

**THE BOARD OF COUNTY COMMISSIONERS**

**DURHAM, NORTH CAROLINA**

Monday, January 11, 1999

6:15 P.M. - 6:30 P.M.

**Interview—ABC Board Candidate**

The County Commissioners will interview Mr. James Randall, candidate for the Alcoholic Beverage Control Board.

7:00 P.M. Regular Session

**AGENDA**

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

**2. Agenda Adjustments**

**3. Minutes**

- a. November 9, 1998 Joint BOCC/Durham Public Schools Board of Education
- b. November 23, 1998 Regular Session
- c. December 7, 1998 Special Session

**4. Resolution—Dr. Martin Luther King Jr. Day—January 18, 1999**

The resolution, prepared by the Durham Community Martin Luther King Steering Committee, calls upon the Durham community to pause in observance of the Fourteenth Annual Martin Luther King Jr. Celebration in the City.

Additionally, Commissioner Bowser has requested that Mr. Sam Reed be allowed to speak concerning the life of Dr. King.

**5. Resolution—Dr. York David Garrett Jr.**

The resolution honors the life and success of Dr. York David Garrett Jr., who died recently at the age of 104. Dr. Garrett established the Biltmore Drug Store, housed within the now-defunct Biltmore Hotel on Pettigrew Street and years later moved his pharmacy to Fayetteville Street. He inspired young people over the years through employment, a work-study program, and a Hillside High School scholarship which now bears his name.

His pursuit of excellence and willingness for hard work has made him a memorable part of Durham's history.

**6. Governor's Work First Business Council Award**

On Monday, December 14, 1998, Governor James B. Hunt Jr. presented the Outstanding County Collaboration Award to Durham County for its success with the Work First Program. The award was presented at a special luncheon held at the Sheraton Imperial Hotel and Convention Center in Research Triangle Park. Since July 1, 1997, 1,925 individuals who received public assistance entered employment. During this same period, the number of families receiving a Work First check declined from 3,566 to 2,131 or a decline of 40.24 percent. In recognizing Durham County's efforts, the Governor presented awards to the following agencies: Greater Durham Chamber of Commerce, Durham Technical Community College, Durham Literacy Council, Durham Employment Security Commission, and the Durham County Department of Social Services.

Leslie Boney, Director--Department of Commerce Work First Project, will be present at the meeting to publicly recognize the above agencies. Representatives of the agencies will be present for this special recognition.

County Manager's Recommendation: Receive award and commend staff for its efforts. This was a primary objective of the Board last fiscal year.

### **7. To Recognize the New Durham County Community Fitness Award Winners**

Recognize the new Durham County Community Fitness Award winners. These include: James Maxwell for his outstanding service to Jordan High School's swim program; A.C. and Lynn Robbins for their work with Lincoln Community Health Center's City of Medicine Road Race; and Coach Russell Blount for his dedication to the coaching profession. Each of these individuals represents a lifetime of service to the youth and adults of our community.

Resource Person: Artie Kamiya, Chairman of the Durham County Council on Physical Fitness and Sports

### **8. Consent Agenda**

- a. Set Monday, January 25, 1999 at 5:30 p.m. for a joint BOCC/Durham Public Schools Board of Education meeting to discuss the system's current facility needs and its Capital Improvement Program);
- b. Set the date for the County's 1999-2000 Consolidated Needs Public Hearing for January 25, 1999);
- c. FY 1998-99 Budget Ordinance Amendment No. 99BCC000027 (Public Health—recognize grant revenue of \$43,000 for the syphilis elimination project in the General Health Clinic);
- d. FY 1998-99 Budget Ordinance Amendment No. 99BCC000028 (amend Library budget to receive and expend additional State aid appropriation of \$42,872);
- e. FY 1998-99 Budget Ordinance Amendment No. 99BCC000030 (recognize \$3,000 contribution for EMS to develop a new bicycle response team);
- f. FY 1998-99 Budget Ordinance Amendment No. 99BCC000031 (Sheriff's Department--hire and train new officers to expand his School Resource Officer Program in Durham Public Schools);
- g. FY 1998-99 Budget Ordinance Amendment No. 99BCC000033 (amend Library budget to expend EZ-LSTA basic equipment grant in the amount of \$10,000);
- h. Authorize County Manager to enter into contractual agreement with Visions Software Inc. for \$219,120 to furnish software license and services to the Sheriff's office);
- i. Authorize County Manager to enter into a five-year CPC contract with Commercial Equipment Inc. at the rates of \$.0165 for analog copies, \$.0242 for digital copies, and \$.2127 for color copies with the authority to modify the contract over the five-year term based on usage within budget appropriations (approve the requested transfers);

- j. Authorize County Manager to enter into a contract with Superior Specialty Vehicles Inc. for \$69,768 for the purchase of two wheelchair van replacements for Emergency Medical Services. (This item is scheduled for consent since the award price is under the approved budget); and
- k. EMS coverage for 1999 Special Olympics World Summer Games (EMS requests approval to provide emergency medical services and transportation as an in-kind sponsorship for the 1999 World Special Olympic Games).

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.

### **9. Public Hearing to Consider Allocating Economic Development Investment Funds to Freudenberg Nonwovens**

Freudenberg Nonwovens is considering expanding local operations by constructing a new 190,000-square-foot manufacturing facility on its current site in Eno Industrial Park located in the northern part of Durham County. The value of this facility will be at least \$68.6 million. Upon completion, the facility will manufacture, convert, package, warehouse, and ship products to be used as components for disposable diapers. Freudenberg expects to create at least 85 new manufacturing jobs.

Freudenberg is in the process of making the final decision on the location of this proposed facility. Staff is aware of a backup site in Kentucky which is being considered for this investment. Freudenberg has communicated to the County Manager and staff that Durham County's financial support for this project will be a key consideration in the final decision. Freudenberg is requesting that the County participate in the costs of site preparation activities, such as site clearing and grading, and the extension of water and sewer utilities to the new facility.

Staff is recommending that the County participate in this economic development project by reimbursing Freudenberg up to \$485,000 for the costs of site preparation activities, extending water and sewer utilities to the site, and associated County development fees. The project will consist of four phases with differing levels of investment and employment growth. As a result, the reimbursement payments will be made in proportion to the investment of each phase. Further explanation of the reimbursement schedule is included in the contract.

County Manager's Recommendation: Approve the contract between Durham County and Freudenberg Nonwovens to allow for the reimbursement of costs associated with site preparation activities and extending water and sewer utilities to the proposed facility. This is not an up-front incentive payment but rather a reimbursement.

### **10. A Public Hearing on Zoning Ordinance Amendment TC 81-98--Standards for New Manufactured Home Sales Facilities**

Conduct the public hearing and consider the amendment. This proposal resulted from suggestions presented by the manufactured home industry and the Joint City-County Planning Committee. The proposal would replace the current standards for new manufactured home sales facilities with revised standards. The standards were unanimously recommended for approval by the Joint City-County Planning Committee and the Zoning Committee of the Planning Commission.

Resource Persons: Bonnie Estes and Lowell Siler

#### **11. Presentation of FY98 Annual Report of Durham County Library Board of Trustees**

In accordance with the by-laws of the Library Board of Trustees, Mr. Robert Otterbourg, Chairman of the Library Board, will present an annual report to the Commissioners on Library accomplishments for FY98 and plans for the coming year. The Board of Commissioners is requested to receive the report and make comments. Attached to the report is a set of Standards for Service recently adopted by the Library Board and included for Commissioner information.

County Manager's Recommendation: That the Board of Commissioners receive the annual report from the Chairman of the Durham County Library Board of Trustees and make comments.

#### **12. Triangle Transit Authority—Presentation on the Financial Report and a Progress Report Implementing the Regional Transit Plan**

James M. Ritchey Jr., General Manager, Triangle Transit Authority, will present the Triangle Transit Authority's Annual Report for the fiscal year ended June 30, 1998. A progress report will also be made relative to implementing the Regional Transit Plan.

#### **13. High-Level Nuclear Waste Storage Expansion at the Shearon Harris Nuclear Plant**

The Commissioners requested a draft resolution concerning the proposed high-level nuclear waste expansion at the Shearon Harris Nuclear Plant. A resolution has been drafted per the request.

County Manager's Recommendation: That a request be forwarded from the Commission to the Environmental Affairs Board to review this situation and report its findings and recommendations to the Commission at a future meeting. It is appropriate for the Commission to state any preliminary concerns it has since these can be incorporated into the request for review.

#### **14. Approval of Funds for the Health Department CIP Pay-As-You-Go**

The Health Department requests approval of disbursement of an additional \$72,406 from the CIP Pay-As-You-Go Fund to proceed with the completed renovation of the Health Department loading dock area offices for the Health Department Administration Division. The "Garages to Offices" project for the Health Department was conceived in FY '94, when the General Services Department moved out of the loading dock areas of the Health Department building. The Board approved funding for the project during FY '98. The plan was designed to make use of the vacated space and to relieve overcrowding in the clinic and nursing areas of the Health Department. The project will provide new office space and a separate entrance for the administrative offices of the Health Department. The resulting move will allow new space in the main building for lab offices, school health nurses, the clinic director, and a break room. Other space will be allocated to the Nursing, Health Education, and Nutrition divisions as appropriate.

The original budget for the project was \$253,751. The additional request to complete the project is \$72,406. These funds will be used for two change orders totaling \$42,755, which encompass items encountered during the renovation and \$29,652 for architectural payment.

The two \$42,755 change orders include expenses for a new firewall between the administrative wing and the existing clinic to meet the fire code, repairs to the existing bathroom to replace terra-cotta walls, and a new platform above the ceiling for telephone and computer workers. Also, the entry was designed to accommodate structural engineering concerns and to provide better access for handicapped persons. Other changes involved plumbing, electrical, and HVAC made to accommodate code problems in an older building. The final \$29,652 of the requested funds equals the total payment to the architect for the design of the project, supervision services during construction, and for consultation, design work, and instructions to the contractors regarding all change orders.

Dr. Christopher Burr of the Health Department is the resource person for this agenda item.

County Manager's Recommendation: Authorize funding for this project from CIP (99CPA00003). The Budget Director has reviewed the request for funding and has verified that sufficient unappropriated CIP funds are available.

### **15. Funding for the Board of Elections' Voter Registration and Election Management System**

Approve the budgeting of an unexpected appropriation of \$212,500 from the equipment leasing fund for the purchase of a new Board of Elections' voter registration and election management system.

The equipment leasing fund is an internal service fund established for the purpose of accounting for capital assets which are leased back to the appropriate departments. The fund currently has a fund balance of approximately \$736,000. This unexpected appropriation will not impact the fund negatively because of this healthy fund balance, but will cause the operating budget of the Durham County Board of Elections (DBOE) to increase. The operating budget will be impacted by \$51,605 per year for four years with a final payment of \$47,305 in the fifth year. The payments will be used to reimburse the equipment leasing fund. DBOE has sufficient funds in its operating budget to cover the \$51,605 payment this fiscal year.

This appropriation is needed since the present Board of Elections' voter registration management system resides on the Data General platform, which is not Y2K compliant and does not meet all statutory requirements. DBOE planned to replace the current system this year with SEIMS (Statewide Elections Information Management System), a client-server based system. Statewide implementation of SEIMS was scheduled for August 1998. Due to difficulties and delays with the state system, DBOE and IT Departments made contingency plans to solicit bids for a new software system that meets all requirements. The State Board of Elections has not offered a timeline to the DBOE for the installation of its software.

The three members of the Durham County Board of Elections made a decision to move forward with the contingency plan to purchase a voter registration and election management system. This system will assist the DBOE in administering the NVRA (National Voter Registration Act), offer the public information in a variety of formats, and manage other election functions. The new system will meet NVRA and the State of North Carolina administrative requirements, while adhering to Y2K guidelines.

Presenters: Cheryl Todd, Deputy Director - Board of Elections, Perry Dixon, Director- IT

County Manager's Recommendation: Approve the unexpected allocation of \$212,500 from the equipment leasing fund necessary to purchase the Board of Elections' voter registration and election management system.

## **16. Board and Commission Appointments**

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

- Adult Care Home Community Advisory Committee
- Animal Control Review Board
- Cable TV Advisory Board
- Community Child Protection Team/Child Fatality Prevention Team
- Historic Preservation Commission
- Nursing Home Community Advisory Committee
- Open Space and Trails Commission
- Transportation Advisory Board
- Women's Commission