

March 13, 2000

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

Monday, March 13, 2000

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 MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and
Commissioners William V. Bell, Joe W. Bowser, and Becky M. Heron

Absent: None

Presider: Chairman Black

Reconvene Into Open Session

Chairman Black said the Commissioners gave directives to Interim County Manager Carolyn P. Titus.

Agenda Adjustments

Commissioner Reckhow wished to add a resolution regarding the Triangle Transit Authority.

Chairman Black added an item at the end of the agenda (No. 18) to set a date for a joint meeting with the Commissioners and the Mental Health Board.

The resolution honoring Henry J. Pankey was pulled from the agenda by Chairman Black. Mr. Pankey was unable to attend the meeting; he and his wife had a baby.

Resolution Seeking Governor Hunt's Intervention in Resolving Issues Related to Rail Transit and High-Speed Inter-City Rail

A resolution seeking the assistance of Governor James B. Hunt in resolving issues related to Rail Transit and High-Speed Inter-City Rail was prepared by staff at the request of Vice-Chairman Reckhow.

County Manager's Recommendation: Approve the requested resolution and forward copies to Governor Hunt, members of our local delegation to the General Assembly, the Triangle Transit Authority, and the Secretary of the NC Department of Transportation.

Vice-Chairman Reckhow read the resolution into the record.

RESOLUTION

Whereas, the Triangle Transit Authority rail transit project is in jeopardy of losing an opportunity to receive federal funding due to design and budgetary issues related to the North Carolina Department of Transportation and high-speed inter-city rail; and

Whereas, rail transit and high-speed inter-city are both worthy projects which can co-exist and should be equally accommodated; and

Whereas, the provision of expanded transit service is vital to the future economic growth of the Triangle region:

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NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby ask Governor James B. Hunt to create the circumstances necessary to cause the Triangle Transit Authority and the NC Department of Transportation to reach an agreement to resolve issues in a timely manner in order to enable receipt of federal funding for the Triangle Transit Authority rail transit system in this year's funding cycle:

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Hunt, Members of our Local Delegation to the General Assembly, the Triangle Transit Authority, and the Secretary of the NC Department of Transportation.

This the 13th of March 2000.

/s/ Five Commissioners
Durham County Commissioners

Consent Agenda

Vice-Chairman Reckhow moved, seconded by Commissioner Bell, to approve the consent agenda items with the exception of 9(f) and 9(k).

Commissioner Heron pulled consent agenda items 9(f) and 9(k).

- * (a) Public Health—Budget Ordinance Amendment No. 00BCC000039 to Recognize March of Dimes Revenue for Folic Acid Promotion in the Nutrition Division (receive grant and approve the budget amendment recognizing \$3,300 in new revenue from the March of Dimes);
- * (b) Public Health—Budget Ordinance Amendment No. 00BCC000040 to Recognize Crape Myrtle Festival Funds for STD/HIV Outreach in the Health Education Division (receive grant and approve budget amendment in the amount of \$1,000 to support STD/HIV community outreach and education);
- * (c) Public Health—Budget Ordinance Amendment No. 00BCC000041 to Recognize Syphilis Elimination Funds for the Health Education Division and to Establish a Temporary LPN Position to be used for Syphilis Screening at Several County Sites (receive grant and approve the budget amendment in the amount of \$40,000 to recognize revenues from the North Carolina Department of Health & Human Services [NCDHHS] to support syphilis screening at the Durham County Jail and other community locations. In addition, approve the establishment of a temporary Licensed Practical Nurse [LPN] to conduct the screenings);
- * (d) Budget Ordinance Amendment No. 00BCC000042 to Recognize Grant Revenue for the Criminal Justice Resource Center (grant and approve the budget amendment to recognize \$207,480 in additional revenues from the Governor's Crime Commission for the establishment of a Juvenile Day Reporting Center. In addition, approve the establishment of the program coordinator position);
- (e) Approve Grant Application from the Criminal Justice Resource Center to the NC Department of Correction, Division of Community Corrections, for Criminal

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- Justice Partnership Program Funds (approve the application for Continuation of Implementation Funding to Criminal Justice Partnership Program);
- * (g) Property Tax Releases and Refunds for Fiscal Year 99-00 (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report. These are normal recurring releases and refunds that are presented for your consent agenda);
 - * (h) Advertising of Tax Liens (approve the Tax Administrator's request to begin advertising the 1999 tax liens starting the week of April 10, 2000);
 - (i) Dedication of 30-Foot-Wide Sanitary Sewer Easement to the City of Durham Across Lots 2 and 3 on Plantation Drive (authorize the County Manager to direct the County Attorney to proceed with preparation and recordation of easement documents);
 - * (j) Resolution to Establish a Consolidated Charter Commission (adopt the resolution as presented);
 - * (l) Appointment of Chairmen of Charter Commission (make the appointments as recommended); and
 - * (m) Bond Orders and Setting of Public Hearing on 2/3 Bonds (approve the bond orders and set the public hearing as requested. The use of 2/3 bonds is the most economical method of financing these County projects).

*Documents related to these items follow:

Consent Agenda 9(a). Public Health—Budget Ordinance Amendment No. 00BCC000039 to Recognize March of Dimes Revenue for Folic Acid Promotion in the Nutrition Division (receive grant and approve the budget amendment recognizing \$3,300 in new revenue from the March of Dimes) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000039

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Public Health.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Expenditures</u> | | | | |
| Human Services | \$205,990,888 | \$3,300 | | \$205,994,188 |
| <u>Revenues</u> | | | | |
| Intergovernmental | \$175,170,412 | \$3,300 | | \$175,173,712 |

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

This the 13th day of March 2000.

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

Consent Agenda 9(b). Public Health—Budget Ordinance Amendment No. 00BCC000040 to Recognize Crape Myrtle Festival Funds for STD/HIV Outreach in the Health Education Division (receive grant and approve budget amendment in the amount of \$1,000 to support STD/HIV community outreach and education) follows:

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DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000040

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Public Health.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Expenditures</u> | | | | |
| Human Services | \$205,994,188 | \$1,000 | | \$205,995,188 |
| <u>Revenues</u> | | | | |
| Intergovernmental | \$175,173,712 | \$1,000 | | \$175,174,712 |

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

This the 13th day of March 2000.

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

Consent Agenda 9(c). Public Health—Budget Ordinance Amendment No. 00BCC000041 to Recognize Syphilis Elimination Funds for the Health Education Division and to Establish a Temporary LPN Position to be used for Syphilis Screening at Several County Sites (receive grant and approve the budget amendment in the amount of \$40,000 to recognize revenues from the North Carolina Department of Health & Human Services [NCDHHS] to support syphilis screening at the Durham County Jail and other community locations. In addition, approve the establishment of a temporary Licensed Practical Nurse [LPN] to conduct the screenings) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000041

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Public Health.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Expenditures</u> | | | | |
| Human Services | \$205,995,188 | \$40,000 | | \$206,035,188 |
| <u>Revenues</u> | | | | |
| Intergovernmental | \$175,174,712 | \$40,000 | | \$175,214,712 |

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

This the 13th day of March 2000.

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

Consent Agenda 9(d). Budget Ordinance Amendment No. 00BCC000042 to Recognize Grant Revenue for the Criminal Justice Resource Center (grant and approve the budget amendment to recognize \$207,480 in additional revenues from the Governor's Crime Commission for the establishment of a Juvenile Day Reporting Center. In addition, approve the establishment of the program coordinator position) follows:

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DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000042

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for the Criminal Justice Resource Center.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Expenditures</u> | | | | |
| Human Services | \$206,035,188 | \$207,480 | | \$206,242,668 |
| <u>Revenues</u> | | | | |
| Intergovernmental | \$175,214,712 | \$207,480 | | \$175,422,192 |

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

This the 13th day of March 2000.

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

Consent Agenda 9(g). Property Tax Releases and Refunds for Fiscal Year 99-00 (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report. These are normal recurring releases and refunds that are presented for your consent agenda) follows:

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the report details tax releases and refunds for the month of February 2000.

Releases and Refunds for 1999 & 2000 Taxes:

| | |
|--------------------------------------|---------------|
| Real | \$ 24,256.84 |
| Personal | 8,179.79 |
| Registered Vehicles | 66,830.31 |
| Vehicles Fees | <u>930.00</u> |
| Total for 1999 & 2000 Taxes and Fees | \$100,196.94 |

For prior years (1994-1998), releases and refunds for February 2000 amounted to \$5,915.24.

Total Current Year and Prior Year Releases and Refunds \$106,112.18

(Recorded in Appendix A in the Permanent Supplement of the March 13, 2000 Minutes of the Board.)

Consent Agenda 9(h). Advertising of Tax Liens (approve the Tax Administrator's request to begin advertising the 1999 tax liens starting the week of April 10, 2000).

The total levy and outstanding receivables for the 1999 Real Estate, as of March 1, 2000, follow:

| LEVY | FUND | OUTSTANDING |
|------------------|----------|----------------|
| \$ 99,134,600.12 | County | \$4,744,607.65 |
| 10,282,912.70 | Capital | 502,408.12 |
| 797,168.16 | Bethesda | 11,722.15 |
| 398,643.28 | Lebanon | 21,224.92 |
| 719,566.78 | Parkwood | 38,369.18 |
| 288,903.23 | Redwood | 17,521.16 |

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| | | |
|------------------|----------------|----------------|
| 5,002.62 | New Hope | 4,956.93 |
| 10,999.34 | Eno | 10,916.83 |
| 188,231.84 | Bahama | 11,375.79 |
| 366,021.85 | RTP Special | 9,699.93 |
| 55,080,370.02 | City of Durham | 2,824,503.81 |
| 711,977.34 | Chapel Hill | 24,712.02 |
| <u>2,588.81</u> | Butner | <u>32.08</u> |
| \$167,956,986.09 | | \$8,222,050.57 |

Consent Agenda 9(j). Resolution to Establish a Consolidated Charter Commission (adopt the resolution as presented) follows:

RESOLUTION TO ESTABLISH A
CONSOLIDATION CHARTER COMMISSION

WHEREAS, during the past year, the Durham City Council (“Council”) and Durham County Board of County Commissioners (“Commissioners”) have been exploring the feasibility and desirability of consolidating the City and County; and

WHEREAS, on February 22 and March 1, 1999, respectively, the Commissioners and Council established a joint Merger Steering Committee to study the issue of consolidation; and

WHEREAS, to assist in this effort and provide for broad public participation, the Merger Steering Committee established the following Citizen Task Forces: Administrative/General Government, Human & Community Services, Public Protection, Public Works, Taxation & Finance, and Governmental Structure; and

WHEREAS, in August 1999, the Council and Commissioners retained the services of DMG-Maximus to provide facilitation and research services for the Citizen Task Forces in looking at issues related to consolidation; and

WHEREAS, on December 21, 1999, DMG-Maximus and the Citizen Task Forces issued reports with findings and recommendations on consolidation; and

WHEREAS, on January 3, 2000, these reports were presented to the Merger Steering Committee and the elected officials of the City and County; and

WHEREAS, on January 10 and 18, 2000, respectively, the Commissioners and Council authorized DMG-Maximus to conduct a cost-benefit analysis of merger and to complete this work by March 20, 2000; and

WHEREAS, Article 20 of Chapter 153A of the General Statutes of North Carolina authorizes counties and cities to establish governmental consolidation charter commissions by concurrent resolutions of their governing bodies; and

WHEREAS, the Council and Commissioners have determined that establishing such a charter commission is desirable and appropriate; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DURHAM:

1. Establishment of Charter Commission. There is hereby established the Durham City-County Consolidation Charter Commission (“Commission”) pursuant to the provisions of Article 20 of Chapter 153A of the General Statutes of North Carolina.
2. Purposes of Commission. The Commission is hereby charged with the following purposes pursuant to G.S. 153A-402:

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- a) To study the powers, duties, functions, responsibilities and organizational structures of the City and County of Durham and, to the extent pertinent to such study, the other units of local government and public agencies within the City and County;
- b) To prepare a report on its studies and findings;
- c) To prepare drafts of a proposed Charter for the consolidated City-County government and any additional legislation necessary or desirable to carry out the plan of governmental consolidation.

3. Composition and Meetings of Commission.

- a) The Consolidation Charter Commission shall be composed of forty (40) regular voting member and five (5) alternate members. The alternate members shall be required to meet all the requirements of a regular member, but will not have a vote. Should any regular member resign, be removed, or otherwise be unable to serve on the Charter Commission, an alternate member will take that regular member's place and become a regular member of the Commission.
- b) Any person wishing to serve on the Commission shall file an application with the Clerk to the Board of Commissioners on or before February 22, 2000 by 5:00 p.m. The form of the application is attached hereto as Exhibit A.
- c) A Selection Committee is hereby created which shall be composed of five City Council Members and three County Commissioners. The Selection Committee shall review each application for membership on the Charter Commission along with the recommendations from their fellow Council Members and County Commissioners. The Selection Committee shall then select forty regular members for the Charter Commission and five alternate members. These nominees shall be forwarded to both the Board of Commissioners and the City Council. Both the City Council and Board of Commissioners must approve the appointment of the nominees of the Selection Committee.
- d) All members of the Commission shall be registered voters eligible to vote in the City or County, and whose property taxes are current. No elected officials currently serving on the Council or Board of County Commissioners shall be a member of the Commission.
- e) Members of the Commission shall serve without compensation, but may be reimbursed for necessary and reasonable out-of-pocket expenses incurred and properly documented in carrying out their duties consistent with the adopted budget. Members shall serve on behalf of all of the citizens of Durham rather than as representatives of any organization.
- f) The officers of the Commission shall be two Co-Chairs. The Co-Chairs shall be jointly appointed by the Mayor and Chair of the Board of County Commissioners. The organizational meeting of the Commission shall be called by the Mayor and Chair of the Board of County Commissioners within 14 days after appointment of the members of the Commission. The meetings of the Commission and its committees shall be subject to the provisions of the Open Meetings Law, Article 33C of Chapter 143 of the General Statutes of North Carolina.
- g) A majority of the members shall constitute a quorum for the transaction of business. An affirmative vote of a majority of the members attending a meeting of the Commission, a quorum being present, shall be required for the Commission to take action. The Commission shall keep attendance records, and members must attend not less than 80 percent of the meetings of the Commission to be eligible to vote on the proposed Charter for the consolidated City-County government.
- h) The Commission may work through a committee structure in undertaking its duties. A majority of the members of any committee established by the Commission shall constitute a quorum for the transaction of business by the committee. An affirmative

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vote of the majority of the members attending a meeting of the committee, a quorum being present, shall be required for the committee to take action.

4. Budget. The Commission shall have an initial budget of \$150,000. The Commission may request additional funding from the City and County if necessary to complete its work. All costs and expenses of the Commission shall be shared equally by the City and County. For purposes of the Local Government Budget and Fiscal Control Act, the Commission shall be considered as an agency of the County.
5. Employees and Consultants.
 - a) The City and County Managers are directed to make staff members available to cooperate with and facilitate the work of the Commission, and to each provide a staff liaison to the Commission. However, City and County employees shall not serve as staff to the Commission.
 - b) The City and County shall retain the Institute of Government as a consultant to: provide independent legal and technical advice to the Commission, and draft the proposed Charter and any additional legislation necessary or desirable to carry out the plan of governmental consolidation. The Institute of Government shall perform this work on behalf of and as directed by the Commission. The Institute of Government faculty engaged by the Commission shall confer with City and County staff on technical matters and with the City and County Attorneys on legal matters.
6. Powers of Commission. Subject to the budgetary limitations in Section 4 of this Resolution, the Commission is hereby granted the powers conferred in G.S. 153A-404:
 - a) To adopt rules and regulations for the conduct of its business;
 - b) To apply for, accept, receive and disburse funds, grants and services made available by the State of North Carolina or any agency thereof, the federal government or any agency thereof, any unit of local government, or any private or civic agency;
 - c) To contract with consultants;
 - d) To hold hearings in furtherance of its business; and
 - e) To take any other action necessary or expedient to the furtherance of its business.
7. Schedule for Completion of Work. The Co-Chairs of the Commission shall make reports to the Council and Commissioners by March 30 and May 15, 2000 as to the progress of the Commission's work. The Commission shall complete its work on or before July 15, 2000. If the Commission is unable to complete its work by that date, the Commission may request the Council and Commissioners to provide the Commission with such additional time as may be necessary.
8. Amendment of Resolution. The Council and Commissioners may amend this Resolution. Any such amendment may include, among other things, providing the Commission with authority to call a referendum on the plan of governmental consolidation to be prepared by the Commission.

This Resolution shall be effective upon adoption by the Board of County Commissioners and the City Council.

This the 29th day of February 2000.

Consent Agenda 9(l). Appointment of Chairmen of Charter Commission (make the appointments as recommended).

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Appoint Joseph F. Haenn and Charles Blackmon as cochairs of the Consolidation Charter Commission.

Consent Agenda 9(m). Bond Orders and Setting of Public Hearing on 2/3 Bonds (approve the bond orders and set the public hearing as requested. The use of 2/3 bonds is the most economical method of financing these County projects).

A regular meeting of the Board of Commissioners for the County of Durham, NC, was held in the County Commissioners Meeting Room in the Durham County Government Administrative Complex at 200 East Main Street, in Durham, NC, the regular place of meeting at 7:00 P.M. on March 13, 2000.

Present: Chairman MaryAnn E. Black, presiding, and Commissioners Bell, Bowser, Heron, and Reckhow

Absent: None

Also Present: Patty Gravinese, Finance Officer, and Garry E. Umstead, Clerk to the Board of Commissioners.

* * * * *

Commissioner Bell introduced the following two orders authorizing bonds which were read:

ORDER AUTHORIZING \$1,700,000
SCHOOL BONDS

WHEREAS, The Durham County Board of Education has certified to the Board of Commissioners for the County of Durham, North Carolina, a resolution passed by said Board of Education on February 24, 2000 showing that adequate school facilities are not now available in the Durham County Administrative Unit to comply with the requirements of Section 2 of Article IX of the Constitution of North Carolina for the maintenance of schools at least nine months in every year and that it is necessary, in order to maintain such term as required by said Section 2 of Article IX of the Constitution, to provide additional school facilities in said Unit by 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, the estimated aggregate cost of which is at least \$1,700,000;

WHEREAS, said resolution requests said Board of Commissioners to take all necessary steps, by the issuance of bonds or otherwise, in order that funds may be provided for such school facilities; and

WHEREAS, said Board of Commissioners has carefully examined the facts and has determined and does hereby find as a fact that the statements made in said resolution are true and that it has become the duty of said Board of Commissioners, acting as an administrative agent of the State of North Carolina in providing a State system of public schools, to order the issuance of bonds of the County of Durham so that the school facilities mentioned in said resolution and in paragraph 1 of this order may be provided in order to maintain the school term in the County of Durham as required by Section 2 of Article IX of the Constitution; now, therefore,

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

1. That, pursuant to The Local Government Bond Act, as amended, and in order to maintain the school term in the County of Durham as required by Section 2 of Article IX of the Constitution, the County of Durham, North Carolina is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue School

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Bonds in an aggregate principal amount not exceeding \$1,700,000 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.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.
3. That a sworn statement of the debt of said County has been filed with the Clerk to the Board of Commissioners for said County and is open to public inspection.
4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. '159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

ORDER AUTHORIZING
\$7,180,000 WASTEWATER TREATMENT BONDS

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

1. That, pursuant to The Local Government Bond Act, as amended, the County of Durham, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said County may now or hereafter have power or authority to contract, and in evidence thereof to issue Wastewater Treatment Bonds in an aggregate principal amount not exceeding \$7,180,000 for the purpose of providing funds, with any other available funds, for enlarging, improving and reconstructing the Triangle Wastewater Treatment Plant of the County and acquiring any necessary land, rights of way and equipment therefor.
2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.
3. That a sworn statement of debt of said County has been filed with the Clerk to the Board of Commissioners for said County and is open to public inspection.
4. That this order shall take effect 30 days after its publication following adoption, unless it is petitioned to a vote of the people as provided in G.S. § 159-60 in which event it will take effect when approved by the voters of said County at a referendum as provided in said Act.

The Board of Commissioners thereupon designated the finance Officer of the County as the officer whose duty is shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Bond Act, as amended, to be filed after the bond orders have been introduced and before the public hearing thereon.

Thereupon the Finance Officer filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

Thereupon the order entitled: "ORDER AUTHORIZING \$1,700,000 SCHOOL BONDS" was passed on first reading.

Thereupon the order entitled: "ORDER AUTHORIZING \$7,180,000 WASTEWATER TREATMENT BONDS" was passed on first reading.

On motion duly made, seconded and unanimously carried, the Board of Commissioners fixed 7:00 P.M. on March 27, 2000, in the County Commissioners' Meeting Room in the Durham County Government Administrative Complex at 200 East Main Street, in

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Durham, NC, as the hour, day and place for the public hearing upon the foregoing orders and directed the Clerk to the Board of Commissioners to publish each of said orders, together with the appended statement as required by The Local Government Bond Act, as amended, once in The Herald Sun not later than the sixth day before said date.

* * * * *

I, Garry E. Umstead, Clerk to the Board of Commissioners for the County of Durham, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on March 13, 2000 as relates in any way to the introduction and passage on first reading of two orders authorizing bonds of said County and the calling of a public hearing upon such orders and that said proceedings are recorded in Minute Book No. _____ of the minutes of said Board, beginning on page _____ and ending on page _____.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the County Commissioners Meeting Room in the Durham County Government Administrative Complex at 200 East Main Street, in Durham, North Carolina, on the second and fourth Mondays of each month at 7:00 P.M., has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S. § 143-318.12.

WITNESS my hand and the corporate seal of said County, this 15th day of March 2000.

/s/ Garry E. Umstead
Clerk to the Board of Commissioners

Consent Agenda Items Removed for Discussion

Consent Agenda 9(f). Community Shelter for H.O.P.E. Project (approve the form of the financing documents, with the understanding that the County Attorney's office may make minor, insignificant changes to the documents after discussion with the Housing Finance Agency. The Board previously approved the architectural contract with DTW Architects for the renovation and expansion of the shelter; therefore, this is being placed on the consent agenda).

Commissioner Heron commented that Deputy County Manager Wendell Davis would meet with the community residents to discuss their concerns and the Community Shelter for H.O.P.E.

Consent Agenda 9(k). Appointment of Members of the Charter Commission (make the appointments as recommended by the Joint City-County Selection Committee).

Commissioner Heron commented that she still has a real concern. She does not feel that all Durham County is represented on this Charter Commission. Rural areas do not have sufficient representation.

Chairman Black responded that she has asked the cochairs to be sure to receive public comments at the public hearing from citizens living in the rural areas outside the city limits.

The charter commission nominees follow:

| NAME | |
|-------------|--------------------------|
| RANK | OUTSIDE CITY |
| 1 | Haenn, Joseph F. |
| 2 | Cash, Wayne E. |
| 3 | Brian Jr., William J. |
| 4 | Rogers Sr., Charles W. |
| 5 | Harrison, Edward C. (Ed) |
| 6 | Sparrow Sr., William H. |
| 7 | Steer, John A. |
| 8 | Stopinski, Helen D. |
| ALTERNATE | McCorkle, Wendy J. |
| RANK | AFRICAN AMERICAN |
| 1 | Palmer, Michael J. |
| 2 | Blackmon, Charles |
| 3 | Martin, I. Jarvis |
| 4 | Sansom, James E. |
| 5 | Cole-McFadden, Cora |
| 6 | Gibbs, Lori Jones |
| 7 | Johnson, Charles |
| 8 | Quick, George K. |
| 9 | Cook, Ollie |
| 10 | Mabry, Corinne A. |
| 11 | Sharpe, Alice L. |
| 12 | Spaulding, Jean G. |
| 13 | Terrell, Dock |
| 14 | Fikes, Tara L. |
| 15 | Hammond, Anita W. |
| ALTERNATE | Holt, Larry |
| ALTERNATE | Spaulding Jr., Asa T. |
| RANK | INSIDE CITY |
| 1 | Kerckhoff, Sylvia |
| 2 | Smith, David A. |
| 3 | Gardner, Scott |
| 4 | Hunt, Tommy |
| 5 | Ogburn, Sandy |
| 6 | Schmidt, Evelyn |
| 7 | Byker, Patrick |
| 8 | Emison, Gerald |
| 9 | Luger, Michael |
| 10 | Austin, T.E. |
| 11 | Wasiolak, Suzanne |
| 12 | Barringer, Stephen |
| 13 | Guyton, Anne |
| 14 | Elkins, Angie |
| 15 | Smith, David C. |
| 16 | Linehan, Julia |
| 17 | Dyer, Donna |
| ALTERNATE | Tatum, James |
| ALTERNATE | Austin, Susan |

Commissioner Reckhow moved, seconded by Commissioner Heron, to approve consent agenda item Nos. 9(f) and 9(k).

The motion carried unanimously.

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Minutes

Commissioner Bowser commented that he was absent from the February 29, 2000 City-County Merger Meeting because he was not properly notified of the meeting.

Commissioner Heron moved, seconded by Commissioner Reckhow, to approve the February 29, 2000 City-County Merger Meeting Minutes with the notation by Commissioner Bowser.

The motion carried unanimously.

Appointment of W. Steven Crysel as Durham County Assessor/Acting Tax Collector

The Board was requested to appoint W. Steven Crysel to the position of Durham County Assessor/Acting Tax Collector for a period beginning April 3 until June 30, and to a two-year term as Durham County Assessor.

W. Steven Crysel has been a Tax Administrator for the past five years, serving four years in Wilkes County, before joining Robeson County a year ago. His career also includes 20 years as a revaluation real estate appraiser and as a consultant for county governments. Over the years, Mr. Crysel has worked in 50 different counties, in 10 different states.

He is a 1975 graduate of Appalachian State University with a Bachelor of Arts degree in Geography and Planning, and holds the following professional certifications and designations:

Certified Tax Assessor-N. C. Department of Revenue
Certified Tax Collector-N. C. Carolina Tax Collectors Association
Certified Appraiser- N. C. Department of Revenue
Accredited Senior Appraiser (ASA) –American Society of Appraisers

County Manager's Recommendation: Appoint Mr. Crysel as Durham County Assessor/Acting Tax Collector from April 3 through June 30, and thereafter, to a two-year term as Durham County Tax Assessor.

Interim County Manager Carolyn P. Titus asked the Commissioners to appoint W. Steven Crysel as Durham County Tax Assessor/Acting Tax Collector from April 3 through June 30 and thereafter to a two-year term as Durham County Tax Assessor.

Ms. Titus introduced Mr. Crysel.

Commissioner Heron moved, seconded by Commissioner Bell, to appoint W. Steven Crysel as Durham County Assessor/Acting Tax Collector from April 3 through June 30, and thereafter, to a two-year term as Durham County Tax Assessor.

The motion carried unanimously.

Chairman Black asked Mr. Crysel to speak to the Board.

The Commissioners made remarks about Mr. Crysel's appointment.

CENSUS 2000--Update on Local Activities

This year has been proclaimed the "Year of the Census" by Commission Chairman MaryAnn E. Black and Mayor Nick Tennyson. The Board of County Commissioners and the City Council appointed a Complete Count Committee to develop local initiatives to increase Durham's participation in the upcoming Census. Public Information Director

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Deborah Craig-Ray, who serves as staff liaison to the group, will reported on local efforts to date.

Resource Person(s):

Deborah Craig-Ray, Director of Public Information/Governmental Affairs

County Manager's Recommendation: Receive the report of the Complete Count Committee, and remind citizens to fill out and return Census forms promptly.

Deborah Craig-Ray, Director of Public Information/Governmental Affairs, presented a report on local efforts to date.

No official action was taken on this agenda item.

Internal Equity

In July of 1997, the Board of County Commissioners (BOCC) approved a Pay for Performance Program which ensured that employees would receive regular salary increases. It was recognized at that time that some tenured employees had remained frozen at the same pay step for several years and, as a consequence, were paid less than some new employees. During the 1999-2000 Budget deliberations, the BOCC approved and funded addressing past pay inequities, and authorized the evaluation of employees' salaries. The objective of the approval was to correct salary inequities caused by hiring new employees at salaries equal to or greater than long-term employees in the same job. It is important to correct the past pay inequities to help to stem the increasingly high turnover rate (18.8% this past fiscal year) and to address morale issues caused by employees' perceptions of unfair treatment.

The recommended implementation will cost \$241,253 for the nine pay periods remaining for this fiscal year, with an annualized cost of \$696,953. There will be no additional funds needed above the base budget for next year, as \$700,000 has already been allocated by the Board.

Resource Person(s): Jackye Knight and Tony Noel

County Manager's Recommendation: Implementation of the internal equity initiative will go a long way toward assuring employees that retention is important to us and that we value their contributions to the County. I recommend implementation on a retroactive basis to March 6, 2000, which employees will see in their paychecks on March 31.

Interim County Manager Carolyn P. Titus made opening remarks relative to internal equity.

Human Resources Director Jackye Knight told the Commissioners that this plan is designed to correct past pay equities experienced by employees who were frozen at the same step. The issues to be addressed were discussed.

The Commissioners asked questions and made remarks about the internal equity program to which Ms. Knight responded. Interim County Manager Titus responded to the questions also.

Commissioner Bell moved, seconded by Commissioner Reckhow, to approve implementation of the internal equity initiative on a retroactive basis to March 6, 2000.

The motion carried unanimously.

Option Agreement for the Proposed Little River Regional Park

For several months, staff has been working with a partnership of Orange County, the Triangle Land Conservancy, and the Eno River Association to assemble an acquisition

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package for a 390-acre tract in northern Durham that is bisected by the county line. The property is strategically important to preserve along the Little River corridor, and includes over a mile of frontage on the North Fork of the Little River. The negotiated purchase price of the property is \$1,014,000; Durham's share based on the 255 acres located in Durham County would be \$681,850.

The cost of Durham's share of the option is \$19,000 and will be credited towards the purchase price. The option gives Durham the right to purchase the 255 acres in Durham County through May 31, 2000, by which time Durham must commit to a binding purchase agreement. The binding purchase agreement requires the majority of the property to be closed by October 31, 2001, with the final payment due by July 31, 2001. Durham and Orange Counties have jointly applied for two state grant funds that could provide up to \$590,000 of the acquisition costs for this site; funding awards for one grant will be known by April, the other likely in May. The two non-profits have pledged \$170,000 towards the acquisition costs of this tract. The Orange County Board of Commissioners will consider the option at its meeting on March 21.

Resource Persons: Jane Korest, Senior Planner
Chuck Kitchen, Durham County Attorney

County Manager's Recommendation: Authorize the Interim County Manager to execute an option agreement for \$19,000 to secure Durham's ability through May 31, 2000 to purchase the 255 acres of the site in Durham County.

Ms. Korest presented the option agreement for the Commissioners' approval.

Mr. Kitchen and Ms. Korest responded to the Commissioners' questions and remarks.

Commissioner Reckhow moved, seconded by Commissioner Heron, to authorize the Interim County Manager to execute an option agreement for \$19,000 to secure Durham's ability through May 31, 2000 to purchase 255 acres for the proposed Little River Regional Park.

The motion carried unanimously.

Purchase of the First Union Building

Recently staff entered negotiations with American Real Estate Holding Limited Partnership for the purchase of the First Union Building located at 210 North Roxboro Street. The purpose of purchasing this facility is an effort to facilitate the demands for additional space for the Superior and District Courts. Negotiations are complete and the County can acquire the facility for the appraised value, which is \$1,100,000. If the BOCC approves the purchase of the First Union Building, a Phase II Environmental Site Assessment will be conducted to verify that there are no adverse environmental conditions. A survey of the property and a title search will also be conducted. Staff will be working with a project architect to develop plans and specifications for renovation. A \$200,000 appropriation is recommended to cover costs associated with the environmental site assessment, title search, and engineering expenses.

Funding for this project is available through the reallocation of funds originally planned for the Little River Land Acquisition Project. December 13, 1999, the BOCC approved the appropriation of \$75,000 for the County to move forward in conducting the title search and preliminary acquisition related activities. Although funds were identified for land acquisition, the purchase of property will not occur until next fiscal year. Therefore, the difference of \$915,000 is available for current fiscal year Pay As You Go projects. It is recommended that the reallocation of funds be used to establish the First Union Building project in the Pay As You Go fund. The additional \$385,000 needed to complete the First Union Building project is available through unappropriated fund balance available in the Pay As You Go Fund. Establishment of the First Union Building

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project purchase is necessary to cover expenses associated with building acquisition prior to financing taking place. Expenses incurred prior to financing for building acquisition will be reimbursed to the Pay As You Go Fund.

Resource Person(s): Wendell Davis, Deputy County Manager/Acting Tax Assessor
Glen Whisler, County Engineer
Claudia Odom, Budget and Management Services Director

County Manager's Recommendation: The Manager recommends that the Board approve the purchase of the First Union Building and establish the project in the Pay As You Go Fund (00CPA000013). The reallocation of funds will not affect planned Pay As You Go fund projects. The Pay As You Go fund will be reimbursed once financing is secured for the purchase and renovation of the facility. A subsequent agenda item will address the financing and reimbursement process.

Commissioner Bell moved, seconded by Commissioner Reckhow, to approve the purchase of the First Union Building and establish the project in the Pay As You Go Fund.

The motion carried unanimously.

The Capital Projects Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Capital Projects Budget Ordinance
Amendment No. 00CPA000013

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-00 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the First Union Building Acquisition.

PAY-AS-YOU-GO FUND

| | <u>Current</u> <u>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised</u> <u>Budget</u> |
|----------------------|---------------------------------|-----------------|-----------------|---------------------------------|
| First Union Building | \$ 0 | \$1,300,000 | | \$1,300,000 |

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

This the 13th day of March 2000.

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

Financing for First Union Building

The Board was requested to adopt the resolution which makes certain required findings of fact for an installment purchase of the First Union Building. The resolution also allows for the reimbursement of the County for funds expended prior to the financing taking place. It is anticipated that this financing will be a private placement with a financial institution. A public hearing will be held at a future date after the results of an RFP have been determined and a suggested financial institution selected for the financing.

Resource Person(s): S. C. Kitchen, County Attorney; Patty Gravinese, Finance Officer

County Manager's Recommendation: Approve the resolution so that the County can be reimbursed for the cost of purchasing the First Union Building and associated costs.

County Attorney Chuck Kitchen presented the agenda item.

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Commissioner Bell moved, seconded by Commissioner Bowser, to approve the resolution regarding the First Union Building so that the County can be reimbursed for the cost of purchasing the building and associated costs.

The motion carried unanimously.

The resolution follows:

A regular meeting of the Board of Commissioners for the County of Durham, North Carolina, was held in the County Commissioners' Meeting Room in the Durham County Government Administrative Complex at 200 East Main Street, in Durham, North Carolina, the regular place of meeting, at 7:00 P.M., on March 13, 2000.

Present: Chairman MaryAnn E. Black, presiding, and Commissioners Bell, Bowser, Heron, and Reckhow.

Absent: None.

Commissioner Black introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE THE COST OF ACQUIRING AN EXISTING BUILDING AND RELATED PROPERTY AND RENOVATING SAID BUILDING AND PROVIDING FOR CERTAIN RELATED MATTERS.

WHEREAS, the Board of Commissioners for the County of Durham, North Carolina (the "County") is considering entering into an installment financing agreement and certain related documents under which the County would obtain financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, of the cost of acquiring an existing building, known as the First Union Building or the Commerce Building and located at 201 North Roxboro Street in Durham, North Carolina, and related property, including a 30-space parking lot, and renovating said building to provide space for a Juvenile Courtroom, offices for the Guardian Ad Litem and the Public Defender and other court-related facilities (the "Project"), which financing is not expected to exceed \$2,800,000, and it is necessary to take certain related action at this time;

NOW THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

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Section 1. The Board of Commissioners for the County (the "Board") hereby finds and determines in connection with such proposed agreement as follows:

(a) Such proposed agreement is necessary or expedient because the existing court-related facilities of the County are inadequate to meet the needs of the citizens of the County and the Project is the most cost-effective option of the County currently available to provide improved court-related facilities. Also, the Project is proximate to the Judicial Building, which should result in operational efficiencies, and is compatible with recommendations made in the County Facility Master Plan. In addition, the second floor of the Project could be occupied within several months of its acquisition.

(b) Such proposed agreement is preferable to a bond issue for the same purpose because the estimated amount needed to fund the Project does not warrant the expenditure of the administrative and issuance costs of a general obligation bond issue.

(c) The sums to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because the principal components of such sums are based upon the best estimate of the County of the cost of the Project and the proposed financing period for the Project is relatively short-term, allowing the County to take advantage of relatively low short-term interest rates considering the County's current bond ratings.

(d) The County's debt management procedures and policies are good and will continue to be managed in strict compliance with law.

(e) The increase in taxes, if any, necessary to meet the sums to fall due under such proposed agreement will not be excessive because it is expected that any increase in taxes will not exceed .21 cents (21¢) per one hundred dollars (\$100) of the appraised value of property subject to taxation by the County.

(f) The County is not in default regarding any of its debt service obligations.

Section 7. The County Manager, the Finance Officer and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all actions heretofore taken by any of such

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officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 8. The law firms of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, and Marsh and Marsh, Attorneys at Law, Durham, North Carolina, are hereby confirmed as co-special counsel of the County in connection with such proposed agreement.

Section 9. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Bell, Black, Bowser, Heron, and Reckhow.

Noes: None.

Thereupon Commissioner Black introduced the following resolution, a copy of which had been made available to each Commissioner and which was read by its title:

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF A TAX-EXEMPT FINANCING FOR CERTAIN EXPENDITURES IN CONNECTION WITH THE ACQUISITION OF AN EXISTING BUILDING AND RELATED PROPERTY AND THE RENOVATION OF SAID BUILDING

WHEREAS, the County of Durham, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County has paid, beginning no earlier than January 13, 2000, and will pay, on and after the date hereof, certain expenditures in connection with the acquisition of an existing building, known as the First Union Building or the Commerce Building and located at 201 North Roxboro Street in Durham, North Carolina, and related property, including a 30-space parking lot, and renovating said building to provide space for a Juvenile Courtroom, offices for the Guardian Ad Litem and the Public Defender and other court-related facilities (the "Project"); and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined that certain moneys previously advanced by the County no earlier than January 13, 2000 and to be advanced on and after the date hereof by the County to pay such expenditures (the "Expenditures") are available only for a temporary period and it is

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and will be necessary to reimburse the County for the Expenditures from the proceeds of a tax-exempt financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended (the "Tax-exempt Financing");

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Tax-exempt Financing for the Expenditures made on and after January 13, 2000, which date is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financing.

Section 2. Each Expenditure was or will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financing, (c) a nonrecurring item that is not customarily payable from current revenues, (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Tax-exempt Financing expected to be entered into with respect to the Project is \$2,800,000 plus such additional amount, if any, as shall be determined to be reasonably necessary for the funding or payment of capitalized interest, a debt service reserve and other costs of entering into the Tax-exempt Financing.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Tax-exempt Financing to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of entering into the Tax-exempt Financing and not the year of expenditure) and expenditures for construction projects of at least five years.

Section 5. This resolution shall take effect immediately upon its passage.

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Thereupon, upon motion of Commissioner Bell seconded by Commissioner Bowser, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Bell, Black, Bowser, Heron, and Reckhow.

Noes: None.

I, Garry E. Umstead, Clerk to the Board of Commissioners for the County of Durham, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on March 13, 2000 as relates in any way to the passage of the resolutions described therein and that said proceedings are recorded in Minute Book No. _____ of the minutes of said Board, beginning on page _____ and ending on page _____.

I HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held in the County Commissioners' Meeting Room in the Durham County Government Administrative Complex at 200 East Main Street, in Durham, North Carolina, on the second and fourth Mondays of each month at 7:00 P.M., has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G.S § 143-3 18. 12.

WITNESS my hand and the corporate seal of said County, this 15 day of March 2000.

/s/ Garry E. Umstead
Clerk to the Board

Preliminary Plat for Grandale Place

Priest, Craven and Associates Inc., on behalf of Centex Homes, submitted a plan for 136 single-family lots on 59.32 acres zoned PDR 2.34 and F/J-B. The property is located on the west side of Grandale Road at the Clermont Road intersection, south of Settlers Mill Drive, north of Sedwick Drive (tax reference 533-1-1, PIN# 0727-01-38-6763). Governing Body approval is required for subdivisions of land into greater than 49 lots. A Traffic Impact Analysis is not required for this project because the Durham Zoning Ordinance exempts single-family residential development. However, traffic impacts have been added to the staff report for the Board's consideration. At present, there are no DATA services in this area which means that the plat is in compliance with the Traffic Demand Management measures recently approved.

Resource Person(s): Norm Standerfer, Director City/County Planning and Teri Danner, Senior Planner

County Manager's Recommendation: The Planning Staff recommends approval of this preliminary plat. This project is in compliance with all the County's technical ordinances including the new Traffic Demand Management measures approved by the Board at its previous meeting. The Manager recommends approval.

Mr. Standerfer presented the proposal.

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Steve Whitesell, representing Centex Homes, made remarks about the preliminary plat for Grandale Place. He urged the Commissioners to approve the plat.

Mr. Standerfer responded to the Commissioners' questions and remarks.

Commissioner Bowser moved, seconded by Commissioner Reckhow, to approve the preliminary plat for Grandale Place.

The motion carried unanimously.

Charter Commission Update

Receive an update from Chairman Black regarding initial meetings for the Charter Commission and other Charter Commission developments.

On Wednesday, March 8, 2000, Chairman Black met with Mayor Tennyson, Mr. David Lawrence (Institute of Government), and the cochairs of the Merger Charter Commission--Charles Blackmon and Joseph Haenn. Letters were sent to the 40 Charter Commission members and the five alternates informing them of their appointments. The formal resolution setting forth the powers of the Charter Commission was included. Applicants not appointed were sent letters thanking them for their interest.

Two dates had been set for Charter Commission meetings--Wednesday, March 15 and Wednesday, March 22. Both meetings would be held at the Durham Civic Center at 7:00 p.m. The Charter Commission will be divided into subcommittees and members must attend at least 80 percent of the meetings to have a vote on the final adoption of the proposed charter. Alternates must attend 80 percent of the meetings as well.

Commissioner Heron suggested that Dr. Dellinger, Superintendent of Durham Public Schools, be contacted about the possibility of the Charter Commission holding its meetings at the Staff Development Center on Hillandale Road.

Chairman Black said she would pass this request on to the two cochairs.

Commissioner Reckhow suggested that the meetings be held in one of the schools. The cost would be considerably less than using the Civic Center.

Chairman Black informed the Board that the Main Library on Roxboro Street was the first choice for the meetings. Apparently, it was not available.

Commissioner Reckhow proposed that the Charter Commission consider ways to gauge public opinion regarding merger issues. Formal surveys in the communities should be considered.

Chairman Black has asked the cochairs of the commission to keep the Commissioners and City Council informed of its progress and also to think about ways to receive input from the elected officials. The cochairs are to report to the two governing bodies by March 30 and May 15.

No official action was taken on this agenda item.

Commissioner Bell Excused From Meeting

Commissioner Reckhow moved, seconded by Commissioner Heron, to be excused from the March 27, 2000 Commissioner meeting.

The motion carried unanimously.

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Joint Meeting—BOCC and Area Mental Health Board

Chairman Black requested a joint meeting with the Board of County Commissioners and the Mental Health Board on Monday, March 27, 2000 at 5:00 p.m. prior the Commissioners' Regular Session.

Commissioner Bell moved, seconded by Commissioner Reckhow, to invite the Mental Health Board to meet with the County Commissioners on Monday, March 27, 2000 at 5:00 p.m.

The motion carried unanimously.

Adjournment

Chairman Black adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board