

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, March 23, 1998

7:00 P.M. Regular Session

AGENDA

1. Opening of Regular Session—Pledge of Allegiance

2. Agenda Adjustments

3. Minutes

February 23, 1998 Worksession

4. Presentation of New Identity Package for Durham County Government

Several months ago, Deborah Craig-Ray, Public Information/Governmental Affairs Director, contacted designers at Webb Patterson Communications Inc. to create a new graphic representation of Durham County Government. The goal of the process was to develop a more contemporary identity package to reflect Durham County's transition from its agricultural roots to its current position as a leader in technology, medicine, and research. Ms. Craig-Ray will lead the effort to standardize the use of the new design on all Durham County Government stationery, cards, signs, etc. The final design will be formally presented to the Board.

County Manager's Recommendation: Receive the new design and instruct staff.

5. Consent Agenda

a. Board and commission appointment—Region J Emergency Medical Services Council (appoint John M. Tezai to fill the hospital administrator position);

b. 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); and

c. Advertising of tax liens (authorize the Tax Administrator to provide public notice and advertise the 1997 delinquent tax liens during the week of April 12, 1998).

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--City Auto Salvage (Rezoning Case P97-68)

City Auto Salvage will present to the Board of County Commissioners a request to rezone 14.04± acres at 1301 South Miami Boulevard (US 70) on the northeast side of US 70 between Mineral Springs Road and Pleasant Drive (Tax Map 657, Block 1, Lots 1 and 2) Request: R-20 (Residential 20 District) and GC (General Commercial District) to I-2(D) (Light Industrial District with Development Plan). The Community Growth Map in the Durham 2020

Comprehensive Plan, adopted in 1995, shows the requested site as "Suburban Neighborhood" (which includes low intensity industrial uses). The Future Land Use Map in the Durham 2005 Comprehensive Plan (1985) shows the site as suitable for residential use at greater than 6 units per acre. Staff recommends approval because 1) the history of 50 years usage of that site; 2) the fire that destroyed/damaged one of their major buildings; and 3) the desires of the present owners to improve the appearance of the property through buffering, landscaping, and building improvements. No expansion of the use is proposed. The Zoning Committee of the Durham Planning Commission conducted a public hearing on November 11, 1997, and voted 7-0 to recommend approval.

Due to time constraints at the March 5, 1998 special meeting, this item was continued to the March 23, 1998 Regular Session.

Harold E. Smith, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

7. Case M97-8: Major Special Use Permit For City Auto Salvage

City Auto Salvage is requesting the granting of a Major Special Use Permit to allow for a salvage operation and yard, including the construction/repair to an existing one-story, 13,000-square-foot metal building. The site is located at 1301 South Miami Boulevard (US Highway 70 East) on the northeast side of US 70 between Mineral Springs Road and Pleasant Drive. Tax Map 657-1-1 & 2.

The Board is requested to hold the public hearing and evaluate the evidence presented. Planning staff will make a recommendation after the hearing of this case.

After the hearing, one of these two motions is in order:

Motion A: (Approval With or Without Conditions)--Direct the Planning Director to prepare a decision granting with conditions the use permit in Case M97-8. (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)--Direct the Planning Director to prepare a decision denying the use permit in Case M97-8. (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 the Board's next meeting for action).

Due to time constraints at the March 5, 1998 special meeting, this item was continued to the March 23, 1998 Regular Session.

Harold Smith, Senior Planner, will present the case and answer questions.

County Manager's Recommendation: Hold the public hearing and evaluate the evidence presented.

8. Street Closing: Pleasant Hill Drive (SC97-11)--Mt. Sylvan United Methodist Church

Ron Horvath, representing Mt. Sylvan United Methodist Church, will present to the Board of County Commissioners a request to consider permanently closing 14,447± square feet of Pleasant Hill Drive, west of Roxboro Road and south of Midland Avenue to allow for the construction of a 12,500±-square-foot sanctuary, 5,000±-square-foot office building, and parking adjacent to its existing facility. Only that portion of the road directly adjoining the church property is proposed to be closed, not the portion with existing homes along it.

Dick Hails, Planning Manager, Durham City/County Planning Department, will be present to answer any questions of staff regarding the request.

County Manager's Recommendation: Hold the hearing and approve the request to permanently close the 14,447±-square-foot portion of Pleasant Hill Drive.

9. Holding the 1998-99 Consolidated Action Plan Draft Public Hearing

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 Citizens Participation Plan for use with the Consolidated Plan requires that two public hearing be held at times and locations convenient to local beneficiaries of the program prior to the submission of the Consolidated Action Plan to HUD. The purpose of the first public hearing is to receive citizen comments pertaining to HOME program needs in Durham. A "needs" public hearing was held by the Board of County Commissioners at its January 26 meeting and by the City Council at its February 2 meeting. No citizens spoke at the Board of County Commissioners' "needs" public hearing. The purpose of this second public hearing is to receive citizen comments on the Consolidated Action Plan Draft (following a 30-day public review period, February 18-March 20, 1998). Planning staff has simultaneously requested that the City Council hold its Consolidated Action Plan Draft public hearing on April 6, 1998.

Paul Norby, Director of the City-County Planning Department, has reviewed the request and recommends that the County's 1998-99 Consolidated Action Plan Draft public hearing be held on March 23, 1998. Michael Pullum, Senior Planner, will attend the meeting to answer questions.

County Manager's Recommendation: Hold the 1998-99 Consolidated Action Plan Draft public hearing on March 23, 1998 to receive citizen comments on the Plan and to refer them to staff.

10. Case M97-5: Major Special Use Permit for Waste Industries, Phase II

Waste Industries Inc. is requesting the granting of a Major Special Use Permit to allow for a 7,705-square-foot solid waste transfer station, a 9,350-square-foot recycling center, and a 275-square-foot office. The site is located on Stone Road, west of Angier Avenue and east of the East-West Freeway (NC 147). Tax Map 641-2-51.

The Board of County Commissioners, at its March 5, 1998 meeting, directed the Planning Director to prepare a decision denying the use permit in Case M97-5.

Clay Shepherd, Durham City/County Planning Department, will be present to present this item.

County Manager's Recommendation: Review the order affirming the Board's action of denying the requested use permit in Case M97-5.

11. Major Special Use Permit For BellSouth Mobility DCS--Kemp Road Site

BellSouth Mobility DCS is requesting the granting of a Major Special Use Permit to allow for the construction and operation of a 250-foot lattice telecommunications structure and associated equipment compound. The site is located on the south side of NC 98 and east of Kemp Road. (Tax Map 968-01-001)

The Commissioners, at their March 5, 1998 meeting, directed the Planning Director to prepare a decision granting with conditions the use permit in Case M97-10.

Steve Medlin, Senior Planner, will present the order and answer questions.

County Manager's Recommendation: Approve the order granting the Major Special Use Permit with conditions.

12. Major Site Plan Approval for the Foxridge Apartments

National Housing Corporation is requesting the approval of a Major Site Plan for Foxridge Apartments to allow for the construction of a 92-unit apartment complex with amenity areas on 11.91 acres, zoned RM-8 (Multifamily Residential). The site is located on the north side of Page Road, west of Page Road Extension and south of US Highway 70. (Tax Map 649-2-4)

Steve Medlin, Senior Planner, will present the case and answer questions.

County Manager's Recommendation: Recommend approval of the site plan.

13. Purchase of Computers for Library Government Information Access System: Public Internet Access Project

The Board is requested to authorize the Library to purchase 20 personal computers from CompuCom for the Library Government Information Access System: Public Internet Access Project for a total amount not to exceed \$37,660. The computers requested will be located at all Durham County Library System locations.

On Monday, October 13, 1997, the Commissioners approved the Library Government Information Access System: Public Internet Access Project as part of the consent agenda for PAYG projects, with an approved budget for the entire project of \$350,000. The Durham County Library will be receiving a grant from the North Carolina State Library in the amount of \$50,000 towards the cost of the public Internet workstations needed for this project. The deadline for submission of final records to the state under this grant is April 15, 1998.

The Library has worked with appropriate IS staff to develop a configuration and recommendation for this purchase. The recommendation is to purchase from CompuCom--the vendor with the state contract for IBM personal computers; the term contract number is 250-15. The computer purchase will include the following components: central processing unit, keyboard, mouse, monitor, and CD-ROM player, as well as extended three-year on-site maintenance. For cost and availability reasons, modems and printers will be purchased from another vendor.

When this purchase was brought before the Commissioners on Monday, March 9, 1998 for approval, questions were raised and Library staff were asked to respond to Commissioner concerns. A memorandum was sent from Perry Dixon, Director of Durham County Information Services Department, to County Manager David F. Thompson answering Commissioner questions on this purchase. Also included in his memorandum is a comparison with quotes from three other vendors for the same configuration.

County Manager's Recommendation: Authorize the Library to purchase 20 personal computers for the Public Internet Access Project from CompuCom for an amount not to exceed \$37,660.

14. Amendments to Work First Plan

The amendments were approved by the Work First Planning Committee on March 17 and have also been approved by the Social Services Board for inclusion in Durham County's FY 1998-2000 plan. These amendments are recommended for approval by the Durham County Board of Commissioners.

15. Development Review Fee Adjustments

Development review fees for the County and City were revised last July. Several minor adjustments are proposed at this time. The first is an increase in Re-review Fees for all types of development review cases to provide an increased incentive to receive complete and accurate review applications. This will speed up the processing of those applications and make the best use of staff review time. The request is the result of several recent educational sessions held by staff with the development community, where the need for good quality applications was discussed in detail. The second change is to increase the fee for "Site Plan, Residential Other" (e.g. multifamily residential projects) to be more consistent with the other fees, most of which had significant increases last July. Planning staff recommends the adoption of the resolution to implement these fee increases effective 30 days after adoption.

Dick Hails, Planning Manager of the City-County Planning Department, will be present at the meeting to answer any questions of staff.

County Manager's Recommendation: Adopt the resolution entitled, "Resolution Establishing Fees For Zoning and Development Reviews and Consideration."

16. Board Appointments

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

- Area Mental Health Board
- Environmental Affairs Board

17. **Approval to Contract with TCS America for Year 2000 Program Services**

The Board is requested to authorize the County Manager to enter into a contract with Tata Consultancy Services of America (TCS) in an amount not to exceed \$355,000 to purchase programming services to convert 453 Data General (DG) computer programs and 349 data files to the IBM AS/400 computer and to make them Year 2000 date compliant. As the funding for this project has been a part of the PAYG, the Board is also asked to approve the appropriation of this funding. The PAYG schedule presented to the Board in October 1997 included funding for this project at a \$1.2M level from 1997 through 1999. It is now anticipated that the entire Year 2000 Compliance project will approximate \$600k, or a \$600k reduction in the originally anticipated costs.

This project is part of the Information Services Technology Plan that includes elimination of the DG computer platform. The Year 2000/Data General Project Description describes this project and its relationship to the IS Year 2000 Technology Plan.

The Information Services Department has established an ambitious schedule to make all non-package programs date-compliant on our DG, IBM AS/400, IBM ES/9000, and client/server computer platforms. All programming must be completed and all systems must be tested and ready to use by January 1, 2000. Our plan is to have all legacy systems ready for testing and implementation by early 1999 to allow time for testing and implementing package systems. We plan to correct the AS/400, ES/9000, and client/server programs internally. However, the DG computer has the largest inventory of programs which must be made date compliant. Working with functional users, we determined that most of the 1950 DG programs are either obsolete or are going to be supported by the state, leaving 453 which must be made compliant.

Considering the impact these applications have upon County services to citizens, the selection of the appropriate company to undertake this task was critical. Demonstrated technical expertise and ability to perform in the required time were most important in evaluating a potential service provider. Therefore, a comprehensive qualifications process was employed. The contract has been under review by the County Attorney with anticipated completion by March 23, 1998.

Perry Dixon, Director of Information Services, recommends approval of contracting with TCS. Sandra Phillips, Director of Purchasing, has reviewed the process employed in vendor selection and recommends that the Board proceed with this contract. Mr. Dixon and George Garland, Project Manager, will attend this meeting to answer any questions.

County Manager's Recommendation:

1. Appropriate the \$355,000 funding from PAYG. The Budget Director has reviewed the request for funding and has verified that sufficient unappropriated CIP funds are available.
2. Authorize the County Manager to enter into a contract with TCS America in an amount not to exceed \$355,000 for the conversion of programs from the Data General to AS400 computer.