

**THE BOARD OF COUNTY COMMISSIONERS**

**DURHAM, NORTH CAROLINA**

Monday, April 12, 1999

**AGENDA**

6:00 P.M. – 6:30 P.M.

**Board of County Commissioners and Library Board of Trustees**

**Joint Meeting**

**Presentation of Proposed Library Regional Plan**

In accordance with the by-laws of the Library Board of Trustees, Robert Otterbourg, Chairman of the Library Board, and Bessie Carrington, Vice Chairman, will present and recommend to the Board of Commissioners a plan for regional library services and facilities. The presentation will kick off a series of community meetings to solicit citizen input regarding library service and facility development.

The Board of Commissioners is requested to receive the report and make comments. Other Library Board members and the Library Director will be present to respond to questions.

County Manager's Recommendation: That the Board of Commissioners receive the report from the Durham County Library Board of Trustees and make comments.

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7:00 P.M. Regular Session

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

2. **Agenda Adjustments**

3. **Minutes**

- a. March 8, 1999 BOCC/Durham County Legislative Delegation
- b. March 8, 1999 Space Needs Analysis and Facility Master Plan
- c. March 8, 1999 Regular Session
- d. January 25, 1999 Regular Session

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

A proclamation, naming the week of April 18-24 as "National County Government Week," has been prepared for the Board's approval.

County Manager's Recommendation: Approve the requested proclamation.

5. **Proclamation Recognizing "Litter Sweep 1999"**

A proclamation, recognizing April 17-30 as "Litter Sweep 1999," has been prepared for the Board's approval.

County Manager's Recommendation: Approve the requested proclamation.

**6. Consent Agenda**

- a. Camera Television Production System for the BOCC Chambers (declare the existing video equipment surplus and authorize the County Manager for the trade-in. Authorize the County Manager to enter into a contract with Quail Video Products of Raleigh not to exceed \$34,992 per Invitation for

Bid #99-032);

- b. Street annexation petitions—Blazing Star Lane and Indian Pipe Trail (adopt resolutions to approve the addition of the above named streets to the State’s road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation);
- c. Standard Non-Reimbursable Utility Contract for Extension or Upgrade of the County Sanitary Sewer System (authorize the County Manager to execute

Non-Reimbursable Utility Contracts with Petula Associates, Keystone Corporation, Audubon Park LLC, Perfect Corporation, and Parker Lincoln Developers for extension and upgrade of the County sanitary sewer system);

- d. 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);
- e. Application—Public School Building Capital Fund—Durham Public Schools (the Durham Public Schools Board of Education requests approval for the release of funds totaling \$1,050,000 from the Public School Building Capital Fund for Hope Valley Elementary School);
- f. Application—Public School Building Capital Fund—Durham Public Schools (the Durham Public Schools Board of Education requests approval for the release of funds totaling \$75,000 from the Public School Building Capital Fund for C.C. Spaulding Elementary School); and
- g. Appoint the following applicants to the Durham Workforce Development Board for a two-year term:

<b><u>Category</u></b>	<b><u>Name</u></b>	<b><u>Organization/Position</u></b>	<b><u>Residence</u></b>
Private Sector	Mark Coleman	Midway Airlines, VP Sales & Marketing	Durham
Private Sector	Dave Grinnell	SignalDesign, VicePresident	Durham
Public Assistance	Dan Hudgins	Director of Social Services	Durham
Rehabilitation Agency	Jessie Pickett Williams	Director of Vocational Rehabilitation	Durham
Community Based Org.	Frank Johnson	Operation Breakthrough	Durham
Community Based Org.	Nancy Bernstein	Executive DirectorofDurhamWorkforce	Durham

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.

**7. Declaration of Surplus Property—0.13 Acre of Unused Hillandale Elementary School Land**

The Durham Public Schools Board of Education has declared surplus real property comprising a 0.13 acre of unused Hillandale Elementary School land located at the rear of the property adjacent to Guess Road.

The North Carolina Department of Transportation has requested this land for a right-of-way to accommodate the planned improvements to Guess Road. An offer of \$8,125 has been received from NCDOT to purchase the 0.13 acre of unused land.

N.C.G.S. 115C-518 mandates that the Board of County Commissioners has the right of first refusal to acquire this property. The Board of Education will not entertain any offer until the Board of County Commissioners has considered its option and has taken formal action.

The Board of Education hereby offers for sale to the Board of County Commissioners the above referenced property.

Michael Mulheirn, Assistant Superintendent for Operations Services, is available to answer questions.

#### **8. Declaration of Surplus Property—9,339 Square Feet of Club Boulevard Elementary School Land**

The Durham Public Schools Board of Education has declared surplus real property comprising 9,339 square feet of Club Boulevard Elementary School land located in the southwest corner of the play field adjacent to Interstate 85 and Club Boulevard.

The North Carolina Department of Transportation has requested this land for a right-of-way to accommodate the planned improvements to Interstate 85. An offer of \$7,000 has been received from NCDOT to purchase the 9,339 square feet of land.

N.C.G.S. 115C-518 mandates that the Board of County Commissioners has the right of first refusal to acquire this property. The Board of Education will not entertain any offer until the Board of County Commissioners has considered its option and has taken formal action.

The Board of Education hereby offers for sale to the Board of County Commissioners the above referenced real property.

Michael Mulheirn, Assistant Superintendent for Operations Services, will be available to answer questions.

#### **9. Authorization for Construction on New Hope Creek Nature Trail**

##### **Background**

Over the past several years, the County has acquired over 220 acres of land using 1986 County Park and Recreation Bonds (over 170 acres of that is in the New Hope Creek Corridor). Many citizen groups have worked over the past year-and-a-half to construct a two-mile nature trail along New Hope Creek in southwestern Durham County, just south of US 15-501. This is the first nature trail in the New Hope Creek Corridor and the first on County-owned property acquired with the 1986 bonds.

##### Analysis

Much of the property in the New Hope Corridor is in the sensitive flood plain area. The staff laid out the trail route to have a minimal impact on the trail site. For the trail to be fully usable year-round, the following professional construction elements are necessary: bridges, boardwalk sections, and culverts. The cost of professional engineering and construction is estimated at \$75,000. In 1998, the County was awarded a grant of \$30,000 by the National Recreational Trails Fund program for this construction to complete the trail; the County must match the money. Another \$8,000 was pledged to the County for work on this trail by the New Hope Audubon Society. The County would spend \$40,000 from 1986 bond funds for the work.

##### Staff recommendation

The staff recommends (1) a standard bid process to award the contract for design and construction of these items; and (2) the use of \$40,000 from the 1986 bond funds as matching money for the federal grant.

Beth Timson, Senior Planner, Durham City-County Planning Department, will be present to answer questions of staff regarding the request.

#### 10. **Public Hearing to Review Ambulance Franchise Renewal and Modification**

In 1982, Durham County adopted a local Ambulance Service Franchise Ordinance in order to monitor the provision of ambulance service in the County. The ordinance requires that all approved operators apply for a franchise renewal every 4 years.

Currently, six franchised operators are due for renewals, and one has requested a modification of their existing franchise in order to expand their business within Durham County.

Lebanon, Bahama, Bethesda, Redwood, and Parkwood Volunteer Fire Departments, and Duke LifeFlight have submitted renewal requests.

In addition, Johnston Ambulance Service has requested that their franchise be modified to allow expansion of service at the Basic Life Support, and Convalescent levels in order to be able to respond to requests from Duke Hospital and others to provide this service. Their current franchise limits them to Basic Life Support service under contract for the VA Medical Center.

The Durham County EMS Director and the Durham County EMS Council, at their meeting on March 18, 1999, reviewed all requests and recommend them for approval.

#### 11. **Four-Year Terms**

As per the County Commission's direction, a public hearing has been scheduled for this meeting to receive citizen comments on four-year terms for the County Commissioners. Included in the agenda package are a copy of the proposed legislation and a summary of the NC County Election Methods—1998, including a listing of terms of office. Staff has also obtained information from NACo on national methods.

Also, the County Commissioners requested that the Public Information Office be aggressive in soliciting participation and input. To this end, the following items are also included in the agenda package:

- Notice of Public Hearing to run prior to meeting.
- WEB Page designed to solicit public input and notice of hearing.
- A script being used for telephone conversations with citizens that attended our Community Forums. It asks for input and also has a notice portion. This is being utilized by Cooperative Extension on our behalf.

Hopefully, based on the above, input will be received prior to the public hearing so it can be distributed to the Board at this meeting.

This agenda has been kept purposely light, as the County Manager cannot anticipate the turnout for this issue.