

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, April 27, 1998

7:00 P.M. Regular Session

AGENDA

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

2. **Agenda Adjustments**

3. **Minutes**

- a. March 5, 1998 Regular Session
- b. March 23, 1998 Regular Session

4. **A Proclamation Recognizing Armenian Martyrs Day**

The Board has been requested to issue the proclamation recognizing Armenian Martyrs Day.

5. **Public Health?Recognize Seal the State Participants**

Brian Letourneau, Director of Durham County Health Department, and Phyllis F. Garrison, Public Health Hygienist for Durham County, want to take this opportunity to publicly recognize 16 of the Durham County Seal the State participants for exemplary volunteer service by participating in a statewide dental sealant project. All participating community agency representatives will be presented with a certificate from the office of the Honorable Jim Hunt. The community citizens banded together to render a service that was much needed to a special segment of our community, our children.

6. **Resolution Recognizing 30th Anniversary of "Women-In-Action"**

A resolution celebrating the 30th anniversary of "Women-In-Action for the Prevention of Violence and Its Causes" has been prepared for the Board?s approval.

7. **Recognition of Durham County Office of the Sheriff I-85 Traffic Enforcement Detail**

Last summer, Durham area law enforcement officers set up an I-85 Intervention Committee to help patrol the portion of I-85 currently under construction in Durham County. This group was mobilized following a massive 11-car accident a month earlier which resulted in three fatalities. Until a week ago, no serious accidents had been reported since the team was activated. Certificates of appreciation have been prepared for the following employees of the Office of the Sheriff, who have participated in traffic enforcement on Interstate 85 since last summer:

Sgt. C. R. Love
Dep. J. H. Thomas
Dep. J. Buonadonna, Jr
Dep. R. A. Sipple
Det. W. R. Narron
Cpl. G. Barker
Dep. J. Daughtry
Dep. T. Fields
Dep. W. A. Vaughan

Dep. W. M. Oakley
Dep. J. A. Teer
Dep. L. H. Best
Dep. R. L. Rose
Dep. D. K. Carswell
Cpl. T. Deck
Dep. R. E. Hight
Dep. M. Crutchfield
Det. J. S. Hatchew

Dep. J. H. Thomas
Dep. R. L. Fairley
Dep. M. B. Stone
Dep. T. G. Mellown
Det. R. Aleem
Dep. W. M. Black
Dep. M. W. Ferrell
Dep. J. Barringer

Recognize the officers and thank them for their time and efforts spent keeping Interstate 85 safer for the motoring public.

8. Resolution Approving Financial Support for Upper Neuse River Basin Association

The resolution enables Durham County to provide a contribution to the Upper Neuse River Basin Association for Fiscal Year 1998-99. The Association has provided Durham County its estimates of required funding for the upcoming fiscal year. Durham County's share is based on a basic participation rate, water demands, and the jurisdiction's land area. The County's share, based on the Association's estimates, amounts to \$7,927. Further description of the funding request is included in the last page of this agenda action item.

The mission of the Upper Neuse River Basin Association, with respect to maintaining the Upper Neuse River Basin, is to preserve the water quality of the Upper Neuse River Basin through innovative and cost-effective strategies, and to constitute a forum to cooperate on water supply issues within the Upper Neuse River Basin by:

- Forming a coalition of units of local government, public and private agencies, and other interested and affected communities, organizations, businesses, and individuals to secure and pool financial resources and expertise;
- Collecting and analyzing information and data and developing, evaluating, and implementing strategies to reduce control and manage pollutant discharge and to manage water resources; and
- Providing accurate technical, management, regulatory, and legal recommendations regarding the implementation of strategies and appropriate effluent limitations on discharges into the upper portion of the Neuse River.

A copy of the resolution is attached, along with the goals and objectives, accomplishments to date, and examples of expected benefits to the Association's members, member governments of the Association, a map of the Upper Neuse River Basin's jurisdiction, a listing of programs the Association coordinates, and the funding request from the Association.

Approve the resolution providing financial support for the Upper Neuse River Basin Association. Appropriate \$7,927 to the Upper Neuse River Association from Contingency. \$182,073 will remain in contingency after the appropriation to the Upper Neuse River Basin Association.

9. Presentation of Published Centennial History of the Durham County Public Library to the Durham County Board of Commissioners

Mr. Robert Otterbourg, chairman of the Durham County Library Board of Trustees, and Dr. William King, co-chairman of the Library Centennial History Committee, request that they be given an opportunity at the April 27 meeting to present formally to the Board of Commissioners the published history of the Durham County Library commissioned during its Centennial year. The publication was researched and written by Jessica Harland-Jacobs. The costs were underwritten with a private gift from Mrs. Willie Hill and in-kind services of the Duke Publications Group.

10. Consent Agenda

- a. FY 1997-98 Budget Ordinance Amendment No. 98BCC000036?Durham County Mental Health Department (request Board authorization to approve \$175,134 in additional intergovernmental revenues for various programs);
- b. Final qualifying bid to purchase County property (308 Lancelot Drive) (approve the offer of \$6,000 submitted for 308 Lancelot Drive by Mr. Charles McCarter and prepare a deed for the Chairman's signature);
- c. Final qualifying bid to purchase County property (6821 Matterhorn Road) (approve the offer of \$6,000 submitted for 6821 Matterhorn Road by Mr. Charles McCarter and prepare a deed for the Chairman's signature);
- d. Final qualifying bid to purchase County property (portion of N. Duke Street)) (approve the offer of \$5,000 submitted by Mr. George Birmingham Jr. to purchase the northern 4,459 SF portion of parcel 326-02-001A and prepare a deed for the Chairman's signature); and

- e. Property tax release and refund reports (accept 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.

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.

11. Discussion of Durham County Legislative Agenda for Upcoming Short Session

Staff requests that the Board conduct a discussion of the upcoming legislative session at the May 4 worksession. The General Assembly convenes at noon on Monday, May 11 in short session. According to the adjournment resolution, the following items are allowed to be considered during the session:

- Bills directly and primarily affecting the State budget for FY98-99
- Bills introduced in 1997 and having passed third reading by May 1 in the house in which introduced and received in the other house
- Bills introducing the recommendations of authorized study commissions
- Any local bill submitted to the Bill Drafting Division by 4:00 p.m. on Wednesday, May 20, and filed for introduction in the Senate or introduced in the house of Representatives by 4:00 p.m. on Wednesday, May 27. The bill must be accompanied by a certificate signed by the principal sponsor stating that: 1) no public hearing will be required or asked for by a member on the bill; 2) the bill is noncontroversial; and 3) the bill is approved for introduction by each member of the House of Representatives and Senate whose district includes the area to which the bill applies.

Staff is requesting that a discussion of legislative issues focus on the following items:

- Alternatives for revenue generation
- Concern of over loss of State funds
- Pursuit of a Drug Court

More detailed information about these items will be sent to the Board prior to the worksession. Guidance regarding other issues of interest by the Board is additionally sought.

The NCACC will hold its Legislative Briefing on June 3 in Raleigh. The Board is asked to consider directing staff to invite the members of the Durham delegation to dinner after that meeting at a convenient Raleigh location.

County Manager's Recommendation: Discuss and direct staff for upcoming May 4 worksession.

12. Work First Plan Update

Attached is the March monthly update on the Department's annual plan for Work First. By presenting at the second meeting in the month, we are able to provide more current data regarding the Department's performance.

13. Elimination of Discount for Early Payment of Real Estate Taxes

The Board is requested to authorize the Tax Administrator to eliminate the 1-percent discount, effective tax year 1998, offered for early payment of real estate taxes. The primary reason for offering a discount is to obtain first- and second-quarter operating cash flow before the January 6 regular payment deadline. However, Durham County has been able to schedule investment maturities in order to meet the needed cash flow during these early quarters. The transition is expected to be seamless and will follow for additional revenues of approximately \$450,000 to benefit Durham County.

The general trend among North Carolina counties has been to eliminate early payment discounts. Currently, only 40 percent of the counties offer a discount.

Charles Clark, Tax Administrator, will present the item and answer any questions.

County Manager's Recommendation: The Commissioners discussed this issue during last year's budget preparation but were concerned about the impact of eliminating this discount on our cash flow. One of the benefits of our positive financial position and timing of investments is that the Board now has the option of reviewing the remaining 1-percent discount for early payment. I recommend eliminating this discount.

14. Adoption of a Resolution Requesting NCDOT Improvements to Highway Directional Signs In and Around Durham

The Board of County Commissioners will consider adoption of the resolution with a recommendation that the resolution be sent to the NCDOT accompanied by a letter signed by the Mayor and Chairman of the Board of County Commissioners encouraging NCDOT to cooperate with the Durham Convention and Visitors Bureau in this effort.

County Manager's Recommendation: Adopt the resolution as per the recommendation of the Joint City/County Planning Committee. Planning Director Norby will be prepared to comment if necessary.

15. Adoption of the 1998-99 HUD Consolidated Action Plan

Federal HOME grant funds are received annually and used primarily for affordable housing activities in Durham. The proposed allocation of Durham HOME funds for FY 1998-99 is \$882,000. As a result of the formation of the Durham City-County HOME Consortium by the Board of County Commissioners and the City Council, all HOME Program activities are included as a part of the Durham Consolidated Plan and are submitted annually to the Department of Housing and Urban Development (HUD) for approval in the required Action Plan.

The required public review has been completed, and recommendations and editing comments received during the review period will be included in the final Consolidated Action Plan. No local County funds are included in the required match for this year; therefore the Board of County Commissioners by prior Consortium Agreement would only concur with the City's use of funds rather than direct how they should be allocated. The Consolidated Action Plan only makes general program funding allocations.

Paul Norby, Director of the City-County Planning Department, has reviewed the request and recommends that the Board of County Commissioners adopt the 1998-99 Consolidated Action Plan. Michael Pullum, Senior Planner, will attend the meeting to answer questions.

County Manager's Recommendation: Adopt the 1998-99 Consolidated Action Plan and authorize the Planning staff to submit the Plan to HUD.

16. Regional Rail Phase I Scoping Comments

The Triangle Transit Authority (TTA) and its consultants are preparing Preliminary Engineering studies and an Environmental Impact Statement (EIS) for Phase I of the Regional Rail project. TTA is inviting comments from the community regarding alternatives to be considered and environmental impacts of the project. Board of County Commission members may want to make comments about this project at their April 27, 1998 meeting.

The Regional Rail project is envisioned to connect Durham and Raleigh with a commuter rail transit system, using 16 transit stations along its 35-mile length. The EIS is a critical step for TTA to comply with the National Environmental Policy Act and to secure funding from the Federal Transit Administration. A scoping step typically takes place early in the process to help coordinate interagency participation, to identify important issues, and to focus the analysis in the EIS. Local governments are encouraged to comment. An agency scoping meeting and a public scoping meeting (both set for April 27) will generate additional comments about the EIS process.

The Durham City-County Planning Department will compile comments from Durham and forward them to the TTA by the May 15, 1998 deadline. Keith Luck, Senior Planner, and/or Paul Norby, Planning Director, will be present at the meeting to record your Board members' verbal comments. Written comments may also be delivered to the Planning Department by May 6, and they will also be sent to TTA.

County Manager's Recommendation: The County Manager recommends that the Commissioners make verbal comments at the meeting and submit written comments if desired to be forwarded to TTA. This action will ensure that Durham's concerns about the effects on the community will be completely and fully addressed in the environmental documentation.

17. Board and Commission Appointments

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

- Durham Civic Center Authority
- Durham County Hospital Corporation Board of Trustees
- Youth Services Advisory Board

18. Report on Trip to County Durham, England

A report will be provided regarding the recent trip to County Durham, England. The purpose of the trip was to discuss possible partnerships between County Durham and our community in areas of economic development and tourism.

Resource persons will be MaryAnn Black, Chairman, Durham County Board of Commissioners; David Thompson, County Manager; David Powell, Director of Economic Development/Property Management; and Patrick Byker, Vice-President of Government Relations, Durham Chamber of Commerce.