

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

Monday, April 23, 2001

AGENDA

1. **Opening of Regular Session** Pledge of Allegiance

2. **Agenda Adjustments**

Directive: Commissioner Reckhow asked that the "Directives" list be reinstated.

3. **Minutes**

- a. a. February 5, 2001 Worksession
b. b. February 26, 2001 Regular Session

***Commissioner Heron moved, seconded by Commissioner Reckhow, to
approve the Minutes as corrected.***

The motion carried unanimously.

4. **Resolution for William A. Clement**

William A Clement, a longtime executive of North Carolina Mutual Life Insurance Company and husband of former County Commissioner Josephine Dobbs Clement, died on March 24, 2001. A resolution has been prepared honoring his life, accomplishments, and the extraordinary service he generously rendered to this community.

County Manager's Recommendation: Approve the resolution and present to the family of Mr. Clement.

Chairman Black read the resolution. Mayor Pro Tem Howard Clement III, accepting the resolution for the family, was delayed in receiving the resolution by the reception for Coach K and the Duke University Men's Basketball team.

5. **Resolution Honoring Kimberly Rogers, Miss N. C. Teen All-American**

A resolution has been prepared honoring Miss Kimberly Rogers, a Southern High School senior. She was crowned Miss N. C. Teen All-American in January. Later this year, she will represent the state at the national pageant in Miami, Florida.

County Manager's Recommendation: Approve the resolution and present to Miss Rogers along with sincere congratulations from the Board.

Chairman Black read the resolution and presented it to Ms. Rogers. Ms. Rogers accepted and thanked the Commissioners.

6. **6. Proclamation Recognizing National County Government Week"**

A proclamation naming the week of April 22 ? 28, 2001 as National County Government Week" has been prepared for the Board's approval.

County Manager's Recommendation: Approve the requested proclamation.

The Proclamation was read into the Minutes.

6a. April is Child Abuse Prevention Month

A proclamation naming the month of April as Child Abuse Prevention Month has been prepared for the Board's approval.

In 1982, President Ronald Reagan declared by Presidential Proclamation that April is Child Abuse Prevention Month. Since that time, child abuse prevention awareness activities have been promoted across the United States during April.

In the spring of 1989, a Virginia grandmother began the Blue Ribbon Campaign as a tribute to her three-year-old grandson who died at the hands of his mother's abusive boyfriend. Since that time, concerned citizens all over the country have worn the blue ribbon as a symbol of the need to prevent child abuse and neglect. Bonnie sends this message: The blue ribbon serves as a constant reminder to fight for protection for our children, our most precious gift of all. Please wear a blue ribbon . . . and tell them my story. You may save a child's life." The Blue Ribbon Campaign is gaining momentum nationally. It is one way that everyone in a community can play a role in child abuse prevention. Thousands across the nation respond to this challenge each year in April.

Resource Person: Dan Hudgins, Director, Durham County Department of Social Services

County Manager's Recommendation: Approve the requested proclamation.

Commissioner Bowser read the proclamation into the Minutes.

7. Public Hearing on the 2001-2002 Consolidated Action Plan Draft Adoption

The City of Durham Department of Housing and Community Development requests that the Board of County Commissioners hold the 2001-2002 Consolidated Action Plan Draft public hearing to receive comments and adopt the plan for submission to the Department of Housing and Urban Development (HUD).

The adopted Citizen Participation Plan requires that two public hearings be held prior to submission of the Consolidated Action Plan to HUD. The purpose of the first public hearing is to receive comments pertaining to HOME program needs in Durham. The Board of County Commissioners "needs" public hearing was held on February 12, 2001. Comments were received from three citizens. The City Council needs" public hearing was held on February 5, 2001. The purpose of the second public hearing is to receive comments on the Consolidated Action Plan Draft.

The Department of Housing and Community Development requested that the Board of County Commissioners hold its Consolidated Action Plan Draft public hearing on April 23, 2001. The Department of Housing and Community Development requested that the City Council hold its Consolidated Action Plan Draft public hearing on April 16, 2001. Recommendations and editing

comments received during the 30-day public review period (March 12, 2001 through April 12, 2001) will be included in the final version of the 2001-2002 Consolidated Action Plan. The Consolidated Action Plan makes general HOME program funding allocations.

Charlene Montford, Director of the City of Durham Department of Housing and Community Development, has reviewed this request and recommends that the Board of County Commissioners hold the 2001-2002 Consolidated Action Plan Draft public hearing and adopt the Plan for submission to the Department of Housing and Urban Development (HUD).

Resource Person(s): Michael Pullum, Senior Planner, will attend the meeting to answer questions.

County Manager's Recommendation: Hold the 2001-2002 Consolidated Action Plan Draft public hearing and adopt the plan for submission to the Department of Housing and Urban Development (HUD).

Chairman Black directed that the board include members from outside the city limits. The Clerk to the Board advised that positions are being advertised.

Commissioner Reckhow stated she could not vote to approve the plan as presented.

Commissioner Bowser asked that the plan include poor persons outside the city limits.

At the advice of the County Attorney, Chairman Black called for the public hearing to be held tonight and continued at the May 7 Worksession (to meet the May 15 deadline for receipt of the plan in Washington, DC).

Chairman Black opened the public hearing. The speakers signed were Shirley Strobal, Bettye Pennick, Jane Spanel (gave her time to Mrs. Strobal), Susan Deter, Kathy Winn, Barbara Smith, Nancye Bryan, Ruby Norris, Mary Carson, Florence Benson, and Ralph McKinney.

Chairman Black continued the Worksession until the May 7 Worksession. She asked that the item be placed early on the agenda as Commissioner Reckhow must leave that meeting before its end.

Commissioner Heron spoke of her concern for funding of the counselor/supervisor position especially since The Durham Center is one of highest funded mental health departments in the state.

Directive: Chairman Black asked Mr. Jack Ramsey of The Durham Center to provide a letter to the Board speaking to funding for a counselor/supervisor for the 12-unit independent living apartment complex.

8. Public Hearing on Permanently Closing 486 Linear Feet of Alston Avenue on the Westside of Hopson Road

On April 9, 2001, the Board adopted a resolution declaring the intent of the Board of County Commissioners to consider permanently closing 486± linear feet (.65 acre) of Alston Avenue on the

west side of Hopson Road, south of Alexander Drive (Tax Map 543, PIN 0737), and set a public hearing for April 23, 2001, to consider permanently closing 486± linear feet of Alston Avenue on the west side of Hopson Road south of Alexander Drive.

The Durham City-County Planning Department requests that the Board of County Commissioners:

1. Hold a public hearing to receive citizen comments on the proposed closing of 486± linear feet of Alston Avenue; and
2. Consider permanently closing 486± linear feet of Alston Avenue on the west side of Hopson Road south of Alexander Drive.

Resource Person(s): Dick Hails, Assistant Director for Development Management, Durham City-County Planning Department

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners hold the public hearing and consider permanently closing 486± linear feet (.65 acre) of Alston Avenue.

Chairman Black opened the public hearing.

Ms. Alesia Alphin, attorney, spoke on behalf of Intelligent Information Systems.

Chairman Black closed the public hearing.

Commissioner Heron moved, seconded by Commissioner Reckhow, to approve permanently closing 486± linear feet of Alston Avenue.

The motion carried unanimously.

9. **Public Hearing K. Dan McKittrick, Applicant (Rezoning Case P00-87)**

K. Dan McKittrick will present to the Board of County Commissioners a request to rezone 23.98 acres located at 7601 and 7721 Herndon Road, PIN #0727-01-08-7357; Tax Map 533-01-3; Request: RD (F/J-B) to PDR 2.25 (F/J-B). The proposal is in general conformance with the adopted small area plan and 2020 Plan, and the Area C Draft I-40/NC 54 Corridor Study. The rezoning supports low-density residential development (up to 4 units per acre). Staff recommends approval. The Zoning Committee of the Durham Planning Commission conducted public hearings on January 23, 2001 and March 13, 2001, and voted 6-1 to recommend denial.

Case Planner: Cassandre Haynesworth

The public hearing for this request was advertised on April 6 and April 13, 2001 in the Durham Herald-Sun.

Resource Person(s): Sheila Stains-Ramp, Planning Supervisor, and Dick Hails, Assistant Director

County Manager's Recommendation: The Manager's recommendation is that the Board conduct the public hearing and approve the rezoning, if appropriate based on public comment.

Chairman Black opened the public hearing.

Speakers were Tony Tate and Bill Ripley.

Chairman Black closed the public hearing.

Commissioner Heron moved, seconded by Commissioner Bowser, to delay action on this item until the May 14 Regular Session.

The motion carried unanimously.

10. **Preliminary Resolution for Bond Issue**

The Board of Commissioners is requested to adopt a preliminary resolution for the bond issue in November. This resolution is the first official step taken in potentially calling for a vote on proposed bonds. The resolution will be drafted following the Board's meeting on Friday, April 20, 2001, since the exact projects which will be included will not be known until then.

Resource Person(s): S. C. Kitchen, County Attorney

County Manager's Recommendation: Approve the Preliminary Bond Resolution to start the process of calling for a bond referendum in November.

Directive: Send a letter to the Planning Director informing him that the Board has set aside moneys available to be spent on open space (with copies to be sent to members of the Open Space Commission).

The County Manager stated he would do so.

Commissioner Reckhow moved, seconded by Commissioner Bowser, to adopt a preliminary resolution for the bond issue in November with specifications on page 3 of 4.15 cents.

The motion carried unanimously.

11. **Board Appointments Durham County Hospital Corporation Board of Trustees**

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots to make appointments to the Durham County Hospital Corporation Board of Trustees.

12. **Closed Session**

The Board of Commissioners is requested to adjourn to closed session to consider the performance of a public officer pursuant to G. S. § 143-318.11(a)(6).

Commissioner Heron moved, seconded by Commissioner Reckhow, to adjourn into Closed Session to consider the performance of a public officer pursuant to G. S. § 143-318.11(a)(6).

The motion carried unanimously.

The Commissioners adjourned into Closed Session at 9:30 p.m.