

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

Monday, November 22, 2004

AGENDA

7:00 P.M. Regular Session

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

2. **Agenda Adjustments**

3. **Minutes**

a. November 1, 2004 Worksession

b. November 8, 2004 Regular Session

4. **Special Presentation to Vice-Chairman Joe W. Bowser and Commissioner Mary D. Jacobs**

This is the final regular Board meeting for Vice-Chairman Joe W. Bowser and Commissioner Mary D. Jacobs. Mr. Bowser joined the Board in December 1996; Dr. Jacobs joined the Board in 2002. In recognition of their visionary leadership, long hours, and dedicated service during their respective tenures, the outgoing Commissioners will be honored with plaques presented by the Board of County Commissioners.

County Manager's Recommendation: The Manager's recommendation is that the Board of County Commissioners present Commissioners Bowser and Jacobs with commemorative plaques in grateful appreciation of their tireless efforts on behalf of all Durham County citizens.

4a. **Recognition of Best Workplaces for Commuters Distinction**

At a celebration on Tuesday, November 16, 2004, the U.S. Environmental Protection Agency and a coalition of local organizations recognized 24 local employers as the Triangle's Best Workplaces for Commuters. To qualify for the distinction, employers must offer a primary benefit such as subsidized bus passes, vanpools, or telecommuting options, in addition to other benefits including onsite amenities like cafeterias, ATMs, and bike racks. Employers must promote alternatives to single-occupancy vehicles and offer an emergency ride home option.

These 24 local employers employ about ten percent of the Triangle's work force, approximately 70,000 workers, and most are located in Research Triangle Park.

Resource Person(s): Ellen W. Reckhow, Chairman

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and extend congratulations to the local organizations achieving the Best Workplaces for Commuters distinction.

5. **Consent Agenda**

a. Property Tax Releases and Refunds for Fiscal Year 2004-05 (accept the report for October 2004 and authorize the Tax Assessor to adjust the tax records as outlined);

b. Budget Ordinance Amendment No. 05BCC000021?The Durham Center?Acceptance and Allocation of Funds from Multiple Small Grants (approve the appropriation of funds for a total of \$13,991);

c. Budget Ordinance Amendment No. 05BCC000022?DSS?Emergency Shelter

- Placements (appropriate funds in the amount of \$41,259 for children who are delinquent or undisciplined);
- d. Capital Project Ordinance Amendment 05CPA000006?Open Space and Farmland Preservation Project (allocate \$400,000 for project DC083 activities);
 - e. Capital Project Ordinance Amendment No. 05CPA000007?Head Start/YMCA Building Purchase (DC081) (allocate funds for the second installment payment (\$181,250) for the purchase of the former YMCA Childcare Center);
 - f. Ambulance Replacement Contract-Bethesda VFD (approve the modified contracts, the \$79,221 bid, and award the contract to Southeastern Emergency Vehicles Inc.);
 - g. North Carolina Department of Transportation Community Transportation Grant (approve the resolution authorizing Durham County Cooperative Extension to submit the FY 2005-2006 Community Transportation Program Grant to NCDOT; \$30,000 will be needed for inclusion in the County?s FY ?05-06 budget to meet local match requirements);
 - h. Purchase of Periodical and Subscription Services (authorize the Manager to enter into a contract with EBSCO Information Services not to exceed \$50,000 with an option to renew the contract for three successive one-year periods); and
 - i. Senior Center Project--Right of Way Dedication and Plat (approve and record in the Durham County Register of Deeds Office).

6. Public Hearing?Closing 328.16 Linear Feet of an Unnamed Street, North of Goodwin Road and West of Laurel Drive (SC03-21)

The Board is requested to hold a public hearing to close permanently 328.16 linear feet of an unnamed street, north of Goodwin Road and west of Laurel Drive.

Resource Person(s): Frank M. Duke, AICP, Durham City-County Planning Director

County Manager?s Recommendation: The Manager recommends that the Board approve the closing of 328.16 linear feet of an unnamed street, north of Goodwin Road and west of Laurel Drive.

7. Update for Community Development Block Grant Scattered Site Housing Program

The County of Durham received \$400,000 in Scattered Site Housing Funds from the State Department of Commerce in 2002 to do rehabilitation on private citizen?s homes in the unincorporated areas of Durham. The Department of Commerce anticipated rehabilitation of 10-12 homes. The LEAH Group was awarded a contract to complete administration of the CDBG Scattered Site Housing Program after Benchmark Consulting defaulted on the original contract award. To date the LEAH Group has approved 13 homes for rehabilitation and each of the dwellings will be completed by December 31, 2004. Mr. Brian Crawford, President of the LEAH Group will be present provide the Board with an overview and slide show presentation of the County?s Scattered Site Housing Program and the progress made to date. The CDBG Scattered Site Housing Program has provided assistance and helped improve the quality of life for local families.

Resource Person(s): Yolanda Moore-Gaddy, Business Dev. Manager; Brian Crawford, President of the LEAH Consulting Group; and Catherine Davis, Grants Compliance Officer

County Manager?s Recommendation: The Manager?s recommendation is that the Board receive the status update on the 2002 Community Development Block Grant Scattered Site Housing Program. The Manager further recommends that the Board select a date to tour several newly renovated structures with the LEAH Group.

8. Interlocal Resolution with Orange County Concerning Planning

The Durham Board of County Commissioners and the Durham City Council have indicated an interest in establishing a Joint Review Area to provide review and comment on rezoning requests, special use permits, subdivisions, site plans, and annexations in the I-85/US 70 area near the Durham-Orange County boundary. The resolution and map would establish such an agreement and have been recommended for approval by the Joint City-County Planning Committee (JCCPC).

Resource Person(s): Frank M Duke, AICP, City County Planning Director

County Manager's Recommendation: The County Manager recommends that the Board adopt the Resolution.

9. Resolution Seeking Support From the North Carolina General Assembly for Establishing Adequate and Reliable Funding of Public Schools in the Triangle and Throughout the State

The Board is requested to review of a joint resolution from Durham, Orange, and Wake Counties and their corresponding public school boards supporting adequate and reliable public school funding from the state.

The Triangle J Council of Governments has sponsored several meetings of the Triangle County Board Chairs; these meetings have included discussions on education with a focus on budgetary decisions of the NC General Assembly regarding funding of schools. At the last meeting (November 8, 2004), the chairs of the Durham, Orange, and Wake Board of Commissioners, along with school board representatives, NC Association of County Commissioners (NCACC) representatives, Triangle J Council of Government staff, and county staff, finished crafting a resolution highlighting the difficulties area governments have in supporting public school funding while the state:

- 1) Creates unfunded mandates such as elementary class size reductions;
- 2) Decreases funding for teacher assistant allotments, school transportation operating funds, instructional technology support, and capital needs resources; and
- 3) Continues stagnant funding for staffing allotments, non-instructional support positions, textbook allocations, instructional supplies, and limited funds for children with special needs.

This resolution requests that the state provide adequate and reliable public school funding, decreasing the reliance on local funding and the growing inequities in educational opportunities across the state related to local funding ability.

A document highlighting the impact of the State's decision has been prepared by Durham Public Schools detailing the effects of some of the aforementioned issues.

Resource Person(s): Hank Hurd, Associate Superintendent, DPS

County Manager's Recommendation: The Manager's recommendation is that the Board discuss and approve the joint resolution that is also being considered by the Orange and Wake County Boards of Commissioners. The purpose of the resolution is to encourage the State to provide adequate and reliable funding for our regional school district as well as to other districts statewide.

10. Report from the Human Resources Audit Assessment Task Team and Recommendations from the Manager

The Interim County Manager was given specific directives by the Board County Commissioners upon appointment. One of the directives was:

- Completion of the Human Resources and Benefits Audit. Inherent in this item is determining the status of the project team work that was assigned by former County Manager Mike Ruffin. Determine to whom the project was assigned.

The Interim County Manager, in order to determine the best approach for proceeding, assembled a team of Certified Internal Auditors (CIA) from around the State to: a) evaluate the audit process; b) determine what was must be done to complete the HR Audit; and c) determine how to improve the County's Audit process to avoid similar problems in the future. Due to time constraints, the HR Audit Assessment Task Team's work product does not represent a peer

review or an independent review of the County's Internal Auditor function.

Resource Person(s): Wendell M. Davis, Interim County Manager

County Manager's Recommendation: The Manager's recommendation is that the Board receive the report and consider the Audit complete. Finalizing the subject audit would not be cost beneficial to the County. The County Attorney has opined that the Board was within its authority to set premium rates for benefits and that the County cannot refund money that was legally collected. Furthermore, given the findings of the Audit Assessment Task Team, the Manager also recommends that a new structure be developed over the next several months for the County's Internal Audit function.

11. **Closed Session**

Pursuant to G.S. § 143-318.11(a)(5), the Board is requested to adjourn to closed session to instruct the staff concerning the position to be taken on the terms of possible acquisition of the following properties:

- Preserve at Erwin Trace, PIN # 0801-03-12-7186;
- 247 S. Mangum Street owned by U-Haul Real Estate Company; and
- 306 S. Roxboro Street owned by Scarborough and Hargett Funeral Home.



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