

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

Thursday, March 29, 2001

8:30 A.M. Worksession

Minutes

Place: Commissioners' Room, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser, Philip R. Cousin Jr., and Becky M. Heron

Absent: None

Presider: Chairman Black

Citizen Comments

Ms. Felicia McNeil and Mr. Ralph McKinney requested time on the agenda to make comments to the Commissioners.

Ms. McNeil, 2108 E. Main Street 27703, talked to the Board of County Commissioners about the STARR program that has been discontinued in the Durham County Detention Center due to funding issues. She urged the Commissioners to reinstate the program which is beneficial to the inmates.

The Commissioners discussed the STARR program and made remarks about how effective the program has been. The Commissioners concurred that the program should be reinstated in the Durham County Detention Center. Strong support for the program exists in the community.

Mr. McKinney, 3400 Winston Road 27704, talked to the Commissioners about the injustices that exist in Durham and the lack of protection for the citizens.

No official action was taken relative to citizen comments.

Criminal Justice Partnership Advisory Board Presentation of Revised Community Corrections Plan

Pursuant to NCGS Section 143B-273, et seq. the Criminal Justice Partnership (CJPP) Advisory Board is charged with devising a county Community Based Corrections Plan. The current plan, approved by the Board of County Commissioners in 1995, was being revised to reflect more accurately current issues facing our local criminal justice system.

The statute requires that CJPP board members participate in a planning process which includes examining the local criminal justice system, identifying problem areas, improving coordination, devising necessary programming, and proposing strategies for improving the local criminal justice system. The Honorable Craig B. Brown, District Court Judge, Chair of the CJPP Advisory Board, has led the board through an intensive process to consider revisions to its 1995 plan. Board members worked with many service providers, court personnel, and members of local law enforcement to obtain input in the process. The revised Community Corrections Plan represents the culmination of the CJPP board members' collective efforts addressing various issues facing the local criminal justice system.

Resource Person(s): The Honorable Craig B. Brown, District Court Judge, CJPP Board Chair, and Gudrun Parmer, Director, Criminal Justice Resource Center

County Manager's Recommendation: The Manager recommended that the Board receive the revised Community Corrections Plan from the Criminal Justice Partnership Advisory Board and recognize the board members for their dedication and commitment to improve the delivery of services to citizens involved in the criminal justice system.

The Honorable Craig B. Brown, District Court Judge and CJPP Board Chairman, presented the revised Community Corrections Plan. He discussed the Executive Summary portion of the plan that included the following:

Creating the Tools and Improving the Process
Improving Substance Abuse Treatment Services
Meeting the Challenge of an Increasing Hispanic Population

The County Commissioners made comments and asked questions.

Chairman Black instructed County Manager Mike Ruffin to review the short-term, medium-term, and long-term priorities described in the plan to determine how they fit within the budget. The Commissioners must know which priorities can be implemented now.

No official action was taken on this agenda item.

Update on the New Hope Trail Construction Project and Authorization for Funding Project Completion

In April 1999, the Board approved initial funding for the 2.2-mile-long nature trail along the New Hope Creek in southwestern Durham County just south of 15-501. Volunteers completed the groundwork for the project and remaining construction is needed for completion of the first nature trail in the New Hope Creek Corridor and the first on county-owned property acquired with the 1986 bonds.

The initial funding was approved from estimated costs prior to hiring the design firm. Much of the property in the New Hope Corridor is in the sensitive floodplain area, and care has been taken to avoid impacts upon these resources. To allow for year-round use by the public, the second phase of the project includes bridges, boardwalk sections, culverts, and other design features to accommodate the frequent flooding and wet conditions, which is a natural occurrence in the Corridor.

Original funds budgeted for the project would not cover the entire costs of constructing approximately 1,100 ft. of boardwalks, bridges, and associated water flow devices. Additional bond funds in the amount of \$48,160 would be needed to complete the project. Sufficient bond funds remain to cover the additional expenses. The County's share of the costs are supplemented by a \$30,000 trails grant previously awarded from the National Recreation Trails Fund Grant and an \$8,500 donation from the New Hope Audubon Society. Staff requested that the Board receive the report and approve additional funding for the trail boardwalk construction.

Resource Person(s): Norman R. Standerfer, Planning Director, and Mike Giles, Open Space Land Manager

County Manager's Recommendation: The Manager's recommendation was that the Board receive the project update and allocate additional bond funds towards the completion of the trail.

Mr. Giles presented the Commissioners an update on the New Hope Trail construction project.

The Commissioners asked questions and made remarks about the project to which Mr. Giles responded.

County Manager Mike Ruffin said the Commissioners would take final action on this request at their April 9, 2001 meeting.

Discuss Request from Durham County Hospital Corporation

Chairman Black received a letter dated February 28, 2001 from Chair Charles Blackmon and Vice-Chair Caroline Dixon of the Durham County Hospital Corporation (DCHC) Board of Directors requesting additional meeting(s) to discuss several issues such as:

- Assistance for uninsured and underinsured;
- Impact of federal and state legislative issues related to health care;
- Explore and examine opportunities for DCHC to assist with unmet health-related needs in the community;
- Explore and examine opportunities for Commissioners to assist DCHC in carrying out its assigned responsibilities; and
- Explore and discuss ways to keep health issues a priority.

Resource Person(s): Michael M. Ruffin, County Manager; Chuck Kitchen, County Attorney

County Manager's Recommendation: The Manager recommended that the Board discuss the request and direct staff as to whether any additional information or action may be required.

Chairman Black requested thoughts from the Commissioners about this agenda item.

Chairman Black said, in her opinion, some of the bullets could be interpreted to mean a request for money. In drafting a letter, we must be very clear in our involvement with this project.

The Commissioners asked questions and made remarks about the agenda item.

The Commissioners felt they should meet with Duke Health System about the merger agreement.

The Commissioners had a lengthy discussion about this agenda item. Attorney Kitchen responded to questions and comments.

County Manager Mike Ruffin was instructed to draft a letter to the Durham County Hospital Corporation in response to the letter dated February 28, 2001. Any meetings set up with Chairman Black would include all five Commissioners.

Durham Public Schools—North Carolina Public School Facility Needs Survey

The State of North Carolina requires all public school systems to provide a Facility Needs Survey every five years. The survey covers all K-12 facilities and excludes central services. The information included in the report follows the data found in the Long-Range Facilities Plan approved by the Board of Education in June 2000. The data has been transformed into the format required by the state. The Board of Education approved this survey on March 8, 2000. Approval by the Board of County Commissioners was required prior to submittal to the state.

Resource Person(s): Mr. Hugh Osteen, Executive Director for Facilities Services, was present to discuss the request as needed.

County Manager's Recommendation: The Manager recommended that the Board review the report and discuss the findings with Durham Public Schools officials and take action.

County Manager Mike Ruffin said this a statutory requirement. It is a five-year plan that must have the Commissioners' blessings so it can be forwarded to the state.

The Commissioners asked questions to which Mr. Osteen responded.

The Commissioners held a lengthy discussion about school facility needs and County capital needs as they relate to the November 2001 and 2003 Bond referendums.

No official action was taken on this agenda item. The request for approval would be placed on the April 9, 2001 Regular Session consent agenda.

Amendment to the Offer to Purchase and Contract for the First Union Building

On June 28, 2000, Interim County Manager Carolyn Titus signed the Offer to Purchase and Contract for the First Union Building as approved by the Board of County Commissioners. The seller has proposed several de minimus changes to that contract which must be approved by the Board.

Resource Person(s): County Attorney Chuck Kitchen

County Manager's Recommendation: Approve the amendment to the Offer to Purchase and Contract as recommended by the County Attorney.

County Attorney Chuck Kitchen said the County is closing on the First Union Building next week and the seller's attorney has asked the Commissioners to approve the amendment to the Offer to Purchase and Contract. The original offer had a time frame that was dated before the contamination was discovered. This is a pro forma amendment.

There were no questions from the Commissioners.

Vice-Chairman Reckhow moved, seconded by
Commissioner Cousin, to approve the agenda item.

The motion carried unanimously.

Joint Meeting with City Council and Board of Education on Capital Improvement Programs

At a joint meeting with the City Council and Board of Education in December 2000, the Board of County Commissioners agreed to hold a special session whereby the three bodies would share their respective capital improvement programs for the purposes of information and coordination. Mayor Nick Tennyson suggested the joint meeting be held on Monday, April 30, 2001 at 7:00 p.m. The Board of Commissioners was requested to consider this date and discuss plans for the meeting.

Resource Person(s): MaryAnn E. Black, Chairman, Board of County Commissioners

County Manager's Recommendation: The Manager recommended that the Board consider the date and discuss plans for the meeting.

The Commissioners asked questions and made remarks about the joint meeting.

Vice-Chairman Reckhow asked Chairman Black to ask Mayor Tennyson to add a short presentation by the Fitness Leadership Council to the end of the agenda. Dr. Leroy Walker would make the presentation.

Chairman Black asked the County Manager to contact Mayor Tennyson and ask if the item could be placed at the beginning of the agenda. The second item would be the capital improvement programs for the three bodies presented by respective staff.

Chairman Black said she asked the Mayor to host the event since there is more space in the City Council Chambers.

The County Commissioners decided to have the meeting in the Commissioners' Chambers.

Chairman Black said the Commissioners would host the meeting for the three bodies. She asked the County Manager to let the Mayor know the meeting would be held in the Commissioners' Room.

Capital Improvement Program Worksession

After discussion, the Commissioners decided to have the meeting on April 9, 2001 from 3:00 p.m. until 4:45 p.m. A Closed Session would be held at 5:00 p.m. and the Regular Session would begin at 7:00 p.m.

Appointment of 2001 Board of Equalization and Review

North Carolina General Statute 105-322 requires the Board of Commissioners to adopt a resolution to appoint the Board of Equalization and Review. A Resolution was adopted on February 26, 2001. Each member of the Board of Commissioners should appoint one member to serve on the Board of Equalization and Review for 2001.

Commissioner Cousin has submitted a name to represent him on the E & R Board, which would finalize all Commissioner appointments to the board.

(The Commissioners have appointed the Chairman and Vice-Chairman. The compensation rate has been established.)

Resource Person(s): W. Steven Crysel, Tax Administrator

County Manager's Recommendation: Appoint one Equalization and Review Board member.

Chairman Black asked Commissioner Cousin for the name of the person to represent him on the E & R Board.

Commissioner Cousin said that Mr. Warren Robinson would be his representative on the board.

Commissioner Cousin moved, seconded by Commissioner Bowser, to appoint Mr. Warren Robinson to represent him on the E & R Board.

The motion carried unanimously.

Board and Commission Appointment

The Board of County Commissioners, at its meeting on March 26, 2001, made three appointments to the Multi-Jurisdictional Transportation Demand Management Committee. A tie vote occurred between Wendi Brooks (City resident) and Edward Harrison (County resident) for the fourth slot. Mr. Harrison was not eligible for appointment by the City since he is a county resident.

Resource Person(s): Garry E. Umstead, CMC, Clerk to the Board

Mr. Umstead distributed ballots to make an appointment to the Multi-Jurisdictional Transportation Demand Management Committee.

The following votes were cast to appoint one person (asterisk indicates appointee):

Wendi Brooks—no votes
*Edward C. Harrison—Black, Bowser, Cousin, Heron, and Reckhow

Adjournment

Chairman Black adjourned the meeting at approximately 12:00 noon.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board