

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

Monday, May 22, 2000

AGENDA

5:00 P.M. ? 6:30 P.M.

1. **FY 2000-2001 Recommended Budget**

The Durham County Interim Manager will formally present the recommended budget for FY 2000-01 to the Board of County Commissioners. This is in accordance with G.S. 159-12(b), the Local Government and Fiscal Control Act.

2. **Presentation of Findings and Recommendations of the Health and Human Services Delivery Study**

The Board is asked to receive the presentation and report by Public Consulting Group in response to the following BOCC goal for fiscal year 1999-2000:

?To complete a comprehensive study that identifies and recommends best practices for delivery of health and human services to all citizens of Durham County."

To accomplish this goal, the County Manager assembled a Leadership Team consisting of Department Heads from Public Health, Social Services, The Durham Center, Criminal Justice Resource Center, Cooperative Extension, Youth Coordinating Board, Library, and the County Attorney to develop recommendations that best meet the above-referenced Board goal. To that end, the Leadership Team engaged Public Consulting Group, Inc. (PCG) to conduct a delivery study of Durham County?s health and human services. In part, the scope of work for the study included the following:

?To evaluate what service improvements and management goals could be accomplished through an organizational restructuring of the health and human services system, including the departments of: Social Services, Public Health, and MH/SA/DD. The organizational models to be considered are: a) the county model used by Mecklenberg County; b) the human service model used by Wake County; c) the board model currently used by Durham; and d) a model developed through the study and input from stakeholders that will provide the best service in Durham County."

Consultants from PCG, Inc. will provide a presentation of the findings and recommendations and be available to answer questions related to the report.

Resource Person(s): Marc Fenton, Principal Partner, and Dennis Bothamely, Grant Blair, and Thomas Aldridge of Public Consulting Group, Inc.

County Manager's Recommendation: The Manager?s recommendation is that the Board receive the report and accept the presentation as information.

7:00 P.M. Regular Session

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

2. **Agenda Adjustments**

3. **May Anchor Award Winner--Tracy Babiasz**

Tracy Babiasz, Technology Librarian, Durham County Library, is the winner of the May Anchor Award.

Ms. Babiasz thoroughly prepared the entire Library staff to assist the public with technology use as part of the Library's Public Internet Access Project. She trained the staff in searching techniques and compiled written material to assist both staff and patrons in navigating the Internet. She researched software and hardware to provide the best possible configuration for the public's needs and kept the Library's web site up-to date-with links to valuable information.

Ms. Babiasz also took the lead role in drafting the Library's Internet use policy for the Library Board's consideration. She received an award from the North Carolina Public Library Directors Association for the comprehensive training program she designed for the staff. During the design and implementation of the program, she worked many extended hours during the installation to ensure that the workstations were operating properly and that problems were addressed in a timely manner.

County Manager's Recommendation: Present the May Anchor Award to Tracy Babiasz, along with the sincere congratulations of the entire organization.

4. **Proclamation for Durham County Ruritan Recognition Week**

The Chairman has been asked to proclaim May 21 to May 26, 2000 as "Durham County Ruritan Recognition Week." A representative of one of the local clubs will be in attendance to receive the proclamation.

County Manager's Recommendation: Present the proclamation to representatives of the Ruritan Club, along with thanks and appreciation for service to the Durham community.

5. **Resolution for Durham County Support Our Students Program**

Durham County Support Our Students Program was recently recognized with an award from the North Carolina Office of Juvenile Justice. Support Our Students is a community based after-school initiative that provides support and guidance to young people in middle schools. Staff has prepared the attached resolution for the Board's consideration. Officials from Durham Public Schools Community Education Program will be on hand to receive the resolution.

Resource Person(s): Linda Chappel, Director, and Mike Vadala, Program Administrator.

County Manager's Recommendation: Present the resolution to representatives of Durham Public Schools, along with congratulations for service to the young people in this community.

6. **Fight Crime: Invest in Kids North Carolina**

The Board has been requested to lend support for a new initiative entitled, "Fight Crime: Invest in Kids North Carolina." Following a briefing, the Board is asked to approve the resolution that was prepared by staff.

Resource Person(s): Commission Chairman MaryAnn E. Black and Sheriff Worth Hill.

County Manager's Recommendation: Support the program and send a copy of the approved resolution to the appropriate elected officials as indicated.

7. **2000 Distinguished Leadership-Elected Official Award?Vice Chairman Ellen Reckhow**

The North Carolina Chapter of the American Planning Association (NCAPA) recently presented Vice Chairman Ellen W. Reckhow with the "2000 Distinguished Leadership-Elected Official Award." The award was made on Friday, May 19 in Raleigh during the NCAPA Planning Conference. The annual awards program recognizes outstanding work in the planning profession.

Her nomination noted several accomplishments including:

- • Encouraged the development of a merged City-County Planning Department with merged ordinances.
- • Facilitated the use of new technologies such as Geographic Information System (GIS) in the planning programs.
- • Sponsored progressive ordinance amendments which encourage mixed-use development, preserve unique natural features, and ensure better water quality.
- • Organized Durham's first ever Smart Growth Summit, which brought together all of Durham's citizen commissions dealing with development issues.
- • Guided Durham County's adoption of a Transportation Demand Management plan, which is seen as template for involving government and employers in resolving traffic congestion.

County Manager's Recommendation: Extend sincere congratulations to Vice-Chairman Reckhow for this recognition and for her dedicated work and contributions to the planning profession.

8. **Consent Agenda**

- a. a. Contract for Audit Services (approve the audit contract as presented);

- b. b. Public Health?Budget Amendment No. 00BCC000050 to Recognize State Revenues Received for Summer Feeding Program Inspections (recognize state revenues in the amount of \$2,766.05);
- c. c. Social Services?Budget Amendment No. 00BCC000051 to Recognize New Revenue and Establish DSS Social Worker Position (to recognize new revenue in the amount of \$3,461. In addition, the Manager recommends establishment of a Resident Evaluation Services Social Worker position as it will be funded and sustained on non-county revenues with no future budget implications);
- d. d. Social Services?Budget Amendment No. 00BCC000052?Request to Accept New DSS Revenues (recognize new DSS revenues from Smart Start for child care subsidies in the amount of \$176,139);
- e. e. Mental Health?Budget Amendment No. 00BCC000053 to Recognize an Increase in Intergovernmental Revenues due to Additional Allocations (approve budget amendment of \$15,000 to increase the Durham Center budget to reflect additional state allocation);
- f. f. Worker?s Compensation?Budget Amendment No. 00BCC000054 (approve budget amendment to maintain the integrity of the Risk Management budget);
- g. g. Offer to Purchase County Property (two tracts on Lacy Road) (pursue the upset bid process at this time and approve the resolution);
- h. h. Offer to Purchase County Property (900 Colfax Street) (pursue the upset bid process at this item and approve the resolution);
- i. i. Offer to Purchase County Property (110 Plantation Drive) (pursue the upset bid process at this time and approve the resolution);
- j. j. Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report for the month of April 2000);
- k. k. Letter of Support for the HOPE VI Grant Application (direct staff to prepare a letter of support for the Chairman?s signature for the HOPE VI Grant Application);
- l. l. Appointment to Board of Directors of Downtown Durham Inc. (appoint Commissioner Bowser to serve another term on the Board of Directors of Downtown Durham Inc. from July 1, 2000 to June 30, 2001);
- m. m. Appointment?Durham Convention and Visitors Bureau (appoint Mr. Jason Matthew Lazich to represent ?transportation" on the DCVB Visitor Sector Advisory Board);
- n. n. Approval of Purchase of Personal Computers by the Department of Social Services for the Unified ChildCare Subsidy Program (authorize the County Manager to enter into a contract with Compucom to purchase the computer equipment); and
- o. o. Purchase Agreement for the Proposed Little River Regional Park (authorize the Interim County Manager to execute the binding purchase agreement for acquisition of 255 acres of Little River Regional Park in Durham County, and begin developing an interlocal agreement that spells out management and design issues related to the joint ownership of the regional park facility. The County?s portion of the project is \$681,850; however, the net cost to the County after the aforementioned grants are received will be approximately \$180,000, which is budgeted in the Pay-As-You-Go Fund. In addition, the Manager recommends that the Board certify that Durham County has the necessary funds to provide the local match for an LWCF grant request to provide for site development costs).

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

Public Hearing

9. Public Hearing on Proposed Public Parking for American Tobacco Historic Property

At the last meeting of the Board of Commissioners, the Board voted to express its intent to participate with the City of Durham in providing public parking in the location of the American

Tobacco Historic Property Project. This public hearing is necessary to determine if additional public parking is needed currently or in the future for this area in addition to the parking currently existing.

Resource Person(s): S. C. Kitchen

County Manager's Recommendation: Hold the public hearing, and following the hearing, direct the County Attorney to prepare a resolution based on the evidence presented during the hearing.

Regular Agenda Items

10. **Durham County Juvenile Crime Prevention Council's Recommendation for FY 2000-01 JCPC/OJJ Program Funding**

The Durham County Juvenile Crime Prevention Council (JCPC) recommends that the 11 programs listed on the spreadsheet be funded for the amounts noted, a total of \$488,708 for fiscal year 2000-01. This funding will begin on July 1, 2000. The Council received 18 pre-applications totaling \$959,885.

The \$488,708 are state funds for fiscal year 2000-01 from the North Carolina Office of Juvenile Justice (OJJ) continuation budget. The funding is targeted to intervention and prevention and is available only to programs that serve delinquent, undisciplined, and/or high-risk youth who are court-involved. Programs are required to offer treatment, rehabilitation, and/or educational enrichment as prioritized in the publicly advertised "Request for Proposals" (RFP).

The funding allocation process was conducted in accordance with the North Carolina Office of Juvenile Justice (OJJ) procedures and guidelines and was supervised by Durham County's Regional Consultant, James M. Barbee. The Council's recommendations were presented to and endorsed by the Youth Coordinating Board on May 11, 2000. Commissioner Becky Heron serves as the Board of County Commissioners' liaison to the Juvenile Crime Prevention Council.

Resource Person(s): Anita Daniels-Kenney, MSW, Youth Coordinating Board Director; Karen K. Thompson, Juvenile Crime Prevention Council Chair; and James M. Barbee, NC Office of Juvenile Justice Regional Consultant.

County Manager's Recommendation: Approve the Juvenile Crime Prevention Council's Program Funding Recommendations for Fiscal Year 2000-01.

11. **Appraisal of Real Property Adoption of Schedules, Standards, and Rules (NCGS 105-317)**

In remaining on schedule for the 2001 Revaluation of real property for Durham County, the Tax Department has completed the Schedule of Values, Standards, and Rules. The values, standards, and rules required by North Carolina General Statute 105-317 subdivision(b)(1) shall be reviewed and approved by the Board of County Commissioners before January 1 of the year they are applied (2001).

The Board of County Commissioners may approve the schedule of values, standards, and rules to be used in the appraising of real property at its true value and at its present use value either separately or simultaneously.

Notice of the receipt and adoption by the Board of County Commissioners and notice of the property owners right to comment on and contest the schedules, standards, and rules are as follows:

- 1) 1) The Assessor shall submit the proposed schedules, standards, and rules not less than 21 days before the meeting in which the Board will consider them. On the same

day they are submitted to the Board for consideration, the Assessor shall file a copy in his office where they shall remain available for public inspection.

- 2) 2) Upon receipt of the proposed schedules, standards, and rules, the Commissioners shall publish a statement in a newspaper having general circulation within the County stating;
 - a) a) that the proposed schedules, standards, and rules to be used in appraising real property in the County have been submitted to the Board of County Commissioners and are available for public inspection in the Assessor's office; and
 - b) b) the time and place of a public hearing on the proposed schedules, standards, and rules that shall be held by the Board of County Commissioners at least seven days before adopting the final schedules, standards, and rules.

- 3) 3) When the Board of County Commissioners approves the final schedules, standards, and rules, it shall issue an Order adopting them. Notice of this Order shall be published once a week for four successive weeks in a newspaper having general circulation in the County, with the last publication being not less than seven days before the last day of challenging the validity of the schedules, standards, and rules by appeal to the Property Tax Commission. The notice shall state:
 - a) a) that the schedules, standards, and rules to be used in the next schedule reappraisal of real property in the County have been adopted and are open to examination in the office of the Assessor; and
 - b) b) that a property owner that asserts that the schedules, standards, and rules are invalid may except to the order and appeal therefrom to the Property Tax Commission within 30 days of the date when the notice of the order adopting the schedules, standards, and rules was first published.

Resource Person(s): Steve Crysel, Tax Administrator, and Jay Miller, Deputy Assessor.

County Manager's Recommendation: The Manager's recommendation is that the Board accept the proposed Schedule of Values, Standards, and Rules required by the North Carolina General Statute 105-317 and set a public hearing for June 12, 2000. The Values, Standards, and Rules, will be available for public inspection for 30 days.

12. **Office Furnishings ? Unified Child Care Subsidy Project**

The Board is requested to authorize the County Manager to enter into a contract for \$78,041.70 with MacThrift Office Furniture for office furnishings to outfit the recently leased facility for the Unified Child Care Subsidy Project located at Mechanics & Farmers Corporate Center 2634 Chapel Hill Boulevard.

Durham County's requirement for office furnishings were advertised in the Herald-Sun and Carolina Times on April 19, 2000. This included panels, bookcases, workstations,

seating and/or chairs, and keyboard drawers. Invitation for Bid No. 00-024 was mailed to 17 vendors. Bid responses were received from five vendors including Alfred Williams, Brame Office Products, Corporate Express, MacThrift Office Furniture, Modern Office Interiors, and Prestige Office Products. With the exception of one type of chair and the laminate top for the file cabinets, MacThrift was low bid on this 65 line item bid. Timely delivery and seamless installation is critical to this project; therefore, we are requesting the full requirements be awarded to MacThrift Office Furniture.

Funding for this was provided by the Durham Partnership for Children and has been recognized in the Department of Social Services budget for FY 1999-00.

Resource Person(s): Sandra Phillips, Director of Purchasing; Ellisa Solivan, Buyer; Gael Hallenbeck, Assistant Director of Department of Social Services; and Arnold Dennis, Assistant Director of Department of Social Services.

County Manager's Recommendation: Authorize the County Manager to enter into a contract with MacThrift Office Furniture for \$78,041.70 to outfit the recently leased facility for the Unified Child Care Subsidy Project located at Mechanics & Farmers Corporate Center 2634 Chapel Hill Boulevard.

13. **County Participation in the Cost of Sidewalks for the Mineral Springs Road/S. Miami Boulevard/US 70 Intersection Improvement Project**

The N. C. Department of Transportation (NCDOT) will be constructing a safety and capacity improvement project at the intersection of US 70, S. Miami Boulevard, and Mineral Springs Road, including a realignment of a portion of Sherron Road. The project is scheduled for construction early this summer at a total estimated cost of \$8.778 million. The Board of County Commissioners and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) have jointly requested that the NCDOT construct wide outside lanes for bicycles and sidewalks as part of the project. Wide outside lanes will be constructed at no extra cost to local governments.

This item was presented to the Board at the April 3, 2000 meeting for consideration. Staff was asked to determine if funds were available in a payment in lieu of sidewalks account which would allow for County participation in the project. To date, each developer has chosen to construct sidewalks as opposed to contributing to the payment in lieu of sidewalks fund; therefore, there are no accruals in the accounts. However, if the Board so chooses to fund the project, moneys are available in the Pay-As-You-Go account. The County's portion of the construction cost would be \$17,652.14.

Under NCDOT policy, it is suggested that local governments participate in the cost and maintenance of new sidewalks. The DCHC MPO has allocated \$84,461 in federal Surface Transportation Program's Direct Attributable (STP-DA) funds to defray most of the sidewalk cost, and may allocate up to a maximum of 80 percent of the total. The City of Durham is currently negotiating a Municipal Agreement with NCDOT to pay the non-federal share of the STP-DA funds and assumes maintenance responsibility for the portion of the project within the City limits, or about 10 percent of the total project.

Resource Person(s): Norm Standerfer, Director, Durham City/County Planning, Mark Ahrendsen, City Transportation

County Manager's Recommendation: The Manager's recommendation is that if the Board agrees to the concept, direct the County Manager and the County Attorney to negotiate a draft reimbursement and maintenance agreement with NCDOT for the Miami Blvd./Mineral Springs project. Given that there is not an accrual in the payment in lieu of sidewalks account, funding would have to be appropriated from Pay-As-You Go.

14. **Lease with Cornell Corrections of County-owned Space**

The Board is requested to authorize the execution of a lease between the County of Durham and Cornell Corrections Inc. for approximately 25,697 square feet of County-owned space located at 326 East Main Street, Durham, NC (generally referred to as the Emergency Jail). This is a five-year lease renewal (July 1, 2000 through June 30, 2005) of the original lease entered into on August 26, 1996. The charge for the space is approximately \$7.53 per square foot representing annualized revenue to the County of \$193,405.20. This proposed square-footage rate represents a 2.5 percent increase over the prior year.

Rates during the term of the original lease increased in accordance with the Consumer Price Index (CPI) which was approximately 1 percent per year. The annual rate increase for this renewal is CPI or 2.5 percent, whichever is greater. With the exception of the length of the lease, square-footage rate, annual rate increases, and removal of an automatic option to extend the lease for another five-year period, the remaining terms are essentially the same as the original lease.

Cornell Corrections shall be responsible for electricity, water, gas, sewer, heating and air conditioning, waste removal, telephone and related equipment/services, janitorial services, elevators and associated maintenance, and any other utilities rendered or supplied upon or in connection with the premises. The County shall be responsible for taxes and assessments, HVAC maintenance, and shall make all major repairs to the roof, sidewalls, structural support, and foundation. The County is further responsible for all necessary major repairs or replacements of the plumbing, heating, air conditioning, and electrical systems, unless due to abuse or negligence on the part of the Tenant.

Resource Person(s): Sandra W. Phillips, Director of Purchasing

County Manager's Recommendation: The Manager's recommendation is that the Board approve a five-year lease for Cornell Corrections at 326 East Main Street. At present, it is not anticipated that a five-year lease will conflict with the County's proposed Capital Improvement Program to construct the Health and Human Services Plaza in the 300 block of East Main Street.

15. **Interlocal Agreement with TTA for TDM Management**

Pursuant to the Commute Trip Reduction Ordinance, a Lead Agency needs to be appointed to perform the duties as required in the Ordinance. Research Triangle Regional Public Transportation Authority (TTA) has agreed to serve as the Lead Agency. A formal Interlocal Cooperation Agreement has been drafted by TTA and approved by the County Attorney. The duties of TTA are set out in the Agreement. The budget for this agreement will be part of the budget presentation by the County Manager after negotiation with TTA. Should the County and TTA be unable to agree on a budget, this Agreement would be void, and the County or another entity would need to serve as Lead Agency.

A representative of the City of Durham has indicated that the City will be agreeable to participating in funding TTA as the Lead Agency. As part of the budget process, the County Manager will need to negotiate an Interlocal Cooperation Agreement with the City of Durham to share in the funding.

Resource Person(s): S. C. Kitchen, County Attorney

County Manager's Recommendation: Approve the agreement with TTA to serve as Lead Agency under the Commute Trip Reduction Ordinance as TTA has already begun work with TDM measures. I will negotiate with the City on a possible Interlocal Cooperation Agreement and present the budget for this Interlocal Agreement with TTA during the budget process.

16. **Board and Commission Appointments**

Garry E. Umstead, Clerk to the Board, will distribute ballots to make appointments to the following boards and commission:

- •Animal Control Advisory Committee
- •Area Mental Health Board
- •Library Board of Trustees
- •Memorial Stadium Authority
- •Nursing Home Community Advisory Committee