

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

Monday, November 9, 1998

5:00 P.M. - 6:30 P.M.

**Board of County Commissioners and Board of Education Joint Meeting**

The Board of County Commissioners and the Durham Public Schools Board of Education will meet in joint session to discuss a budget process and format for the FY 1999-2000 schools budget.

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7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**-Pledge of Allegiance
2. **Agenda Adjustments**
3. **Minutes**

- a. October 12, 1998 Regular Session
4. **Anchor Award for November 1998**

Ms. Robyn Riley, Budget Technician, has been selected by the County Manager to receive the Anchor Award for November. As the Board is aware, the Anchor Award is given each month to an employee that exemplifies the qualities that are valued in public service. Ms. Riley was cited by several internal departments and external non-profit agencies for her assistance and guidance during last year's budget preparations. In addition, she has worked diligent to ensure that the transition to a new Budget Director was smooth.

County Manager's Recommendation: Please join me in commending and thanking Ms. Riley for her efforts on Durham County's behalf. The Board Chair will present Ms. Riley with a \$200 check and a display for her desk as a token of our appreciation.

5. **Introduction of New Budget Director**

To announce the appointment of Ms. Claudia Odom as the Durham County Budget Director. The County Manager will formally introduce Ms. Odom to the Board.

6. **Consent Agenda**
  - a. Declaration of surplus property and approval of resolution for public auction sale (declare schedule items to be surplus, and authorize the County Manager to proceed with an auction of the properties listed);
  - b. Approval of construction contract for the Judicial Building roof replacement-Project #99-006 (authorize execution of the above contract to Baker Roofing Company, the low bidder, in the amount of \$209,480, and authorize the County Manager to execute change orders, if necessary, not to exceed the project budget of \$218,900); and
  - c. Elevator preventive maintenance and repair service (authorize the County Manager to enter into a contract with Southern Elevator Company Inc. (SEC) in an amount not to exceed \$33,480 annually to provide elevator preventive maintenance and repair services, plus an amount not to exceed \$5,500 for a one-time, five-year load test. This is a good example of attempting to combine separate existing contracts when possible to obtain the same as or better service with a lower cost. Staff should be commended for this effort).

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--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.

This public hearing was scheduled at the October 26 Board meeting and advertised ten days prior to the hearing as required.

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

County Manager's Recommendation: Adopt the ordinance and fee schedule after taking into account any revisions created by public input.

8. **Southeast Durham Plan**

Southeast Durham is one of 15 small areas that comprise Durham County. The planning area is approximately 29 square miles and is located between NC 147, NC 98 and the Durham-Wake County line, and T. W. Alexander Parkway. Southeast Durham is a mix of rural, suburban and urban neighborhoods, with a growing industrial base on the edge of the Research Triangle Park.

The Southeast Durham Plan is a detailed guide for future land use and development in the area based on the adopted Durham 2020 Comprehensive Plan. Outside of the Urban Growth Area, the Plan recommends rural land uses. Inside the Urban Growth Area, the Plan calls for new suburban housing areas, new commercial centers along major roads, and new employment centers near the Research Triangle Park. The first segment of Eno Drive scheduled to be constructed traverses the planning area and will significantly improve access to the area. Future public sewer services in the Lick Creek basin will likely stimulate demand for new housing and commercial development. The Southeast Durham Plan seeks to accommodate new development while protecting the integrity of existing neighborhoods.

The Board conducted a public hearing about the Southeast Durham Plan in September. The Board referred the Plan to the Joint City-County Planning Committee to coordinate with the City Council on two issues: a) possible zoning changes to actively implement the Plan's Future Land Use Map; and b) suburban vs. rural land uses and the location of the Urban Growth Area boundary in the Leesville Rd. area. The Committee requested minor changes related to Plan references to Eno Drive and US 70 commercially zoned property (both of which have been incorporated) and recommended adoption by the elected boards.

Keith Luck was the principal planner for the small area plan and will present this item to the Board.

County Manager's Recommendation: Adopt the March 4, 1998 Draft Southeast Durham Plan with the modifications indicated on the October 23, 1998 Addenda, including Options C and D to the extent they fall within the planning area.

9. **Interlocal Cooperation Agreement Between Durham and Wake Counties and the Cities of Durham and Raleigh**

For several years, there has been discussion concerning how the area between Durham and Raleigh would be developed and served by municipal services. Proposals have been brought to the Board to allow development and utility services to be extended in portions of the County near the Wake County line. The Board has desired discussion between the two counties and two cities about how to approach this as a prerequisite to any formal agreement.

Recently, there have been such discussions and at the September 18 meeting of the group, it was agreed to go forward with a general, "umbrella" agreement for cooperation followed later by a specific annexation and utility service agreement between the two cities that adheres more closely to the county line, and a later series of three-party agreements between individual developers, the host county, and the city providing utility service. Vice-Chairman Reckhow and Commissioners Heron and Bowser were at the September 18 meeting and endorsed this action. The "umbrella" cooperation agreement has been adopted by the City of

Raleigh.

Paul Norby, Planning Director, will be present to answer any questions of staff.

County Manager's Recommendation: Approve the agreement.

10. **Falls Lake Normal Pool Survey on Ellerbee Creek**

At its August Worksession, the Board discussed a proposal to fund a survey of the Falls Lake normal pool location on Ellerbee Creek. The Board expressed concern that this survey would establish an undesirable precedent for other community groups or property owners to request a similar effort on other tributaries.

The Board gave approval to proceed with a survey conditioned upon receipt of a letter from the Corps that the methodology utilized on Ellerbee Creek was in fact different than that of other tributaries. Furthermore, the Board wanted assurances that this new survey would be consistent with the methodology used on the other tributaries. Commissioner Heron inquired as to whether the KCI survey could be utilized instead of a new survey.

Letters sent by Keith Luck to Steve Zoufaly of NCDENR discuss the steps following the survey and to Linwood Rogers of the Army Corps of Engineers concerning the methodology. They responded to the letters. Mr. Rogers has provided the written confirmation that is needed for the survey to proceed.

Mr. Keith Luck of the Planning Department will provide information on his conversation with Mr. Rogers on the KCI survey to address Commissioner Heron's question.

County Manager's Recommendation: I am requesting that the Board concur that the documentation provided by Mr. Rogers satisfies the Board's concern for consistency. I am requesting that the Board approve a transfer of \$5,000 from the County's contingency fund to the professional services line-item of the Manager's budget to initiate the contract for the survey.

11. **Closed Session**

The Board is requested to adjourn to Closed Session to discuss the location or expansion of industries or other businesses pursuant to G.S. 143-318.11(a)(4).