

# THE BOARD OF COUNTY COMMISSIONERS

## DURHAM, NORTH CAROLINA

Monday, May 10, 1999

7:00 P.M. Regular Session

### AGENDA

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

2. **Agenda Adjustments**

3. **Minutes**

- a. April 7, 1999 Worksession
- b. April 12, 1999 BOCC/Library Board of Trustees

4. **Resolution Honoring the Life of Dr. Tyronza E. Richmond**

Staff has prepared a resolution honoring the life of former North Carolina Central University Chancellor Dr. Tyronza R. Richmond. Dr. Richmond is remembered for numerous outstanding contributions to the Durham community.

County Manager's Recommendation: Approve the resolution and present to members of the Richmond family.

5. **Recognition of Maj. C. Wesley Crabtree on Graduating from the FBI National Academy**

Maj. C. Wesley Crabtree, a 19-year veteran of the Durham County Sheriff's Office, graduated from the FBI National Academy on March 26. He is the first member of this agency to attend the National Academy.

Maj. Crabtree, along with 268 law enforcement officers, graduated from the FBI National Academy Program at Quantico, Virginia. The 196 session of the National Academy consisted of men and women from 49 states and the District of Columbia, Puerto Rico, U.S. Virgin Islands, 23 international countries, five military organizations, and three federal civilian organizations.

Internationally known for its academic excellence, the National Academy Program offers 11 weeks of advanced investigative, management, and fitness training for selected officers having a proven record as a professional within his or her agency. On average, the officers have 18 years of law enforcement experience and usually return to their agencies to serve in executive level positions.

Training is provided by FBI Academy instructional staff, special agents, and other staff members holding advanced degrees, many of whom are recognized internationally in their field of expertise. Since 1972, National Academy students have been able to earn undergraduate and graduate credits from the University of Virginia due to the accreditation by the University of many courses offered.

County Manager's Recommendation: Congratulate Maj. C. Wesley Crabtree for becoming the first member of the Durham County Office of the Sheriff to graduate from the FBI National Academy. Sheriff Worth Hill will be prepared to make comments on this accomplishment.

6. **Proclamation Recognizing Emergency Medical Services Week**

A proclamation recognizing the week of May 16-23 as "Emergency Medical Services Week" has been prepared for the Board's approval. Durham County Emergency Medical Services providers will recognize the efforts of their employees and provide a center-court display of EMS services and equipment at Northgate Mall from May 21-23. All Durham County residents are encouraged to visit with our employees during this time.

The EMS Director, Mickey Tezai, requests this proclamation.

## **7. Consent Agenda**

- a. Juvenile Crime Prevention (appoint James Hardin Jr., District Attorney, to the District Attorney's position on the Juvenile Crime Prevention Council);
- b. Increase the operating budget of General Services to cover unanticipated maintenance and repair needs in various County buildings (approve transfer of \$42,488 across functional level and \$28,603 transfer from the contingency fund to the General Services Department);
- c. Budget amendment to reduce special revenue fund budget (approve budget amendment to make a \$291,990 budget reduction in the special revenue fund. The amendment is needed to adjust expenses and revenues for fire districts and emergency telephone fund);
- d. Funding of communications strategy for City/County merger process (approve the expenditure of \$9,700 representing one half of the total budget of the Awareness-Communications Campaign. Upon approval, this amount will be covered with funds currently in my operations budget with the balance to be included in my Manager's recommended budget for FY 1999-2000);
- e. Wastewater Treatment Plant design contract—Phase I (authorize the County Manager to enter into a contract with McKim and Creed for the Phase I improvements at a cost not to exceed \$780,000); and
- f. Automation project for Register of Deeds Office (following the Register of Deeds automation strategy endorsed by the Board of County Commissioners at the April 7, 1999 Worksession, authorize the County Manager to enter into a contract with Office Furniture Innovations in an amount of \$48,177.00 to provide Office Modular Workstations as per IFB #99-036. I would like to commend the staff for their hard work and success in bringing the entire project cost under the approved funding amount, thus providing the citizens of Durham County with substantial savings of \$114,323.60).

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.

## **8. Public Hearing--Development Ordinance Amendments for Tree Protection and Disturbance**

Durham's elected officials have recently become concerned about the amount of tree cover that is lost to new development, the threat to water quality, and the amount of sedimentation and erosion associated with mass grading activities. The Joint City-County Planning Committee worked for several months to identify appropriate public policies to address these issues. The committee reviewed regulatory approaches to achieving those policies and directed the Planning Staff to prepare necessary amendments to City and County development ordinances. This past fall, the Committee convened a citizens advisory group to review the proposed amendments and to offer comments. In March, the Zoning Committee of the Durham Planning Commission recommended adoption of a slightly modified version. The two proposed ordinance amendments are now before the City Council and Board of County Commissioners for their consideration and action.

The proposed amendments revise the Durham Zoning Ordinance and the Durham Merged Subdivision Ordinance. They set new standards for trees as an integral component of new development. They require for the first time street trees in new residential developments. The proposed amendments require that a portion of all new development sites be tree covered and that developers survey the

location of significant trees as part of the development design process. They require protection of tree root zones to ensure long-term survival. The proposed amendments also establish stronger penalties for destroying valuable trees. They also require a buffer of trees around sites subjected to extensive grading.

Jane Korest and Keith Luck from the Planning Department will make a presentation before the public hearing and respond to questions.

County Manager's Recommendation: Conduct a public hearing and adopt the ordinances related to Tree Protection and Land Disturbance, referred to as Public Review Draft 4 and dated April 26, 1999.

#### **9. Discussion of Borden Bocoock Commercial Real Estate (Rezoning Case P98-33)**

Borden Bocoock Commercial Real Estate will present to the Board of County Commissioners a request to rezone 42.146 acres at Leigh Farm Road, northeast corner of NC Hwy. 54 and I-40. (TM 485-1-10,10A,11,12,13,23, 23A; 487-1-1,2,3,4A; 488-1-7)Request: R-20 (Residential 20) to OI-1(D) (Transitional Office and Institutional District and OI-2(D) (General Office and Institutional District); F/J-B and MTC. The 2020 Plan supports Suburban Neighborhood uses. The Southwest Durham Plan Future Land Use Map shows office use for the southern two-thirds of this site and low density residential for the remaining northern third of this site. Staff recommends denial. The Zoning Committee of the Durham Planning Commission conducted a public hearing on February 9, 1999, and voted 6-1 to recommend approval.

This request was continued from the April 26, 1999 Board of County Commissioners meeting.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, will be present to answer any questions of staff regarding the request.

#### **10. Board Appointments—Durham County Hospital Corporation Board of Trustees**

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