

REVISED
(Item 5g has been added to the Consent Agenda)

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

January 27, 2003

7:00 P.M. Regular Session

AGENDA

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

2. **Agenda Adjustments**

Commissioner Bowser added two items to be addressed as items 9a and 9b:

9a. Youth Home

9b Auto shop across from Shops at Southpointe

3. **Minutes**

a. October 7, 2002 Worksession Minutes

b. January 13, 2003 Closed Session Minutes

The minutes of October 7, 2002 were deferred for changes requested by the Board.

*Commissioner Jacobs moved, seconded by Commissioner Heron,
to approve the January 13, 2003 Closed Session Minutes as
submitted.*

4. **January Anchor Award Winner**

Ms. Karlene Fyffe-Stewart, Bragtown Library Manager, has been selected to receive this month's Anchor Award. She is credited with substantially resuscitating circulation and programming at one of the system's smaller branches that has experienced a great deal of turnover and declining statistics.

She joined the branch in June 2001, and immediately began the task of rebuilding Bragtown. She launched a beginning Spanish class for tots (the first in the system), and started a morning story time for local day care centers. Ms. Fyffe-Stewart began a homework help program and Internet help for older students, involving parents and children in seeking suggestions and implementing these programs. She is described as "such an enthusiastic person" with such a love for books and reading that she has spread her energy to the entire Bragtown community.

In one year, she has increased the circulation to 33.58% over FY 2000-2001 statistics and 40.48% over FY 01-02 statistics. No one area in the entire system has seen such a dramatic increase in statistics and programming as evidenced at the Bragtown Branch. According to her supervisors, "Karlene has not only evidenced a commitment to this library, but also to Durham County Government and the library profession."

Resource Person(s): Phillip Cherry and Priscilla Lewis, Durham County Library

County Manager's Recommendation: Present the January Anchor Award to Ms. Karlene Fyffe-Stewart, along with the sincere congratulations of the entire organization.

Ms. Fyffe-Stewart was introduced and congratulated by Library administration and the

County Commissioners. She accepted the award and thanked her staff, the administration, and County Commissioners.

5. **Consent Agenda**

- a. Budget Ordinance Amendment No. 03BCC000037-DSS-Family To Family Funding Through Social Services (approve this amendment in the amount of \$30,000);
- b. Amendments to Appointment Policy (approve the proposed change in the Board's policy to allow for the directions given to the Clerk regarding publications);
- c. Fiscal Year 2003-2004 Budget Calendar (approve the attached FY 2003-2004 Budget Calendar as submitted);
- d. Property Tax Releases and Refunds for Fiscal Year 02-03-November (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- e. Property Tax Releases and Refunds for Fiscal Year 02-03-December (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- f. Advertising of Tax Liens (approve the Tax Administrator's request to begin advertising the 2002 tax liens in the month of March); **and**
- g. **Establishment of Official Depository for Dental Insurance Claims (approve the establishment of this account).**

Commissioner Bowser moved, seconded by Commissioner Heron, to approve Consent Agenda items 5(a), (b), (c), (e), and (f).

The motion carried unanimously.

Item 5(d) was pulled by Commissioner Heron and addressed by Tax Administrator Kenneth L. Joyner.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve Consent Agenda item 5(d).

The motion carried unanimously.

Item 5(g) was pulled by Commissioner Bowser and addressed by Debbi Davidson, Benefits Manager, Human Resources Department.

Commissioner Bowser moved, seconded by Commissioner Cousin, to approve Consent Agenda item 5(g).

The motion carried unanimously.

6. **Public Hearing: Advance Public Comment on FY 2003-2004 Budget**

The Board is requested to hold a Public Hearing on the FY2003-2004 County budget to receive public comment and input. This hearing will allow citizens an opportunity to speak with the Board about any budget issues or concerns they would like to see addressed in the upcoming fiscal year budget.

Resource Person(s): Pam Meyer, Director, Budget and Management Services

County Manager's Recommendation: The County Manager recommends that the Board hold the previously-scheduled Public Hearing to receive public comment on the FY2003-2004 County budget.

Chairman Reckhow opened the public hearing which was properly advertised.

The speakers follow:

Victoria Peterson-Establish a technical school for at-risk students and those who have dropped out of school

Larry Holt-Planning for schools

Bessie M. Carrington-Durham County Library-Decreased library staffing

Elsa Woods-Durham County Library-Library building maintenance

Lauren Singdahlsen-Durham County Library-Security at library

Lavonia I. Allison-Durham Public Schools-Request for budget

Melvin Whitley-Durham Voter Coalition-Need for inpatient drug treatment program

Melvin Whitley-Interneighborhood Council (INC)-Neighborhood college

Bob Novak-School system should be able to set tax for its budget funding

Jack Steer-Friends of Durham-Cut nonproductive County programs; do not raise the tax rate.

Preston Burgess-Fully fund EMS services

There being no other persons who wished to speak, Chairman Reckhow closed the Public Hearing and called for Commissioner comment.

Commissioner Cousin commented that a technical school would save money in the long run for youth at-risk of dropping out of school.. Commissioners Heron and Reckhow commented on the need for a performance-based budget.

7. Durham Open Space Commission Matching Grants Recommendation

The Durham Open Space and Trails Commission (DOST) received four applications for Matching Grants Program funds to assist nonprofit community organizations with recreational and open space projects. The following financial summary shows the Commission's recommendation to the Board for funding the four applications for a total of \$94,428, using the \$95,000 of contractual funds requested and recommended under the General Fund, "Open Space Matching Grants" Organization of the County's FY 02-03 Budget. Special conditions as noted in the attached Recommendation will be included in the agreements for three of the projects. Funds available for matching grants during the current fiscal year are reduced by 5% due to reduced County revenue as budgeted.

Project/Application	Request	Cost	Grant
Eno River Association/Land Purchase	\$55,400	\$110,800	\$51,152
Forest Hills Neighborhood Assoc./Volleyball Court	5,700	11,340	5,270
Hillandale Elem. School PTA/ Playground and Trail	26,125	52,629	20,506
Trinity School/Nature Preserve and Playground	20,000	52,450	17,500

Resource Person(s): Guillo Rodriguez, DOST Chairman; Bill Renfrow, Matching Grants Administrator

County Manager's Recommendation: Members of the Durham Open Space and Trails Commission evaluated and revised this year's applications for matching funds to assist nonprofits with providing recreational opportunities and preserving open space for the citizens of Durham County. This recommendation to allocate \$94,428.00 of grant funds represents a gain to the County of \$132,791.00 in matching funds as more than half the projects' proposed value of \$227,219.00. The County Manager recommends Board approval of funding four projects and the allocation of the \$94,428.00 of the budgeted Matching Grants Funds.

Mr. Guillermo Rodriguez presented the agenda item and thanked the Commissioners for their co support of the matching grants program.

Chairman Reckhow recognized Dr. Lavonia I. Allison, who had signed to speak on this item.

Dr. Allison questioned the criteria for funding and the nature of the grants. Her questions and cor were addressed by Chairman Reckhow, Mr. Bill Renfrow, and Mr. Guillermo Rodriguez.

Commissioner Bowser moved, seconded by Commissioner _____, to approve the funding of the four projects, with the conditions outlined in the December 13, 2002 DOST Matching Grants Minutes.

The motion carried unanimously.

8. Adoption of Legislative Goals

This Board is requested to approve the attached legislative goals to present to the Durham County Legislative Delegation for consideration during the upcoming session of the General Assembly. Following the discussion of this item at the January 6, 2003 Board meeting, staff has developed the package and organized it with the Board's priority legislative items first, followed by support and seek items.

Resource Person(s): Deborah Craig-Ray, Public Information/Governmental Affairs Director; Chuck Kitchen, County Attorney

County Manager's Recommendation: Approve the 2003 Legislative Goals Package and present to the Durham Delegation at a yet-to-be-scheduled breakfast meeting.

Chairman Reckhow recognized those who had signed to speak on this item.

Victoria Peterson, asked that juveniles not be fingerprinted or photographed.

Bob Novak, spoke against impact fees on new housing and for merger of City and County governments.

The Board discussed with Ms. Craig-Ray, possible meeting dates for a breakfast with the Durham delegation. The most favorable meeting date is February 17 at 8:00 a.m. Optional dates are February 10 or February 14, 2003.

Ms. Craig-Ray and County Attorney Chuck Kitchen answered questions from the Board concerning the proposed legislative goals.

Commissioner Bowser moved, seconded by Commissioner Cousin, to approve the 2003 Legislative Goals Package with the addition recommended by Commissioner Bowser.

The motion carried unanimously.

9. Approve Lease Amendment for Durham's Alliance for Child Care Access Office Space

The Department of Social Services (DSS) requests approval of a lease amendment for office space for Durham's Alliance for Child Care Access (DACCA). DACCA is a collaboration between DSS, Child Care Services Association (CCSA), Durham's Partnership for Children and Operation Breakthrough to provide child care subsidies to Durham's working families. Located in the Mechanics and Farmers Corporate Center at 2634 Chapel Hill Boulevard, the current lease ends 7/31/03. This lease amendment extends the lease to three (3) years through July 31, 2006. The lease agreement is between Mechanics and Farmers Bank and the County of Durham.

Child Care Services Association is purchasing property for a new office across the street from the Employment Security Commission (ESC) where DACCA could be co-located for considerably less cost. CCSA is starting a capital campaign next year and hopes to have the building ready in about

three years. As CCSA is developing plans for its new building, it is taking into account DACCA's space needs, including the need for more records storage. All costs for DACCA are paid for through the State Child Care Subsidy Program and Durham's Partnership for Children. There are no County funds in the administration of the program.

Resource Person(s): Dan Hudgins, DSS Director

County Manager's Recommendation: The County Manager recommends that the Board approve the lease amendment for the DACCA office on Chapel Hill Boulevard.

Commissioner Jacobs moved, seconded by Commissioner Bowser, to approve the lease amendment for the DACCA office on Chapel Hill Boulevard.

The motion carried unanimously.

9a. Commissioner Bowser addressed the concern of juveniles escaping from the Youth Home which is adjacent to a neighborhood. He called for the Board to research the situation and consider tightening the security of the facility. He suggested the current facility be abandoned and a new one be built.

The County Manager advised the situation would be addressed at the March BOCC Worksession. The County Attorney remarked that juveniles cannot be housed in the interim at the adult detention facility.

The Commissioners discussed the cost of housing local juveniles at the local facility, at other out-of-county facilities, and of serving youth from other counties.

9b. Commissioner Bowser commented on a situation with an auto shop operator across from Shops at Southpointe who now finds the shop out of conformance with the area zoning. He sought help with the situation until that property is sold.

The County Manager responded at Commissioner Bowser's request. The auto shop operator lives on the property, so has an illegal home occupation. An amnesty permit was issued that has now expired. The shop is larger than the dwelling on the property. County Attorney Kitchen advised that someone from his office would address the item at a Commissioner meeting.

Chairman Reckhow added the item to the February worksession agenda and requested a memo be sent to City-County Planning Director Frank Duke requesting he supply background on the permit situation.

10. Board and Commission Appointments

As of this month, there will be two vacancies on the Durham County Hospital Corporation (DCHC) Board of Trustees. Steve J. Schwab, M.D., one of the Duke University Health System representatives, has left Duke and Durham to accept a new position in Georgia. Joyce C. Nichols, representative from Lincoln Community Health Center (LCHC), is retiring from the LCHC Board as of January 22, 2003 and therefore, in her current capacity, will no longer be eligible to serve on the Board.

In accordance with the action taken by the DCHC Board of Trustees at its meeting on January 8, 2003, the Board recommends to the Commissioners for their consideration the following candidates for membership on the DCHC Board of Trustees:

- MaryAnn E. Black-appoint to fill the unexpired term of Steve J. Schwab, M.D., as a Duke University Health System representative on the DCHC Board of Trustees for a period to

begin with date of appointment through August 31, 2004; and

- Evelyn D. Schmidt, M.D.-appoint to fill the unexpired term of Joyce C. Nichols as the Lincoln Community Health System representative on the DCHC Board of Trustees for a period to begin with date of appointment through August 31, 2005.

The DCHC Board of Trustees received two applications from Duke University Health System and two from Lincoln Community Health Center. The DCHC Board of Trustees hopes that the Board of Durham County Commissioners will look favorably upon the above recommendations and can make the appointments to fill these DCHC vacancies at its earliest convenience.

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots to make two appointments to the DCHC Board of Trustees.

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

Chairman Reckhow recognized Dr. Lavonia I. Allison who had signed to speak on this item.

Dr. Allison spoke on the item and was of the opinion that Dr. Schmidt should not be appointed DCHC Board of Trustees, as this represented a conflict of interests.

County Attorney Chuck Kitchen and Finance Director George Quick discussed this issue with County Commissioners.

The Board voted and placed MaryAnn E. Black and Evelyn D. Schmidt, M.D. on the Durham Hospital Corporation Board of Trustees.

The situation will be researched to determine whether Dr. Schmidt should serve on the board.

11. **Closed Session**

The Board is requested to adjourn to closed session to give directions to the staff concerning the price and other material terms of a proposed contract for the acquisition of real property pursuant to G.S. § 143-318.11(a)(5). The property being considered is a) property owned by St. Joseph's Historic Foundation, Inc., located at 615 Fayetteville St. and b) property owned by Triangle Area YMCA, located at 218 Seminary Street.

Resource Person(s): George Quick, Finance Officer

Commissioner Heron moved, seconded by Commissioner Jacobs, to adjourn to Closed Session.

The motion carried unanimously.

The Chairman reconvened the Regular Session. She reported that staff was given direction, but that no action was taken.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 10:40 P.M.



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