

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

Monday, November 23, 1998

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**—Pledge of Allegiance
2. **Agenda Adjustments**
3. **Consent Agenda**

- a. 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.

4. **Presentation and Comments by SunShares Recycling Inc. (Tidewater Fibre Corporation)**

Ms. Abrilla Robinson, Executive Director for SunShares Recycling Inc., recently acquired by Tidewater Fibre Corporation of Norfolk Virginia, requests the opportunity for a SunShares representative to address the Durham County Board of Commissioners. SunShares Board of Directors and staff wish to express their appreciation for Durham County's support and recycling efforts over the past six years.

Resource Person(s): A representative from SunShares will address the Board.

5. **A Public Hearing on Zoning Ordinance Amendment TC79-98 Criteria for Granting Use Permits**

Conduct the public hearing and consider the amendment. This proposal resulted from suggestions by the Attorney's Office and Board of Adjustment to amend the criteria for granting use permits. These changes are primarily technical in nature. They will improve Zoning Ordinance clarity, enable a stronger defense from legal challenges, and improve the efficiency of the ordinance.

Resource Persons: Lowell Siler and Bonnie Estes

County Manager's Recommendation: Adoption of the amendment to the Zoning Ordinance identified as TC79-98.

6. **Public Hearing--Brier Creek Associates, LP (Rezoning Case P98-43)**

P98-43 (Brier Creek Associates, LP) was deferred by the Board on October 26 for the applicant to submit a development plan. Because of a scheduling hardship on the project, the applicant declines to attach a development plan to the rezoning because of the additional time required to prepare and process a new development plan with this rezoning request.

Staff supports the original request without the development plan because the site does not impact sensitive environmental resources or neighborhoods on or adjacent to the site. In addition, major development of this type is underway adjoining this site in Wake County and along Chin Page Road in Durham County.

This use is felt to be generally compatible with the land uses called for in the 2020 Plan and the Triangle Township Plan. This rezoning does not conform to the exact provisions of the 2020 Plan and Triangle Township Plan. The rezoning is considered to be a minor deviation from the provisions of these plans,

particularly due to the large amount of industrial land uses called for in the Triangle Township Plan adjacent to this site. It also fits well with recent development trends in this area since these plans were adopted.

Gail Sherron, Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

7. **Durham County Teen Court and Restitution Program**

Durham County Teen Court and Restitution Program requests approval of \$20,000 in intergovernmental revenues. The Sunshine Lady Foundation awarded \$20,000 to Teen Court and Restitution with Durham County being the fiscal agent.

The Sunshine Lady Foundation exists solely due to the generosity of Mrs. Doris Buffett Bryant. Mrs. Bryant decided to give away her \$10 million fortune thereby creating The Sunshine Lady Foundation. Mrs. Bryant chose acquaintances from her address book she called "sunbeams" to become good will agents. Each good will agent agreed to give away \$10,000 of her money. The Foundation has given donations to community centers, elementary schools, rape crisis intervention agencies, cancer patients, a family with a physically challenged child, and provided scholarships for 48 youngsters to attend college.

The Sunshine Lady Foundation continues to receive and grant funding requests. Jane Volland read the article in the Durham Herald Sun Newspaper and responded.

Teen Court is designed to provide middle and high school students with an alternative system of justice that will increase their understanding of the legal system and allow positive peer pressure to operate as an effective deterrent to delinquent and criminal behavior. The Durham County Restitution Program is a centralized program that holds certain offenders accountable by placing them in supervised community service work projects and monitors compliance.

Fiscal note: No subsequent year impact is anticipated from this amendment.

Jane Volland with Durham County Teen Court and Restitution Program will be the contact person for this amendment.

County Manager's Recommendation: Approval of budget amendment No 99BCC000018 as submitted.

8. **Youth Coordinating Board Report**

A group of ten County and City representatives (Commission Chairman MaryAnn E. Black, Commission Vice-Chairman Ellen Reckhow, Commissioner Becky Heron, Chief District Court Judge Ken Titus, Mayor Pro Tem Howard Clement, School Board Chairwoman Kathryn Meyers, Dr. Donna-Marie Winn, Deputy County Manager Michael Palmer, Assistant City Manager Greg Bethea, and Youth Coordinating Board Director Anita Daniels) went to Minneapolis, Minnesota November 5-6 to meet with elected officials and staff from the Minneapolis Youth Coordinating Board. Anita Daniels will present findings (similarities and differences) between the two programs relative to structure, funding, programming, etc.

County Manager's Recommendation: No action is required at this time as this is for informational purposes only.

9. **Department of Social Services Carolina Access Initiative**

Carolina Access is a program implemented by the NC Department of Human Resources to develop more efficient arrangements for delivering and coordinating health care for Medicaid recipients. Carolina Access seeks to demonstrate that those who pay for services can, by coordinating the delivery of services, control costs while improving access to quality health care for Medicaid recipients. The Access program has been in existence in Durham County since April 1991. A new care management phase of Carolina Access called Access II is being implemented in Durham County. As a part of this implementation, the Department of Social Services is requesting four new social worker positions to be part of an interdisciplinary Care

Management Team. The Team will identify at-risk members of the Durham Carolina Access population who are enrolled in one of Durham's three Carolina Access primary care practices (Lincoln Community Health Center, Duke Family Medicine, and Duke Pediatrics). This identification will take place through the use of a brief health status survey that will be administered at the DSS. Risk factors include trigger diagnoses and medications as well as other factors such as frequency of health care utilization. The goal of Team interventions will be to positively impact the use of health care services among at-risk individuals. The four social workers will be housed at the Duke Pediatrics offices on Hillandale Road. The total costs associated with salary and benefits for these positions is \$84,747 for the remainder of this fiscal year (December 01, 1998 - June 30, 1999). The estimated annualized cost for these positions is \$145,280. There are no County dollars associated with these position costs. Arnold Dennis and Dan Hudgins will be available as DSS resource persons for this item.

County Manager's Recommendation: Approve the request for four new social workers for the new care management phase of Carolina Access. Dan Hudgins, Director of the Department of Social Services, has confirmed that these four new positions will not be paid with local dollars. Fifty (50%) percent of these funds will come from Federal Medicaid funds not currently received and the other fifty (50%) percent will come from new North Carolina Foundation for Advanced Health Programs funding.

10. **Recommendation to Adjust Hours of Operation for County Convenience Centers**

The Department of General Services requests BOCC approval to reduce the hours of operation at the County's residential convenience centers located in Parkwood, Bahama, Redwood, and Rougement from 7 days a week to 6 days a week. The current hours of operation at all convenience centers are Monday through Saturday from 7:00 a.m. until 7:00 p.m. and Sunday from 1:00 p.m. until 7:00 p.m.

This recommendation comes as a result of difficulties we are experiencing with the volume of residential waste at the County's convenience centers. The problem began when the City of Durham closed its landfill and began to transfer solid waste out-of-state. Prior to the transfer station opening, the landfill was open all day on Saturday. This allowed the County to empty twelve 40-cubic-yard open-top containers from the convenience centers late Saturday afternoon to accommodate Sunday's waste. When the City landfill closed and the new transfer station opened on January 1, 1998, the City reduced its hours of operation and now closes at 12:00 noon. This reduction in hours of operation allows the City sufficient time to load all waste delivered Saturday morning for a contractor to transport out of County. This is necessary because the North Carolina Department of Environment and Natural Resources (NCDENR) will not allow the City to leave waste on the ground or at the transfer station overnight. By not dumping the County boxes late Saturday afternoon, the boxes are half full when we close at 7:00 p.m. When the site opens on Sunday at 1:00 p.m., the boxes quickly fill up and trash overflows onto the ground. On Monday mornings, after BFI empties the boxes, General Services Solid Waste and Litter Control staff spend approximately 5 hours with inmates picking up the overflow of waste by hand and loading it into the boxes.

Closing the four convenience centers 52 Sundays a year will result in a estimated savings of \$20,959.20 per year verses \$3,404.00 to rent and set up 9 additional 40-cubic-yard boxes.

Michael Turner, Director of General Services will present this item.

County Manager's Recommendation: The current situation needs to be addressed since it is a violation of NCDENR regulations to leave trash on the ground, and the County is wasting resources by having General Services' employees clean up these sites. The Board must make a decision as to whether it wishes to continue the Sunday convenience site hours or continue to incur the current costs plus a minimum of \$3,404 to rent additional boxes. The Manager brings this to the Board's attention, even though the dollar costs are low, because he is concerned about the current inequities of this system and wishes to be cautious in expending any additional funds. Based on the cost savings and concerns over expanding this service, he concurs with staff's recommendation, but it is a Board decision as to the level of service the County will provide at these sites.

11. **Board Discussion on the Proposed Durham Northwest and Northeast Loop Corridor (Eno Loop)**

Chairman MaryAnn Black is requesting that the Board discuss an appropriate response to NCDOT Secretary E. Norris Tolson's outstanding request for County Commission input on the referenced corridor.

12. **Closed Session: Potential Relocation of Business**

The Board of County Commissioners will go into Closed Session to discuss the potential relocation of a business to Durham County pursuant to North Carolina General Statute 143-318.11(a)(4).