

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

Monday, April 10, 2006

7:00 P.M. Regular Session

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., and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Agenda Adjustments

Chairman Reckhow acknowledged the revised agenda which reflected the deletion of Consent Agenda Item No. b, Budget Ordinance Amendment No. 06BCC000051—Community Health—Recognize Lease Payments.

Announcements

Chairman Reckhow reported on a Durham Careers in Construction Award dinner. She commended all construction companies involved in the program. The program has expanded to an additional school—Southern High School.

Commissioner Page mentioned today as National DEAR (Drop Everything and Read) Day as part of recognizing National Library Week. He urged citizens to celebrate DEAR Day by dropping everything and reading to themselves or others. Commissioner Page thanked the Library for continuing to create positive initiatives in the Durham community.

Chairman Reckhow commended staff for designing the updated look to the *Best of Friends* newsletter, the library's newsletter printed just for Friends of the Library (library supporters).

Minutes

Vice-Chairman Heron moved, seconded by Commissioner Cheek, to approve as submitted the February 13, 2006 BOCC/Hospital Corporation Board of Trustees and March 27, 2006 Regular Session Minutes.

The motion carried unanimously.

Resolution Honoring GlaxoSmithKline for Establishing the GlaxoSmithKline Literacy Endowment

Chairman Reckhow read the following resolution honoring GlaxoSmithKline for its gift to the Durham Library Foundation to establish the GlaxoSmithKline Literacy Endowment:

RESOLUTION

WHEREAS, GlaxoSmithKline is an international, research-based pharmaceutical firm with almost 5,000 employees in Research Triangle Park, and is committed to education, especially K-12 literacy and science education in communities where its employees live and work; and

WHEREAS, GlaxoSmithKline has a long history of local philanthropy and has supported the Durham County Library for more than ten years with donations to purchase a new Bookmobile, to purchase public access computers, and to expand the Summer Reading Club; and

WHEREAS, the Durham County Library serves as a vibrant strand in the cultural and educational fabric of the community with excellent children's programming and an intergenerational approach to literacy; and

WHEREAS, Durham County Library's programming initiatives drew the attention of the National Endowment for the Humanities, which awarded the Durham Library Foundation a \$500,000 Challenge Grant in spring 2005 to leverage funding for a permanent Humanities Endowment that will expand the depth, scope, and number of programs offered; and

WHEREAS, GlaxoSmithKline North Carolina Community Partnerships made a grant of \$800,000 to the Durham Library Foundation to establish the *GlaxoSmithKline Literacy Endowment*, which will help to leverage the NEH Challenge Grant; and

WHEREAS, half of the yield from the *GlaxoSmithKline Literacy Endowment* will provide stable funding to expand the Library's successful Summer Reading Club and half of the yield will re-establish the Library Youth Partnership so that local teens will be trained to develop and present literature-based art, math, music, and science programs for preschoolers through fourth-graders:

NOW, THEREFORE, I, Ellen Reckhow, Chair of the Durham County Board of Commissioners, do hereby express deep appreciation to GlaxoSmithKline for its generous support of The Campaign for the Library-*Branching Out* and the Durham County Library.

This the 10th day of April, 2006.

/s/ Ellen W. Reckhow, Chairman
Board of County Commissioners

Mary Linda Andrews, Director of Community Partnerships for GlaxoSmithKline (GSK), thanked the Board for honoring GSK with the resolution. Ms. Andrews stated that the proceeds from the endowment will support educational issues that are important to the corporation—K-12 literacy and science education. The gift will also help to leverage the \$500,000 challenge grant the Library received from the National Endowment for Humanities in June 2005. GlaxoSmithKline, a leading research-based pharmaceutical firm, has about 5,000 employees in Research Triangle Park.

Chairman Reckhow thanked GSK for the generous donation.

Proclamation for Community Advisory Committee Appreciation Day

Volunteer members of the Nursing Home and Adult Care Home Advisory Committees are appointed by the Board of County Commissioners to serve as advocates for the rights of long-term care residents, as well as advocates for the physical, mental, and emotional well-being of these residents. The Triangle J Area Agency on Aging Ombudsman Program will hold a Community Advisory Committee Education and Appreciation Day on April 26 to honor these dedicated volunteers. A request has been made to declare April 26, 2006 as “Community Advisory Committee Appreciation Day” to extend appreciation for the advocacy efforts of those volunteers.

Vice-Chairman Heron read the proclamation for Community Advisory Committee (CAC) Appreciation Day:

PROCLAMATION

WHEREAS, nursing homes and adult care homes have accepted the responsibility for providing long term care health services to the citizens of our community; and

WHEREAS, approximately 2400 residents reside in long term care facilities in Durham County; and

WHEREAS, the quality of care and quality of life of long term care residents depend upon the daily, conscientious services and hands-on care provided by long term care facility staff, as well as the honoring of federal and state Residents’ Bill of Rights; and

WHEREAS, the Nursing Home and Adult Care Home Community Advisory Committees, whose members are appointed by the County Commissioners to serve as grassroots ombudsmen and advocate for the rights of residents, as well as the physical, mental, emotional, and spiritual well-being of these residents; and

WHEREAS, the Nursing Home and Adult Care Home Community Advisory Committees are trained volunteers who collaborate closely with residents, family members, facility staff, the Long Term Care Ombudsman Program, and regulatory agencies to ensure quality care in full recognition of residents' dignity and individuality; and

WHEREAS, these committees serve as the nucleus for increased community involvement with long term care facilities and their residents; and

WHEREAS, the committees promote community education and awareness of the needs of long term care residents, and work toward keeping the public informed about aspects of long term care; and

WHEREAS, the committees apprise themselves of the general conditions under which residents are residing in the homes, and work for the best interests of these residents:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby proclaim April 26, 2006 as

COMMUNITY ADVISORY COMMITTEE APPRECIATION DAY

and urge all citizens to join with us in this observation. We encourage citizens to express appreciation for the advocacy efforts of the Nursing Home and Adult Care Home Community Advisory Committee members who represent the public good for Durham County.

This the 10th day of April, 2006.

/s/ All Five Commissioners

Vice-Chairman Heron presented the resolution to a Nursing Home Community Advisory Committee representative.

Cover the Uninsured Month Proclamation

Chairman Reckhow read the proclamation to recognize May as "Cover the Uninsured Month" in Durham:

PROCLAMATION

WHEREAS, 45 million Americans have neither government nor private health care coverage, including almost 35,000 people in Durham; and

WHEREAS, eight out of 10 people who are uninsured are in working families; and

WHEREAS, there are more than eight million children in America without health care coverage, including over 6,000 children in Durham; and

WHEREAS, uninsured Americans live sicker and die younger than those who are covered, and having health coverage would reduce mortality rates by 10-15 %; and

WHEREAS, uninsured Americans miss out on preventive care; and

WHEREAS, the price of health care continues to rise, meaning fewer individuals and families can afford coverage, and fewer businesses are able to provide coverage for their employees; and

WHEREAS, lack of access to health insurance disproportionately affects people of color in Durham, with 30% not covered compared to 4.8% of whites; and

WHEREAS, the health care safety net is fragmented, with local providers such as Lincoln Community Health Center struggling to provide care for more uninsured patients than most federally qualified health centers, and unable to provide specialty care; and

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby proclaim May 2006 as:

“COVER THE UNINSURED MONTH”

in Durham County. The Board recognizes the urgency of creating local solutions to one of America and Durham’s greatest problems through public-private partnerships. We urge local residents, providers, governmental agencies, insurers, businesses, and communities to commit to covering Durham’s uninsured.

This the 10th day of April, 2006.

/s/ All Five Commissioners

Gene Upchurch, Chair, Access to Care Committee of the Partnership for a Healthy Durham, thanked the Board for acknowledging May as “Cover the Uninsured Month”. She recognized members and staff for contributing to the work of Access to Care. Ms. Upchurch stated that forty-five million Americans have neither government nor

private health care coverage, including almost 35,000 people in Durham. She announced that on May 2, Access to Care would host a summit for “Cover the Uninsured in Durham” initiative. She invited citizens to attend.

Chairman Reckhow thanked Ms. Upchurch and the Access to Care staff for the diligent work. She presented the resolution to Ms. Upchurch.

Alcohol Awareness Month Proclamation

Commissioner Cheek commented on the importance of observing April as “Alcohol Awareness Month”. He encouraged citizens to spread the awareness to others affected by alcoholism and substance abuse.

Commissioner Cheek read the Alcohol Awareness Month proclamation into the record as follows:

PROCLAMATION

WHEREAS, alcohol is a factor in the four leading causes of death among persons ages 10-24: motor-vehicle crashes, unintentional injuries, homicide, and suicide; and

WHEREAS, approximately 9.7 million current drinkers in the United States are between the ages of 12 and 20; and

WHEREAS, alcohol is the most frequently used drug by high-school seniors; and

WHEREAS, young people begin drinking, on average, at 13.1 years of age; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex among youth, increasing their risk of contracting HIV and other transmitted diseases; and

WHEREAS, the typical American young person will see 100,000 beer commercials before he or she turns 18 (that is more than for sneakers, gum, and jeans); and

WHEREAS, 13 percent of all youth, ages 12-17, had at least one serious problem related to drinking in the past year:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby proclaim that April 2006 is

“ALCOHOL AWARENESS MONTH”

in Durham County. We call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, and schools in Durham to support efforts that will encourage recovery throughout our community.

This the 10th day of April, 2006.

/s/ All Five Commissioners

As no representative of The Durham Center was present to accept the proclamation, Chairman Reckhow stated that the proclamation would be given to staff later.

Proclamation in Recognition of 2006 Spring Litter Sweep

Chairman Reckhow announced the 2006 Spring Litter Sweep, Department of Transportation's annual roadside cleanup. She read the following proclamation into the record:

PROCLAMATION

WHEREAS, the North Carolina Department of Transportation organizes an annual spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the Spring 2006 "LITTER SWEEP" roadside cleanup will take place April 17 - 30, 2006, and encourages local governments and communities, civic and professional groups, businesses, schools, churches, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during "LITTER SWEEP" and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2006 Spring cleanup will celebrate the 18th Anniversary of the North Carolina Adopt-A-Highway program and its 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the “LITTER SWEEP” cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby proclaim April 17-30, 2006, as

“SPRING LITTER SWEEP”

time in Durham County and encourage all Durham citizens to take an active role in making our community cleaner.

This the 10th day of April, 2006.

/s/ All Five Commissioners

Chairman Reckhow encouraged citizens to participate in Spring Litter Sweep and to attend the 2006 Durham Earth Day Festival. The Festival will be held on Saturday, April 22, Durham Central Park, to raise awareness of environmental issues, share knowledge, and promote positive action that protects and enhances the quality of life for Triangle residents.

Consent Agenda

Commissioner Page moved, seconded by Commissioner Cousin, to approve the following consent agenda items:

- a. Standard Non-Reimbursable Utility Contracts for the Extension of the County Sanitary Sewer System (authorize the County Manager to execute the contracts with TMC Associates, LLC for Triangle Metro Center and Sheetz Inc. for Sheetz Convenience Store);
- *d. Budget Ordinance Amendment No. 06BCC000053—Public Health—Recognize \$13,314 in Revenue from the NC Division of Public Health, Children and Youth Branch, via Lincoln Community Health Center for Contracted Services Provided by the Nutrition Division;
- *e. Budget Ordinance Amendment No. 06BCC000054—Public Health—Recognize One-time Funding in the Amount of \$15,191 From the N.C. Department of Health and Human Services for the Family Planning Program;

- *f. Budget Ordinance Amendment No. 06BCC000055—Public Health—Recognize a \$1,500 Grant from the March of Dimes for the Community Health Division;
- *h. Budget Amendment Ordinance No. 06BCC000057—3% Salary Adjustment for County Employees for the Remainder of FY 2005-2006 (appropriate \$521,802 of already budgeted funds for a 3% salary increase for all Durham County employees [excluding elected officials, the County Manager, County Attorney, Clerk to the Board, Tax Administrator, and all County department heads] beginning April 10, 2006. Salary ranges for all positions in the County's Pay Plan will also increase by 3%);
 - i. Consolidated Transportation Study (move forward with Phase 2 of the study based on discussions at the April 3 Worksession);
 - j. Annual Report—Durham City-County Appearance Commission (receive the 2005 Annual Report) (*Chairman Reckhow commended the Commission for its exemplary work*);
 - k. 2006 State Legislative Agenda (approve and present to the Durham Delegation on May 2);
- *l. Resolution Concerning the Influenza Vaccine Supply (pass the resolution encouraging the federal government to improve significantly the process for developing and distributing influenza vaccine);
- m. Amendment of the Durham County Stormwater Ordinance (enact the proposed Ordinance Amending Chapter 14 Article V of the Durham County Code of Ordinances); and
- n. Nominations of Hospital Corporation Board of Trustees Lewis A. Cheek and Exter G. Gilmore Jr. for appointment to the Duke University Health System Board of Directors (*Chairman Reckhow clarified this item for Commissioner Page*).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda Item No. d. Budget Ordinance Amendment No. 06BCC000053—Public Health—Recognize \$13,314 in Revenue from the NC Division of Public Health, Children and Youth Branch, via Lincoln Community Health Center for Contracted Services Provided by the Nutrition Division.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000053

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| Intergovernmental | \$299,618,854 | \$13,314 | \$299,632,168 |

Expenditures:

| <u>Activity</u> | | | |
|---------------------|---------------|----------|---------------|
| <u>GENERAL FUND</u> | | | |
| Human Services | \$370,249,499 | \$13,314 | \$370,262,813 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Consent Agenda Item No. e. Budget Ordinance Amendment No. 06BCC000054—Public Health—Recognize One-time Funding in the Amount of \$15,191 From the N.C. Department of Health and Human Services for the Family Planning Program.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000054

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| Intergovernmental | \$299,632,168 | \$15,191 | \$299,647,359 |

Expenditures:

| <u>Activity</u> | | | |
|---------------------|---------------|----------|---------------|
| <u>GENERAL FUND</u> | | | |
| Human Services | \$370,262,813 | \$15,191 | \$370,278,004 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Consent Agenda Item No. f. Budget Ordinance Amendment No. 06BCC000055—Public Health—Recognize a \$1,500 Grant from the March of Dimes for the Community Health Division.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000055

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| Intergovernmental | \$299,647,359 | \$1,500 | \$299,648,859 |

Expenditures:

| <u>Activity</u> | | | |
|---------------------|---------------|---------|---------------|
| <u>GENERAL FUND</u> | | | |
| Human Services | \$370,278,004 | \$1,500 | \$370,279,504 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Consent Agenda Item No. h. Budget Amendment Ordinance No. 06BCC000057—3% Salary Adjustment for County Employees for the Remainder of FY 2005-2006 (appropriate \$521,802 of already budgeted funds for a 3% salary increase for all Durham County employees [excluding elected officials, the County Manager, County Attorney, Clerk to the Board, Tax Administrator, and all County department heads] beginning April 10, 2006. Salary ranges for all positions in the County's Pay Plan will also increase by 3%).

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000057

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| General Government | \$26,803,690 | \$81,628 | \$26,885,318 |

| | | | |
|--------------------------------------|---------------|------------|---------------|
| Public Safety | \$43,143,448 | \$191,958 | \$43,335,406 |
| Environmental Protection | \$3,323,295 | \$8,671 | \$3,331,966 |
| Economic and Physical Development | \$2,888,789 | \$4,998 | \$2,893,787 |
| Human Services | \$370,279,504 | \$206,963 | \$370,486,467 |
| Cultural and Recreation | \$9,648,302 | \$27,584 | \$9,675,886 |
| Other | \$7,863,359 | -\$521,802 | \$7,341,557 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Consent Agenda Item No. 1. Resolution Concerning the Influenza Vaccine Supply (pass the resolution encouraging the federal government to improve significantly the process for developing and distributing influenza vaccine).

RESOLUTION CONCERNING THE INFLUENZA VACCINE SUPPLY

WHEREAS, each year, a substantial proportion of vaccine-preventable diseases occur among adults, despite the availability of safe and effective vaccines; and

WHEREAS, adult immunization levels continue to lag far behind childhood rates, and adult morbidity and mortality from vaccine-preventable diseases remain high; and

WHEREAS, adults form the core infrastructure needed to respond to any emergent public safety and health need; and

WHEREAS, the burden of and responsibility for vaccinating high-risk and vulnerable populations often falls upon public health departments and their public partners; and

WHEREAS, public health is often unable to serve the high-risk and vulnerable populations within a community because of a lack of timely distribution of vaccine, especially influenza vaccine; and

WHEREAS, commercial vaccinators make early bulk purchases of influenza vaccine and are able to offer mass flu campaigns before public health can vaccinate high-risk populations; and

WHEREAS, the federal government and local medical providers look to the public health infrastructure to be prepared to respond to and coordinate the response of any communicable disease outbreak, including an influenza pandemic; and

WHEREAS, the federal government has provided support for the childhood immunization program nationally that has resulted in dramatic reductions in childhood vaccine preventable diseases; and

WHEREAS, an adult immunization infrastructure is needed prior to implementation of a national universal influenza vaccine recommendation:

THEREFORE, BE IT RESOLVED that the Durham Board of County Commissioners recognizes this compelling public health challenge and requests that:

- Sufficient federal funding be identified to support a robust adult vaccine preventable disease vaccination infrastructure and program that would include influenza as a primary component;
- The federal government guarantee prices for influenza vaccine be offered as an incentive for vaccine production to meet the demand;
- The federal government bulk purchase a base number of doses for public health;
- The federal government develop regulations that would guarantee distribution of influenza vaccine to public agencies first; and
- The federal government promulgate enforcement rules designed to ensure compliance by providers to follow criteria for vaccinating high-risk individuals and penalize those providers that disregard high-risk vaccination criteria.

Consent Agenda Items Removed for Discussion

Consent Agenda Item No. c. Budget Ordinance Amendment No. 06BCC000052—Emergency Communications (approve \$268,745 to appropriate \$134,373 of the Wireline Surcharge fund balance and \$134,372 from the Wireless Surcharge fund balance).

Vice-Chairman Heron requested County Manager Mike Ruffin to work with City Manager Patrick Baker to plan for a safer location for the 9-1-1 Center. (Its current location is on the third floor of a glass building.)

County Manager Ruffin responded that he followed up on the directive given a year ago to look into a different location for E9-1-1. E9-1-1 is a City department, thus being a City responsibility. He stated that the City expressed a willingness to address the issue later but since has been unable to do so. County Manager Ruffin informed the Board of his meeting with City Manager Baker this week. Discussion will emerge about whether relocation of E-9-1-1 is in the City's capital planning. He agreed to report the outcome of the discussion to the Board.

Vice-Chairman Heron offered to meet with County Manager Ruffin to discuss possible locations.

Vice-Chairman Heron moved, seconded by Commissioner Cheek, to approve Consent Agenda Item No. c.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000052

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| Emergency Service Telephone Surcharge | \$3,026,102 | \$268,745 | \$3,294,847 |

Expenditures:

| <u>Activity</u> | | | |
|---------------------------------------|-------------|-----------|-------------|
| <u>GENERAL FUND</u> | | | |
| Emergency Service Telephone Surcharge | \$6,556,897 | \$268,745 | \$6,825,642 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Consent Agenda Item No. g. Budget Ordinance Amendment No. 06BCC000056 and Capital Project Amendment No. 06CPA000011 (appropriate General Fund fund balance of \$300,000 to increase funding for the Emergency Medical Services Station #2 project that will be reimbursed by 2/3rds GO Bond funds when they are sold in May; authorize execution of a contract with C.T. Wilson Construction Company Inc. for \$1,244,193.00 (Base Bid Only) for the construction of Station #2 and execution of any other related contracts including change orders, if necessary, not to exceed the available construction budget of \$1,511,273; the total project budget will increase to \$1,793,250).

Vice-Chairman Heron asked for an explanation for the project cost increase from \$1,493,250 to \$1,793,250.

County Manager Mike Ruffin recognized County Engineer Glen Whisler to chronicle the events of the project.

Mr. Whisler explained that the increase in costs were due to cost inflation over time, increase in scope of project from a two- to a three-bay facility, unanticipated land costs, and demolition costs for the existing building on the site (old Mechanics and Farmers Bank, 615 Old Fayetteville Road, Durham). The construction contract will cost \$1,244,193; the remaining \$549,057 includes costs for land acquisition, demolition, design, environmental investigations, and furnishings and equipment.

Vice-Chairman Heron inquired about paying impact fees to the City.

Mr. Whisler replied that the County must pay fees associated with obtaining water and sewer service when connecting to the utility system. (Estimated cost is \$15,000.)

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to approve Consent Agenda Item No. g.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Budget Ordinance
Amendment No. 06BCC000055

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|-------------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> | | | |
| Other Financing Sources | \$24,210,228 | \$300,000 | \$24,510,228 |

Expenditures:

| <u>Activity</u> | | | |
|---------------------|-------------|-----------|-------------|
| <u>GENERAL FUND</u> | | | |
| Other | \$7,563,359 | \$300,000 | \$7,863,359 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

DURHAM COUNTY, NORTH CAROLINA
FY 2005-06 Capital Project Ordinance
Amendment No. 06CPA000011

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2005-06 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

| <u>Project</u> | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---|-----------------------|--------------------------|-----------------------|
| Relocation of EMS Base At Lincoln Community Health Center Project | \$1,493,250 | \$300,000 | \$1,793,250 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of April, 2006.

Public Hearing for the FY 2006-2007 Annual Action Plan for Use of HOME/ADDI Funds

Mike Barros, Director, City of Durham's Department of Housing and Community Development, stated that the City of Durham's Department of Housing and Community Development requested that the Board of County Commissioners hold a public hearing on April 10, 2006, to receive citizen comments on the Draft FY 2006-2007 Annual Action Plan. The purpose of the public hearing was to receive citizen comments on the proposed use of HOME Investment Partnership (HOME) Consortium funds and American Dream Down payment Initiative (ADDI) funds during the next year to address housing needs in Durham, as required by the U.S. Department of Housing and Urban Development (HUD).

Bruce Warrington, Federal Program Coordinator, Department of Housing and Community Development, presented the FY 2006-2007 Annual Action Plan to the Board. He requested that the Board consider adopting the Plan at its April 24, 2006 Regular Session.

Vice-Chairman Heron referenced "Durham County Awards" on page 2 of the Plan. She asked if the \$500,000 is HOME grant funding.

Mr. Warrington responded that as part of the annual budget process, the County awards certain funds to nonprofits. A vast majority of the funding is in support of community development activities. The \$500,000 is being recognized as part of the Annual Action Plan to reveal the County's efforts to HUD.

Chairman Reckhow clarified for Vice-Chairman Heron that "Durham County Awards" is included in a list of other resources that are being used to support similar activities. The \$500,000 budget estimate demonstrates the County's support for the activities, such as funding nonprofits.

Per Vice-Chairman Heron's request, Mr. Warrington agreed to change the verbiage from "Durham County Awards" to "Durham County Nonprofit Awards" to minimize confusion.

Mr. Warrington noted that \$1,246,861 is awarded to the Durham HOME Investment Partnership Consortium for both the City and County.

Mr. Warrington addressed a question by Chairman Reckhow, stating that expenditure habits of organizations are considered and included as part of evaluative measures.

Vice-Chairman Heron inquired about Continuum of Care funding.

Mr. Warrington responded that HUD has awarded \$772,877 to the Council to End Homelessness. The Council manages fund expenditure and has finalized its 10-Year Plan to End Homelessness. Request for Proposals (RFPs) have been solicited and funds will be awarded based on proposals received.

Vice-Chairman Heron requested that a report be submitted to the Board on how the funds will be spent.

Mr. Warrington consented to providing the report to the Commissioners.

Chairman Reckhow informed the Commissioners that the 10-Year Plan to End Homelessness would be presented at a May Commissioner meeting.

Vice-Chairman Heron commented on the Community Enforcement and Nuisance Abatement Team (CENAT), an interdepartmental effort created by the City that targets low- to moderate-income (LMI) residential blocks to encourage compliance with Minimum Housing Codes. She added that Animal Control is in collaboration with CENAT.

To answer Vice-Chairman Heron's questions, Mr. Warrington replied that the accountability measures for each grant recipient are included in the contract (e.g. the number of clients to be serviced, number of houses to be developed, affordability of the units after development, and how long each unit must be affordable). He informed that each project manager is assigned a contract and sub-recipient and makes sure that the events are taking place according to the contract.

Chairman Reckhow noted that a gang grant has been awarded by the State and a portion is to be allocated for the John Avery Boys and Girls Club anti-gang initiative. She directed Mr. Warrington to follow-up on the grant to find out how much is to be designated since the Annual Action Plan shows \$37,000 to be allocated (minus the gang grant).

Chairman Reckhow opened the public hearing that was properly advertised. She called the following signed speakers forward for comments:

(Each speaker spoke in support of the funds.)

Mr. Rich Lee, Executive Director, Durham Affordable Housing Coalition, 1302 Green Street, Durham, 27705

Ms. Michelle Zechmann, representing The Durham Center, 501 Willard Street, Durham 27701. She addressed Chairman Reckhow's question, stating that although The Durham Center has not fully expended the HOME funds granted this fiscal year, it anticipates doing so by June. Ms. Zechmann requested additional funding for existing housing to help with rent.

As no one else signed to speak, Chairman Reckhow closed the public hearing and referred the matter back to the Board.

Mr. Warrington responded to Commissioner Cheek, stating that the requested (\$142,000) and recommended (\$50,000) HOME funds for The Durham Center were entered in error. No funding was initially recommended for The Durham Center; The Center's need for funding arose after the plan was drafted. Funds were then moved from Department of Housing's Rehab line item.

Commissioner Cheek requested that the recommended funds for The Durham Center be re-evaluated.

County Manager Mike Ruffin emphasized the importance of communication and supervision of the projects. He opined that although Housing was in compliance, Housing and The Durham Center were not effectively communicating about the funding.

Larry Jarvis, Associate Director, Department of Housing and Community Development, gave additional details on decreased funding for The Durham Center.

Chairman Reckhow reiterated Commissioner Cheek's request for Housing to revisit funding for The Durham Center.

Ms. Zechmann informed Chairman Reckhow that rental assistance could be set aside for one year. Persons who currently receive rental assistance would be able to reapply in a year. She stated that although additional funding is available for The Durham Center Independent Living initiative, persons currently receiving rental assistance may not receive assistance next year if HOME funding is reduced.

Chairman Reckhow directed Housing staff to revisit the funding for The Durham Center.

Durham Public Schools—Acquisition of Real Property

Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools (DPS), reported that the Board of Education has approved the purchase of an adjacent parcel (1219 Sherron Road, is approximately 5.8 acres, and will cost \$225,000) to the existing site for the New Elementary "B". He stated that funds for the purchase will come from 2003 Bond funds. North Carolina General Statutes require approval of the Board of Commissioners before the acquisition can be consummated.

Vice-Chairman Heron asked questions about the site plan. She requested that approval be delayed for two weeks to renegotiate the land with the developer.

Commissioner Page inquired about the anticipated start date for construction and the impact on middle schools.

Robert Sands Jr., Executive Director of Construction and Capital Planning, DPS, responded that construction is scheduled to begin this fall. In terms of middle schools, the development will affect middle school growth, identifying future construction needs for middle school capacity.

Commissioner Page expressed concern about middle school capacity growth over the next few years.

Chairman Reckhow recapped a concept of Dr. Ann Denlinger, Superintendent, DPS, to initiate a Kindergarten – 8th grade school in South and/or East Durham. She asked if the idea was considered for the New Elementary “B” site.

Mr. Sands replied that while looking to acquire land, a K-8 school has been considered and is still desired. The size of the proposed parcel would not accommodate a K-8 campus.

In reference to Vice-Chairman Heron’s suggestion, Commissioner Cheek expressed discomfort in postponing approval in order to discuss with the developer the land purchase and then donating it to DPS.

Chairman Reckhow commented that money is being saved considering approximately \$600,000 was on the bond for elementary school land acquisition.

Vice-Chairman Heron inquired about water and sewer.

Commissioner Cheek moved, seconded by Commissioner Page, to approve the acquisition of the property.

The motion carried unanimously.

Vice-Chairman Heron stated her reluctance for voting in favor of the item; her vote was based on the County not being responsible for supplying water and sewer.

Board Appointments—Durham County Hospital Corporation Board of Trustees

Angela McIver, Staff Specialist, distributed ballots to make six appointments to the Durham County Hospital Corporation Board of Trustees.

Due to seven applicants receiving a majority vote, the Board reached a consensus to place the appointments on the April 24 Regular Session agenda.

Closed Session

Commissioner Cousin moved, seconded by Vice-Chairman Heron, to adjourn to Closed Session to consider the performance of a public officer or employee pursuant to G.S. § 143-318.11(a)(6).

The motion carried unanimously.

Reconvene to Open Session

Chairman Reckhow stated that no action was taken in closed session; direction was given to staff.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Yvonne R. Gordon
Deputy Clerk to the Board