

REVISED

(See Item No. 1

Removed—Item Nos. 3, 4, 7 & 9)

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

Thursday, March 5, 2009

9:30 A.M. Worksession

AGENDA

1. **Citizen Comments**

10 min.

1. Mr. Isham Barnes requests time on the agenda to speak to the Commissioners about attorney fees related to the collection of unpaid real estate taxes.

2. ~~Mr. Steve Toler wishes to thank the Commissioners for his previous appointments to the Raleigh-Durham Airport Authority and to share comments he made at his final Authority meeting.~~

3. Ms. Julia Webb Bowden requests to speak to the Board about Urban Ministries of Durham.

2. **Review of February BOCC Directives**

5 min.

It was requested that at each month's worksession, the Board of County Commissioners has the opportunity to review the previous month's directives for staff and make comments as necessary.

Resource Person(s): Mike Ruffin, County Manager, and Laura Jensen, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends that the Board review the February BOCC directives and make comments to staff as necessary.

3. **Durham Technical Community College Strategic Plan**

15 min.

~~Dr. Bill Ingram, President of Durham Technical Community College, will briefly present Durham Tech's Strategic Plan to the Board of County Commissioners.~~

~~Resource Person(s): Dr. Bill Ingram, President, Durham Technical Community College~~

~~County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and advise the staff if any additional action is necessary.~~

3a. **Durham Public Schools—Acquisition of Real Property for Hamlin Road Central Services Facility**

15 min.

On January 22, 2009, the Durham Public Schools Board of Education approved the purchase of Hamlin Road, a property comprised of 3.3 acres and a home. The property is adjacent to Durham Public Schools Hamlin Road Central Services facility and provides a rare opportunity to obtain space for future needs. Funding will be provided by local capital outlay funds. The purchase price is \$130,000. The Board of Education requests approval of the purchase price of this property.

Resource Person(s): Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools

County Manager’s Recommendation: The Manager recommends that the Board review the request and move the item to the March 12, 2009 Regular Session agenda.

3b. **Durham Public Schools—Acquisition of Real Property for New Elementary School “C” and Middle School “A”**

30 min.

On January 22, 2008, the Durham Public Schools Board of Education approved the purchase of multiple parcels in Southern Durham to provide a site for future schools Elementary “C” and/or Middle “A” as identified in Durham Public Schools Long Range Facilities Plan. Funding will be provided by 2003 Bond funds and two-thirds bonds previously designated for land acquisition. Purchase price is \$2,935,000 for six contiguous parcels totaling approximately 47 acres. The properties appraised for \$3,100,000. The Board of Education requests approval of the purchase price of these properties.

Resource Person(s): Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools

County Manager’s Recommendation: The Manager recommends that the Board review the request and move the item to the March 12, 2009 Regular Session agenda.

4. **~~Presentation from Correct Care Solutions LLC, Contractor for Medical Services Provided at the Durham County Detention Facility and the Youth Home~~**

45 min.

~~The Board is requested to receive a presentation from Correct Care Solutions LLC (CCS) explaining the FY 2010 funding request. In the Detention Facility, both the average daily population (ADP) and medical acuity have increased since September 2004, when the County entered into this contractual arrangement. During the first year of the contract, the ADP in the Detention Facility was 458. The ADP is~~

~~currently in excess of 600. From July 1, 2007 through January 31, 2009, fourteen inmates were responsible for paid, off-site medical charges totaling \$1,065,149. CCS is proposing an increase in the FY 2010 contract that will cover inflationary charges, additional staffing (1.0 FTE RN and 0.05 FTE Dentist), and increased risk sharing.~~

~~Resource Person(s): Patrick Cummiskey, Executive Vice President, CCS, and Gayle B. Harris, Health Director~~

~~County Manager's Recommendation: The County Manager recommends that the Board receive the presentation from CCS and provide guidance to staff.~~

5. **Cultural Master Plan Mid-Year Update and Project Funding Proposals**

30 min.

The Interlocal Agreement to extend the Cultural Master Plan Advisory Board and provide City and County funding through June 30, 2009 was signed November 3, 2008. The Agreement requires a mid-year report to the Board of County Commissioners, as well as approval by the Commissioners of spending proposals before any payment from County-provided implementation funds can be made.

The Cultural Master Plan Advisory Board recommends approval of grant funds for the following initiatives as presented at the February 9 meeting of the Board of County Commissioners. The Board of County Commissioners will have the opportunity to vote on the following initiatives at the March 12 Regular Session.

Arts and Business Council Project (\$18,000) – To contract with the Durham Arts Council, for a joint project with the Chamber of Commerce, to affiliate with the national Arts and Business Council program. This replaces an earlier authorization for a \$40,000 project producing cost savings of \$22,000.

Museum Without Walls Project Phase Two (\$2,700) – To fund a second phase project to create a Durham History Museum website to be administered by the Museum of Durham History Inc. It would use \$2,700 of the funds remaining from the first phase project, which was completed for \$6,400 less than budgeted.

The Cultural Master Plan Advisory Board recommends that the Board of County Commissioners receive three reports as presented at the February 9, 2009 meeting of the Board of County Commissioners:

Durham History Museum Report –The Durham History Museum Feasibility Study prepared by Riggs Ward Design.

Public Art Consultant's Report - Summary Recommendations: Public Art Planning and Implementation report prepared by Janet Kagan of the Percent for Art Collaborative LLC.

Cultural Master Plan Initiatives Report - The report recommends 12 new initiatives, totaling \$74,900, from County-provided funds. It proposes using \$25,700 in funds remaining from the original funding provided by the County for the Arts and Business Council project and Museum Without Walls project and \$49,200 from the County funds in the 2008 - 2009 fiscal year budget.

In addition to materials presented at the February 9 meeting of the Board of County Commissioners, the Cultural Master Plan Advisory Board (CMPAB) will present a recommendation for funding of projects in response to the Hispanic Cultural Initiative RFP. The CMPAB will meet February 26 (after the preparation of this AAF) to vote on the recommendation. Materials will be provided to the Commissioners in advance of the March 2 meeting.

Resource Person(s): Peter Coyle, Cultural Master Plan Project Manager; Joshua Parker, Chair, Cultural Master Plan Advisory Board; and G. Christopher Dickey, Economic Development Senior Manager, City of Durham

County Manager's Recommendation: The Manager recommends that the Board receive the Cultural Master Plan mid-year update and project funding proposals and, if appropriate, place on the March 12 consent agenda.

6. **GoPass for County Employees**

15 min.

The Board is requested to receive the report on the proposed GoPass bus pass program and provide direction to staff.

In the fall of 2008, the BOCC authorized \$25,000 for sustainability initiatives including bus passes for employees. That funding has been used, among other things, to create a pilot program offering monthly DATA passes. Due to the popularity of this program, the Sustainability Manager has negotiated a deal with Triangle Transit to be able to offer the GoPasses to County employees.

The GoPass is a monthly pass that is good for all local and regional bus services (DATA, Triangle Transit, CTRAN, and CAT). This pass would be subsidized by the County as a benefit to employees and an incentive to help reach our greenhouse gas emissions reduction goals and requirements under the Durham County Trip Reduction Ordinance. Employees would also pay part of the cost of the passes. The following are options that can be implemented based on available funding:

- Option 1) Employees get the GoPasses for free and Durham County pays the entire cost.
- Option 2) Employee to pay \$10/month pre-tax for the GoPass and Durham County pays the difference, up to \$20,000.
- Option 3) Durham County does not offer the GoPass but allows employees to buy bus passes with pre-tax dollars.

Resource Person(s): Tobin L. Freid, Sustainability Manager

County Manager's Recommendation: The Manager's recommendation is that the Board direct staff to implement Option 2.

7. **Health & Human Services Financing**

5 min.

~~The County is attempting to secure financing for the construction of the Health and Human Services Complex, along with other projects. The financing will be in an amount not to exceed \$117,835,000. This request is for the BOCC to adopt the final Resolution and approve the documents for this transaction.~~

~~Resource Person(s): George K. Quick, Finance Director~~

~~County Manager's Recommendation: The County Manager recommends suspension of the rules, adoption of the resolution, and authorization for the execution of the required documents upon approval by the Local Government Commission.~~

8. **Notice of Residual Petroleum**

5 min.

The County acquired 528 E. Main Street from Canaday Cab Company on December 27, 2006, to be included in the 500 E. Main Street block for the Human Services complex parking lot. A Phase II Environmental Site Assessment was completed by Trigon Engineering in August 2006. Due to an underground storage tank found, a Limited Site Assessment (LSA) was completed by Trigon to determine what, if any, contaminants were present on this parcel. As a result of the LSA and as required by N.C.G.S. 143B-279.9 and 143B-279.11, a Notice of Residual Petroleum is required to be recorded with the Durham County Register of Deeds Office indicating that petroleum constituents remain on the site but are not a danger to public health and the environment, provided that the restrictions described on the Notice are complied with.

Trigon has already requested a No Further Action letter from DENR contingent upon the recording of the Notice. Approval by the Board is necessary because the Notice restricts the property from having water wells being installed or operated on the site and is necessary to obtain a No Further Action letter from DENR.

Resource Person(s): **Glen Whisler, County Engineer**, Peri Manns, Assoc. ASLA, Engineering Department, and Carol Hammett, Assistant County Attorney

County Manager's Recommendation: The Manager recommends that the Board suspend the rules and approve the recordation of the Notice of Residual Petroleum.

9. ~~Durham Cooperative Extension Memorandum of Understanding between the Board of County Commissioners (BOCC), the North Carolina Cooperative Extension Service (NCCES), North Carolina State University (NCSU), North Carolina Cooperative Extension Program (NCCEP), and North Carolina A&T State University (NCA&T)~~

15 min.

~~Durham Cooperative Extension requests time to present to the Board of County Commissioners the Memorandum of Understanding and its Addendum, which outlines and clarifies the employment relationship between cost shared employees of North Carolina Cooperative Extension Service, North Carolina Cooperative Extension Program, and Durham County.~~

~~This Memorandum of Understanding details the individual relationships and mutually agreed upon responsibilities of North Carolina State University, North Carolina Agricultural and Technical State University, and Durham County.~~

~~Resource Person(s): Delphine A. Sellars, County Extension Director~~

~~County Manager's Recommendation: The Manager recommends that the Board receive the presentation and place on the March 9 consent agenda, if appropriate.~~

10. ~~Revisions to the Manager's Recommended FY2010-2019 Capital Improvement Program (CIP)~~

60 min.

~~On February 2, 2009, the Manager presented a recommended 10-year plan to the Board of County Commissioners for the FY2010-2019 CIP. The Board received presentations on various CIP projects at its meetings on February 2, 16, and. 23. As a result of these review sessions, the Manager and staff have made revisions to the FY2010-2019 CIP and will present those changes for review and approval by the Board. Staff will present the Capital Finance Plan which supports the Revised CIP program.~~

~~Resource Person(s): Mike Ruffin, County Manager; Pam Meyer, Director Budget & Management; and Keith Lane, Senior Budget Analyst~~

~~County Manager's Recommendation: The Manager recommends that the Board review the recommended changes to the CIP and move the item to the March 12, 2009 Regular Meeting agenda for public comment and approval.~~

3½ hrs.
2 hrs. 50 mins