

THE BOARD OF COUNTY COMMISSIONERS  
DURHAM, NORTH CAROLINA

Monday, June 8, 1998

7:00 P.M. Regular Session

AGENDA

1. Opening of Regular Session-Pledge of Allegiance
2. Agenda Adjustments
3. Resolution-Dedicated Revenue for the NC Housing Trust Fund and Affordable Housing Assistance Funds

Commissioner Joe W. Bowser has requested the resolution be placed on the agenda for Commissioner approval.

4. Resolution Encouraging the County Manager to Work With the City Manager and the Superintendent of Durham Public Schools to Provide Mutual Support for Goals That Will Benefit Durham's Citizens

The resolution is the result of meetings between Chairman Black, Mayor Tennyson, Chairman Meyers, and the respective chief executive officers. This resolution has been adopted by the City Council and the Board of Education.

5. Consent Agenda

- a. Durham Open Space and Trails Commission Matching Grants recommendation (approve FY 1997-98 Capital Projects Budget Ordinance Amendment No. 98CPA000008 in the amount of \$20,000);
- b. Public Health (approve FY 1997-98 Capital Projects Budget Ordinance Amendment No. 98CPA000009 in the amount of \$72,751);
- c. Public Health (approve FY 1997-98 Budget Ordinance Amendment No. 98BCC000040 in the amount of \$5,000);
- d. Social Services (approve FY 1997-98 Budget Ordinance Amendment No. 98BCC000041 in the amount of \$470,879);
- e. Mental Health (approve FY 1997-98 Budget Ordinance Amendment No. 98BCC000042 in the amount of \$144,200); and
- f. Property tax release and refund report (adopt the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report).

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.

6. Public Hearing: Revision of Durham County's Animal Control Ordinance

On July 1997, an Ordinance Review Committee (ORC) was appointed by the County Manager and charged with identifying all outstanding issues with the existing Durham County Animal Control Ordinance, the need for

additions and deletions, and with the drafting of a proposed revision to the ordinance for BOCC review and consideration. The ORC comprises representatives from Animal Control, the Animal Protection Society, the Animal Control Advisory Committee (ACAC), the County Attorney's Office, and the District Attorney's Office. Since its first meeting on August 12, 1997, the committee has worked very diligently incorporating all members' issues and concerns into the proposed revised ordinance. On March 11, 1998, at a special called meeting, the ACAC received and reviewed the ordinance, and on April 20, 1998, unanimously approved the proposed ordinance.

On Monday, May 4, 1998, during a regularly scheduled BOCC Worksession, the ACAC and ORC presented the proposed ordinance and answered questions.

On Monday, May 11, 1998, the BOCC scheduled a public hearing for Tuesday, May 26, 1998, for the general public to comment on the proposed ordinance. Copies of the ordinance were made available for review and comment by the public on May 11, 1998, at all Durham County Libraries, the Clerk to the Board's Office, the Animal Control Office on Broad Street, the Animal Shelter on Club Boulevard, and the General Services Department at 310 South Dillard Street.

Resource persons for this item are Michael Turner, Director of General Services, and Simone Alston, Assistant County Attorney. Members from ORC and ACAC will be available to receive public comment and answer questions for the BOCC.

County Manager's Recommendation: Receive public comment and approve the proposed revisions to the Durham County Animal Control Ordinance subject to the incorporation of specific changes as directed by the Board

#### 7. Public Hearing to Consider an Amendment to the Zoning Ordinance Regarding Standards for Accessory Dwellings (TC75-98)

To adopt Zoning Ordinance Amendment TC75-98 regarding Accessory Dwellings.

Bonnie Estes, Planning Manager, will be at the meeting to present this item.

#### 8. Major Site Plan Approval for Distribution Warehouses at Technology Park

J. F. McKinney and Associates, LTD is requesting the approval of a Major Site Plan for "Distribution Warehouses at Technology Park" to allow for the construction of three 200,000-square-foot warehouse buildings with amenity areas on 45.887 acres, zoned I-1. The site is located at the southwest corner of Alexander Drive/Southern Parkway and Page Road, west of the Durham County/Wake County line, and south of US Highway 70. (Tax Map 580-1-1C,10)

Alice Wilson, Associate Planner, will present the case and answer questions.

#### 9. Major Special Use Permit (TIA) for Trinity School on Pickett Road

(Hearing on Major Special Use for Traffic Impact, T98-1, Trinity School)

Motion A: (Approval With or Without Conditions)-To direct the Planning Director to prepare a decision granting with conditions the use permit in Case T98-1. (The Commissioners should identify any conditions they wish to incorporate into their approval. Staff will prepare the decision for the Board's next meeting for action).

Motion B: (Disapproval)-To direct the Planning Director to prepare a decision denying the use permit in Case T98-1. (The Commissioners should identify the findings they are unable to make so these can be incorporated into the decision. Staff will prepare the decision for Board action at its next meeting).

Helen Youngblood, Senior Planner, will be present to present this item and answer questions.

County Manager's Recommendation: Conduct the hearing for Major Special Use Permit and take the appropriate action.

#### 10. Work First Plan Update

The April monthly update on the annual plan for Work First will be presented.

#### 11. Amendment to Proposal to Expand Parkwood Branch Library

In December, the Board of County Commissioners approved the expansion of the Parkwood Branch Library into space adjacent to the current facility, increasing the space from 6,200 square feet by an estimated 3,500 square feet, for a five-year lease cost of \$8.50 per square foot per year. Included in the cost of the lease was to have been the cost of unfitting the new space, not to exceed \$100,000. The Board authorized the Manager to negotiate the lease for the expanded facility.

Since that action, the estimated costs for the renovations have increased to \$150,000 which is \$50,000 more than was to be covered by the proposed lease agreement.

As a result, Mr. Hawkins amended his lease proposal and increased the proposed lease cost to \$9.00 per square foot. Construction estimates were reviewed by staff from the Library, Project Management, and Property Management. A counter proposal was offered to keep the lease rate at \$8.50 per square foot and extend the term of the lease from five years to seven years. Mr. Hawkins has accepted this proposal and the Board of Commissioners is now being asked to authorize the County Manager to negotiate the lease with the extended term at \$8.50 per square foot.

Dale Gaddis, Library Director, and David Powell, Director of Economic Development and Property Management, will present this item and answer questions.

County Manager's Recommendation: Board of County Commissioner approval of the extension of the term of the lease for an expanded Parkwood Branch Library from five years to seven years at a cost of \$8.50 per square foot and authorize the Manager to execute the lease with Mr. James Hawkins, owner of the Parkwood property.

#### 12. Durham County Library Advisory Board Recommendation Regarding Change in By-Laws

The Durham County Library Board of Trustees requests approval of the following amendments to the Library Board's By-Laws:

1. (Section I of Article I) "Said Board of Trustees shall consist of nine members." Change from "Said Board of Trustees shall consist of seven members."

2. That an additional duty (#6) be added to the Board's charge in Article V as follows: "To present a report at least annually to the Durham County Board of Commissioners on library accomplishments and plans."

These changes were approved by the Library Board at a special meeting held on May 18, 1998 with a unanimous vote of a quorum present. In accordance with the by-laws, the changes had been read and discussed at a prior meeting held on April 20, 1998, with the full Board in attendance.

The purpose of amendment #1 is to expand the opportunity for community representation in the development of recommendations regarding library services. Regarding amendment #2, the duty to report to the Board of Commissioners is assumed by the current Library Board, but the Board considers it an important enough duty that it should be stated in the By-Laws.

Resource persons for this item are Library Board Chairman Robert Otterbourg and Library Director Dale Gaddis.

County Manager's Recommendation: That the changes to the By-Laws of the Durham County Board of Trustees be approved as recommended by the Library Board.

### 13. Approval of Purchase of Personal Computers

The Board is requested to authorize the County Manager to enter into a contract with Compaq Computers in the amount of \$76,750.00 for the purchase of 60 personal computers for the Department of Social Services (DSS) and for Public Health.

Twenty-seven of these computers are for DSS and will be assigned as follows:

- \* ten for Work First/Employment staff to replace older computers to permit all Work First staff to participate in a database that will track client outcomes. The ten older personal computers will be used to set up work stations for Work First participants to allow them to practice computer skills, type resumes, etc.;
- \* nine will be used as part of a customer service improvement project to enhance DSS reception for clients attempting to access DSS services either in person or by telephone; and
- \* eight will be used to provide personal computers to some of the administrative staff whose work requires computers.

The purchase price of these computers is \$34,973.00. Funds are available in the DSS FY '98 budget.

The remaining 33 computers are for Public Health. These computers will be used to replace 38 terminals that are currently in use on the AS400. This purchase will conclude the second stage of implementation of a computer network in the Health Department. The purchase price of these computers is \$41,777.00. The funds already exist in the Health Department budget and were approved in the FY98 budget process.

These computers will be the current County standard configuration, and will be purchased through the State of North Carolina Division of Purchase and Contract Term Convenience Contract for Microcomputers and Peripherals (#250-15). This Contract was established by the State for

use by State agencies and local jurisdictions in facilitating cost effective computer and peripheral acquisitions. This Contract continues to offer the most attractive process for the purchase of personal computers for the County. Bid at the State level with the volume of the State to leverage price, the County continues to find the prices are better than those advertised or available through quotes. The Contract is structured to reflect market changes.

Information Services and the Purchasing Department have reviewed this request and support the approval of this item.

Perry Dixon, Director of Information Services; Brian Letourneau, Health Director; and Gael Hallenbeck, Assistant Director of DSS, will be available to discuss this item.

County Manager's Recommendation: Authorize the County Manager to enter into a contract with Compaq Computers for \$76,750.00 for the purchase of these personal computers for DSS and Public Health.

#### 14. Approval Of Construction Contract For Sanitary Sewer To Service The Willowhaven/Placid Valley Area, Phase III, Bond Project #33

The Board is asked to authorize the County Manager to enter into a contract with J. F. Wilkerson Contracting Co. in the amount of \$772,374.75 for construction of Phase III of the Willowhaven/Placid Valley Area Sewer Project and to execute change orders if necessary. This is the last scheduled project that will be constructed using the 1986 Bond Funds for water and sewer extensions.

The County's requirement for Construction of Willowhaven/Placid Valley Area Sewer Phase III was advertised in the local newspaper on April 19, 1998. A Pre-Bid Conference was held on May 12, 1998 at 10:00 a.m. Bids were received, publicly opened, and read on May 21, 1998 at 2:00 p.m. Three bids were received. J. F. Wilkerson submitted the lowest bid of \$1,017,274.75; however, only approximately \$786,000.00 of Bond Funds remain available for this project. The Utility Office has reviewed the bid and was able to reduce the quantities of several items to allow the project to meet current funding. No M/WBE utilization was submitted with the bid; however, the Utility Division is working with J. F. Wilkerson to seek M/WBE utilization to address the County's M/WBE Ordinance.

Chuck Hill, Division Head, Environmental Engineering Office, will be present to discuss this recommendation.

County Manager's Recommendation: The County Manager recommends that the Board authorize execution of the above construction contract to J. F. Wilkerson Contracting Co. in the amount of \$772,374.75 and authorize the County Manager to execute change orders if necessary. Staff has been instructed to bring forward M/WBE proposed utilization by the vendor to the Board meeting.