

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

Monday, September 4, 2007

9:00 A.M. Worksession

**MINUTES**

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

Present: Chairman Ellen W. Reckhow, Vice-Chairman Becky M. Heron, and Commissioners Lewis A. Cheek, Philip R. Cousin Jr. (arrived at 9:25 a.m.), and Michael D. Page

Absent: None

Presider: Chairman Reckhow

**Recognize Tax Administration Staff for Excellent Collections Year**

Ken Joyner, Tax Administrator, requested time on the agenda to recognize Tax Administration staff for the banner collections year. He recognized the following divisions:

- Land Records
- Personal Property & Customer Service
- Collections

The Board commended Mr. Joyner for his efforts and challenged him to continue the great work.

**Upper Neuse River Basin Association—Watershed Management Plan**

Sarah Bruce, Upper Neuse River Basin Association, introduced this item, stating that Durham County is a member of the Upper Neuse River Basin Association (UNRBA). In 2003, the UNRBA developed a Watershed Management Plan to study and help manage surface water resources in the Upper Neuse Basin (Falls Lake watershed). The Association is in the process of creating an Implementation Plan that will specify how these strategies could be implemented locally and regionally to protect water quality efficiently and cost effectively. The Plan could help inform the upcoming Falls Lake Nutrient Management Strategy required under Senate Bill 981. This summer, UNRBA staff is visiting its member governments to:

1. Discuss the Upper Neuse Watershed Management Plan and the strategies it recommends;
2. Explain its process for developing the basin-wide Implementation Plan;
3. Discuss how this process fits with related activities, including the Falls Lake Nutrient Management Strategy; and

4. Solicit support in terms of limited staff and advisory board participation in the Implementation Planning process.

Ms. Bruce gave the following presentation related to the Upper Neuse River Basin Association:

Purpose

- Upper Neuse River Basin Assn. background
- Upper Neuse Watershed Management Plan
- Implementation Planning
- Next Steps

UNRBA Members

Town of Butner	Person County
City of Creedmoor	City of Raleigh
City of Durham	Town of Stem
Durham County	Wake County
Franklin County	Town of Wake Forest
Granville County	Soil and Water Conservation Districts
Hillsborough	Orange County
SGWASA	

UNRBA Mission Statement

To preserve the water quality and to cooperate on water supply issues within the Upper Neuse River Basin by:

- Pooling financial resources and expertise
- Analyzing information and data
- Developing, evaluating and implementing cost-effective pollution reduction strategies

Upper Neuse River Basin—Durham  
High Impervious Cover: Present (2003)  
High Impervious Cover: 2025  
High Impervious Cover: Low Build out Scenario  
High Impervious Cover: High Build out Scenario  
Water Quality Conditions

Falls Lake Nutrient Management Strategy (NMS)

- DWQ is currently studying nutrient levels in Falls Lake on which to base nutrient targets and create a “Nutrient Management Strategy”
- Result: Local governments will be required to adopt and implement stronger water quality management regulations to protect Falls Lake

Falls NMS Stakeholder Process

- State had no plans to involve stakeholders outside of two required public hearings
- UNRBA petitioned state for funding for stakeholder process ► \$15,000
- UNRBA members contributed ► \$36,000
- Stakeholder process may begin before March 2008

### UNRBA's Upper Neuse Watershed Management Plan

One of UNRBA's first tasks was to develop a plan to protect water quality. The Plan has two main goals:

1. Protect drinking water quality
2. Protect aquatic habitat

### UN Watershed Management Plan Strategies

Five Categories:

- New Development Site Management
- Monitoring and Enforcement
- Watershed Stewardship/Citizen Education
- Watershed Restoration
- Point Source Controls

### UNRBA Structure

- Board of Directors
  - (Commissioner Becky Heron chairs)
- Technical Advisory Committee
- Staff
  - Chris Dreps, UNRBA Coordinator (Triangle J COG)
  - Sarah Bruce, Implementation Planning (TJCOG)
  - Shelby Powell, Implementation Planning (Kerr-Tar COG)

### Implementation Planning

- Implementation Planning Steering Committee
- Timeline
- Recommendation Sheets
- Local Management Strategy Reviews
- Gap Analysis
- Feedback

### Moving Forward

- UNRBA continues researching strategies and analyzing conditions
- Member governments review local strategies in place
- Discuss gap analysis findings

### Summary

- Future development is likely to degrade waters & increase treatment costs
- Local governments will be required to help clean up the water
- Protect drinking water and environmental quality for the future

Vice-Chairman Heron provided comments regarding the Upper Neuse River Basin Association; however, the comments were inaudible due to the microphone not being turned on.

Ms. Bruce responded to comments and questions posed by the Board.

### **Presentation of Annual Accomplishments—Women’s Commission**

Yvonne Dunlap, Durham County Women’s Commission (DCWC), gave the following comments regarding the 2006 Women’s Commission accomplishments, as well as the projected activities for the upcoming year:

“Thank you for adding the Women’s Commission to the agenda. The DCWC has extended to me the privilege of being their spokesperson for the next year. I offer my sincere thanks to former chairwoman, Yolanda Mangum-Gordon, and outgoing Chairman, Rosa Anderson, for their leadership. It is also my pleasure to introduce to you the incoming officers for 2007-2008, all new members—Vice-Chairwoman, Ms. Lucie McMillan; Secretary, Ms. Kimberly Monroe; and Treasurer, Ms. Stephanie Watson. Fall Forum Chairs this year are Marian Dillahunt and Kimberly Monroe.

Our board is a 15-member representation of our community. While we struggle to keep it that way, we must also acknowledge that the urgency of multiple issues make it necessary for us to move forward with those appointees committed to the work of addressing issues and concerns of women, children, and the greater good of the entire community.

In our past years’ work, our focus has been on women, health, gangs, teenage crime, youth, and domestic violence. Our annual report spells out for you what the EMPA program participants from NCCU found during the past fall forum. Loud and very clear, it resonates the need for more work, more input from youth, and more support from the leadership of this city and county.

In the upcoming year, we pledge to continue to involve ourselves in this community through our fall forum event, domestic violence vigils, partnerships with other women organizations, and then recognitions for those deserving women who, against deaf ears and some hearts and minds that are stone cold, continue to do all they can to help those who are helpless, hopeless, and somehow forgotten in Durham County who work through everyday issues that many of us take for granted.

In order to do all that our constitution requires of us, we do need support.

While we appreciate and remain eternally grateful to our County Manager for sharing his conference room whenever we need it, the time has come for us to involve others through short focus group sessions and presentations geared toward solutions for those most in need. This work will require a larger space that is safe, well-lighted, secure, and comfortable for partnership work.

While we understand the budget concerns of our county and the pockets that need to be filled, we also see that the leadership of our capital city understood the need to increase Wake County’s Commission for Women to \$12,000, which is evidenced by the work they’ve been able to do since that increase.

On the other side of the Triangle, the Greensboro Women's Commission shares in the \$550,000 budget of the Greensboro Human Relations Commission.

As a member of the National Board of Women's Commission, it is imperative that we get the training necessary to make a real difference in this community. That has not been an option since we feel that our community needs are so great that we can't really afford to use our budget allowance to travel to the meetings and conventions once a year.

While we understand the busy schedules of the members of the Board of County Commissioners and those who serve you, we also acknowledge that the work of a public servant is what it is. We give up busy schedules, family, and our own social interests to work on community issues, in particular domestic violence, where we were able to boast for the past two years that no homicides had occurred in Durham County. That's old news now since two deaths related to domestic violence occurred in our community in the same week – one a woman and the other an infant. Last year in December, and as always, Commissioner Page adjusted his schedule to support us. This year in December, we hope that we can expect the same support from the Board of County Commissioners that in past years has been extended to us from the Mayor, the entire City Council, and the employees who work in City Hall to at least come down and spend 30 minutes remembering those lives lost to domestic violence.

And after the year is over, we hope to stand before you again with an annual report that shows an untiring commitment to community; a Women's Commission dedicated to bringing education, awareness, and opportunities for joint initiatives inside and outside our city and county; and the support from the County of Durham that will help to make it happen.”

In response to Commissioner Page's question regarding the need for larger space, Ms. Dunlap stated that larger space was needed to engage women throughout the community through short-focus sessions to discuss what women would like to see happen in Durham.

#### Directive

1. Work with the Clerk to the Board's Office or County Manager's Office regarding the need for meeting room space.

#### **Presentation of New Publication “Substance Use and Abuse in Durham County”**

Elizabeth Gifford, Ph.D., introduced the item, stating that “Substance Use and Abuse in Durham County”, produced as part of the scope of work of the Substance Abuse Committee of the Partnership for a Healthy Durham and The Durham Center, contains information gathered from numerous sources regarding substance use and abuse in Durham County, including health, juvenile justice, criminal justice, and social service systems. The report documents the relationship between substance use and incarceration, illness, and even death. It shows that substance abuse exacerbates problems such as domestic violence, child maltreatment, and homelessness.

Dr. Gifford stated that by looking at each of these data sources, The Durham Center can begin to identify the types of drugs being abused and some of the harms that substance use causes the community. Done regularly, and with additional information, this kind of document can highlight emerging trends and identify gaps. The report represents the first effort in Durham County to gather this information in one document, with the hope that community agencies will build upon the foundation to help the community deal with problems caused by substance abuse. By adding details to the information reported, Durham can more effectively plan prevention and service activities.

Wanda Boone, Chair, Substance Abuse Subcommittee (SAS), stated that the SAS is looking at the community and strategic efforts in order to stop the use of substances as well as addressing parental issues.

Vice-Chairman Heron asked when one is classified as a substance abuser.

Rob Robinson, Deputy Director of The Durham Center, responded that the statistical manual has a list of criteria that describes when an individual has the disorder.

Commissioner Cheek asked if the Commissioners will receive a report regarding the 10-Year Plan to End Substance Abuse and implementation issues.

County Manager replied that the report should be brought to the Board in early spring 2008.

Chairman Reckhow thanked the presenters for the report.

#### Directive

1. Place the Substance Abuse report in the branch libraries and various public venues.

#### **Library Meeting Room Fees**

Library Director Skip Auld summarized the following proposal regarding library meeting room fees:

#### Original fee proposal adopted by the Board of County Commissioners in June 2007:

##### Nonprofits:

Meetings of up to four hours: \$50

Meetings of more than four hours: \$100

##### Commercial/for-profit:

Meetings of up to four hours: \$100

Meetings of more than four hours: \$200

#### Alternative recommendation by the Library Board of Trustees:

1. Charge only for the large meeting rooms; and
2. Charge half price in the branches.  
((\$25 for nonprofits for up to four hours and \$50 for commercial/for-profit organizations)

3. The library could charge a sliding scale of fees for nonprofits, depending upon the budget of an organization.

#### Durham County Library Meeting Room Fee Structure

##### Main Library Auditorium:

##### Nonprofits:

Meetings of up to four hours: \$50

Meetings of more than four hours: \$100

##### Commercial/for profit:

Meetings of up to four hours: \$100

Meetings of more than four hours: \$200

##### Large meeting rooms, Regional and Branch Libraries:

##### Nonprofits:

Meetings of up to four hours: \$25

Meetings of more than four hours: \$50

##### Commercial/for profit:

Meetings of up to four hours: \$100

Meetings of more than four hours: \$200

##### Small meeting rooms, conference rooms, tutoring/study rooms:

No fee

No refreshments

##### Capacity of library meeting rooms:

##### Large meeting rooms

- Main Library auditorium (capacity: 150)
- East Regional Library meeting room (capacity: 100)
- North Regional Library meeting room (capacity: 100)
- Parkwood Branch Library meeting room (capacity: 40)
- Southwest Branch Library (capacity: 50)
- Stanford L. Warren Branch Library meeting room: (capacity: 75)

##### Small meeting rooms, conference rooms, tutoring/study rooms

- Main Library conference room (capacity: 40)
- East Regional Library tutoring/study rooms (capacity: 8)
- North Regional Library tutoring/study rooms (capacity: 8)
- Parkwood Branch Library tutoring/study room (capacity: 12)
- Stanford L. Warren Branch Library tutoring/study rooms (capacities: 2, 2, 6)

The Board held a discussion regarding the Library Board's recommendation.

##### Directive

1. County Manager to work with Skip Auld to clarify the recommendation.

2. Place on September 10 Regular Session consent agenda.

### **Durham County Memorial Stadium Improvements Update**

Heidi York, Assistant County Manager, informed the Board that negotiations have been underway throughout the summer with Shaw University for long-term improvements to the Durham County Memorial Stadium. An agreement has been reached on the investment levels and improvement items. The Durham County Attorney's Office and legal representation for Shaw University are currently drafting the business deal points and the binding Development Agreement. Ms. York stated that a construction schedule has been set, and she would like to brief the Board of Commissioners on the progress and to receive feedback as the legal documents are finalized. A draft of a ten-year agreement with Shaw University for use of the County Stadium is in progress. Shaw University has also agreed to pay a share of the maintenance costs associated with its level of use of the Stadium as well as its level of investment in the improvements.

The newly renovated facility will continue to be home to the Northern High School Knights football team and is intended to also be home to the new high school, once it is constructed. With this partnership, the Stadium will also become home to the Shaw Bears football and track teams. The completed renovations would allow Durham County Memorial Stadium to offer the amenities that comprise today's top dual-sports facilities in the state. It is the intention of the Stadium Authority to increase the usage of the Stadium by offering a facility that would attract a much broader audience for football and track events.

There are two projected phases of improvements: Phase 1 improvements are primarily the track and field and external enhancements; and Phase 2 improvements are primarily for the infrastructure and interior of the stadium. Once the legal documents have been approved by Shaw University and the Stadium Authority, they will be presented to the Board of County Commissioners for final review and approval. The improvement items have been agreed to in concept by the County of Durham, the Durham County Stadium Authority, and Shaw University.

Ms. York discussed the following phases of improvements:

Phase 1: Construction from December 2007- August 2008

ITEM	COST	COUNTY CONTRIBUTION	SHAW CONTRIBUTION
Marque Sign	\$65,000	\$46,000	\$19,000
Landscaping	\$2,000	\$2,000	
Track (field events)	\$1,372,000	\$737,806	\$634,194
Turf	\$700,000	\$490,000	\$210,000
Storm Drainage	\$100,000	\$50,000	\$50,000
Score Board	\$365,000	\$65,000	\$300,000
Storage Shed	\$90,000	\$45,000	\$45,000
Track Protection Mats	\$1,200	\$1,200	0



Tractor for track sweeping	\$20,000	\$20,000	0
Planning Fees (10% Construction Cost)	\$271,520	\$145,701	\$125,819
Inflation Factor (10% annual)	\$271,520	\$145,701	\$125,819
Contingency (15%)	\$407,280	\$218,551	\$188,729
Other Activities (asbestos, water quality, code upgrades, construction testing services, etc.)	\$56,965	\$30,568	\$26,397
<b>TOTAL PHASE 1</b>	<b>\$3,722,485</b>	<b>\$1,997,526</b>	<b>\$1,724,959</b>

Phase 2: Construction from December 2008 – August 2009

ITEM	COST	COUNTY CONTRIBUTION	SHAW CONTRIBUTION
Press Box- demolition, deck, elevator	\$722,000	\$382,000	\$340,000
Roof of Support Buildings	\$201,320	\$201,320	0
Upgrade Locker Rooms	\$69,700	\$69,700	0
Upgrade Restrooms	\$75,000	\$55,000	\$20,000
Upgrade Concession Stands	\$25,000	\$20,000	\$5,000
Relocate Concession Stands	\$98,000	\$98,000	0
Seating Covers & Numbers	\$163,000	\$160,000	\$3,000
Plumbing, Mechanical & Electrical Upgrades	\$330,000	\$266,543	\$63,457
Move Ticket Booths Out	\$15,000	\$15,000	0
Extend Concrete Concourse	\$20,000	\$20,000	0
General Repairs	\$50,000	\$20,000	\$30,000
North Side ADA Seating	\$50,000	\$50,000	0
Decorative Fencing- Front of Grandstands	\$60,000	\$30,000	\$30,000
Pressure Wash- Grandstands	\$54,000	\$27,000	\$27,000
Pressure Wash- Walks and Concession Apron	\$8,000	\$4,000	\$4,000
Sound System Upgrade	\$10,000	\$10,000	0
Planning Fees (10% Construction Cost)	\$180,102	\$137,856	\$42,246
Inflation Factor (10% annual)	\$180,102	\$137,856	\$42,246
Contingency (15%)	\$270,153	\$206,784	\$63,369
Other Activities (asbestos, water quality, code upgrades, testing services, etc.)	\$43,035	\$32,940	\$10,095
<b>TOTAL PHASE 2</b>	<b>\$2,676,912</b>	<b>\$1,960,071</b>	<b>\$716,841</b>

Other County-Only Costs Associated with Stadium Improvements:

Structural Analysis (Stadium and Lighting): \$25,000

Equipment and Furnishings (chairs, tables, field benches, sports equipment): \$20,000

<b>COMBINED TOTAL INVESTMENT:</b>	<b>\$6,444,397</b>	
Durham County Contribution:	\$4,002,597	62%
Shaw University Contribution:	\$2,441,800	38%

In response to Commissioner Page question regarding list of fees, Ms. York stated that the Memorial Stadium Authority is discussing the new fee structure based on the investment level, as well as the facility being substantially upgraded.

Directive

1. Look at a tiered approach that would protect the County's interest regarding its contribution.

**Closed Session**

Commissioner Page moved, seconded by Commissioner Cheek, to adjourn to closed session to consult with an attorney and to preserve the attorney-client privilege pursuant to G.S. § 143-318.11(a)(3).

The motion carried unanimously.

**Reconvene to Open Session**

Chairman Reckhow announced that the Board met in closed session; direction was given to staff; no action was taken.

**Adjournment**

There being no further business, Chairman Reckhow adjourned the meeting at 11:57 a.m.

Respectfully Submitted,

Angela M. McIver  
Staff Specialist  
Clerk to the Board's office