health and for DSS. (\$63,630)
- 220 E. Main Street - 6 DG Terminals will be replaced with PCs. Some wiring may be necessary. (\$9,390)
- Administration Building - The last 6 DG Terminals in this building will be replaced. (\$9,597)
- Youth Home - 3 DG Terminals will be replaced with PCs and the Wide Area Network will be extended to include this facility by adding a cable to tap into the WAN link now existing at the Animal Control offices. (\$5,695)
- Lincoln Health Center - 2 Terminals used by Mental Health and DSS staff at this facility will be replaced. For now, these will connect to the County WAN via a dial up link. (\$3,130)
- Durham Regional Hospital - 2 existing DG terminals will be replaced. For now, these will connect to the County WAN via a dial up link. (\$3,130)

The cost of each desktop is \$1565, which includes the 4.2 GB hard drive, 15" monitor, Windows 95 software and token ring or ethernet network card.

Also, at this time we are purchasing servers and cabling for DSS in the amount of \$26,670 and Microsoft Office Software in the amount of \$17,492 for the 61 personal computers. Both purchases are from approved State Contract vendors.

Perry Dixon, Director of Information Technology, is recommending approval of these purchases and will be attending the meeting to answer any questions.

County Manager's Recommendation: Authorize County Manager to enter into contracts with Compucom to replace 61 DG terminals with personal computers for \$94,572.

14. **Board and Commission Appointments**

Garry E. Umstead, Clerk to the Board, will distribute ballots to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- Animal Control Review Board
- Area Mental Health Board
- Community Child Protection Team
- Durham County Criminal Justice Partnership Advisory Board
- Durham County EMS Council
- Environmental Affairs Board
- Raleigh-Durham Airport Noise Abatement Committee
- Triangle J Council of Governments Water Resources Committee
- Durham County Women's Commission
- Youth Services Advisory Board