

REVISED AGENDA
(added item #1A)

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, April 2, 2012

9:00 am Worksession

AGENDA

1. Citizen Comments (30 min)

The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Resource Person: Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

1A. Hopson Road Emergency Force Main Replacement Contract

The Board is requested to suspend the rules for an emergency situation and award a construction contract for the Hopson Road Force Main emergency repair to Ellington Contractors, Inc. in the amount of \$190,818, to authorize the County Manager to execute the contract; and to authorize the County Manager to execute any related contracts, not to exceed a total project budget of \$206,083.

Resource Persons: Glen Whisler, County Engineer; Joe Pearce, Utility Division Manager; Walter Credle, Project Manager; Jacqueline Boyce, Purchasing Manager; Carol Hammett, Deputy County Attorney

County Manager's Recommendation: The County Manager recommends that the Board to deem this an emergency situation and suspend the rules to (i) award the construction contract to Ellington Contractors, Inc. for the Hopson Road Force Main Emergency Repair in the amount of \$190,818, (ii) authorize the County Manager to

execute the contract and (iii) authorize the County Manager to execute any contracts related to this emergency repair, not to exceed a total project budget of \$206,083.

2. Update on the Minority and Women Business Enterprise (M/WBE) Program (5 min)

The Board is requested to receive an update on the operation of Durham County's Minority and Women Business Enterprise Program (M/WBE).

The current M/WBE Ordinance for the County will expire at midnight on December 31, 2012. Unless otherwise provided by an ordinance enacted by the County Commissioners, the current M/WBE Ordinance shall be deemed repealed at that time and no longer enforceable. Therefore, we are recommending that the current M/WBE Ordinance be amended for one year to extend the effective date until December 31, 2013. This will allow the Finance Department time to request funds in the upcoming budget to have a new disparity study completed. The new updated study is estimated to cost approximately \$130,000. The last disparity study was conducted in 2007 which resulted in the Board's approval of Durham County's M/WBE Ordinance in January 2008.

Resource Persons: Jacqueline Boyce, Purchasing Manager; Pamela Gales, Assistant Purchasing Manager; George Quick, Finance Director

County Manager's Recommendation: The County Manager recommends that after receiving an update on the M/WBE Program, the item be placed on the consent agenda at the next regular meeting for the Board to take action for approval of an amended M/WBE Ordinance.

3. Lease for Corporate Office Space (15 min)

As part of the Durham-Wake LME Merger Interlocal Agreement approved by the Board on February 13, 2012, corporate administrative offices of the new entity will located centrally among the two counties.

Space was identified at The Plaza at Imperial Center, 4600 Emperor Boulevard, Durham and the Board approved a Letter of Intent to lease the property. The required Security Deposit was made to the property owner and architectural/engineering designs are underway, with construction to commence soon after the approval and execution of the attached Lease to accommodate the necessary July 1 occupancy.

Please note that the Commencement date of the Lease is July 1, or earlier, if the Landlord completes the Tenant up-fits. Once the new Multi-County Area Authority is established, the Lease will be assigned to the new entity, which should be prior to July 1.

Due to the tight construction timeframe, the Board is requested to suspend the rules governing their Worksessions and take action to approve the Lease and authorize the County Manager to execute same, subject to any non-substantive changes approved by the County Attorney.

Resource Persons: Ellen S. Holliman, Area Director, The Durham Center and Carol Hammett, Deputy County Attorney

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and approve the Property Lease for The Plaza at Imperial Center and authorize the Manager to execute the Lease, subject to non-substantive changes.

4. Rougemont Water Line Extension (15 min)

Staff sent the Board of County Commissioners a memo on this subject dated 1/30/12. There are further developments and considerations requiring the Board's attention. A revised version of the January memo is attached here as the basis for discussion.

Resource Person: Drew Cummings, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board discuss the opportunities, needs, and potential costs associated with this groundwater pollution problem as well as the proposed solution.

5. Sheriff's Office – New Position Requests to Support Security Operations at New Durham County Courthouse (45 min)

The Board is requested to receive a presentation regarding law enforcement staffing needs associated with the opening of the new Durham County Courthouse in January 2013. While the new Courthouse's design makes the facility much more secure, (more secure corridors, inmate only elevators, better use of technology to monitor activity in the facility) the increased size of the new Courthouse, a significant camera monitoring operation and increased inmate holding rooms will make it necessary to increase the number of law enforcement personnel that serve the facility.

Current staffing levels at the Judicial Building will not support the increased security needs and inmate movement within the new facility. Even though the facility will not be fully operational until the beginning of 2013, employees hired to fill law enforcement positions traditionally require at least one year of training (academy and field training) before being released for full service. In order to be prepared for the opening of the new Courthouse, it is now time to hire any new law enforcement staff that will be needed once the facility is operational. In order to address the security needs at the new Courthouse, the Sheriff's Office is requesting the Board approve 11

new Deputy Sheriff positions and the one time operating expenses required to hire and train the positions during the current fiscal year.

The funding needed for the salaries, benefits and initial startup costs for the remainder of this fiscal year can be offset from increased Sheriff revenue collections primarily from an increase in the civil process service fee. Effective August 1, 2011, the North Carolina General Assembly raised the statutory civil service process fee from \$15.00 to \$30.00. The Sheriff's Office is projecting a \$420,339 FY 11/12 year end surplus of revenues, the majority of which is associated with this unanticipated fee increase. Assuming the new Finance Officer position requested is approved, this will leave \$407,425 available to fund the 11 new positions. The amount needed this fiscal year for the new 11 positions is \$198,820, leaving \$208,605 in excess revenue, thus no new County funding is needed this year.

Position and operating cost funding for FY 12/13 will be supported by increased revenue collections associated with the raised civil process fee and reimbursement from participation in the Statewide Misdemeanant Confinement Program. Increased revenues in the amount of \$552,200 are anticipated for FY 12/13. Additional County funding in the amount of \$103,568 will be needed to fully fund the positions during FY 12/13.

Resource Persons: Sheriff Michael D Andrews; Chief Deputy Don Ladd

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation, support the request and move the item to the consent agenda on the April 9, 2012 regular session.

6. Sheriff's Office – Animal Control Update (30 min)

The Board is requested to receive a presentation regarding the Sheriff's Office assessment of Animal Control and a recommendation to move Animal Control to the Office of the Sheriff, effective July 1, 2012. In December 2011, the Sheriff's Office was asked to assume day-to-day supervision of Animal Control and assess the possibility of relocating Animal Control under the Sheriff. The Sheriff is in support of this move and will outline his vision of the next steps and answer questions from the Board on the transfer of the Division.

Resource Persons: Sheriff Michael D Andrews; Chief Deputy Don Ladd

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation, ask staff questions as needed and advise the staff if additional information is needed.

7. Sheriff's Office – Establishment of a Finance Officer Position (15 min)

The Board is requested to review the establishment of one full-time Finance Officer position, at Grade 38, within the Sheriff's Office.

Fiscal responsibility and delivery of agency services has and will continue to be a priority of the Sheriff's Office. Pursuant to the 2010 Internal Audit recommendation and increased service demands, the Office seeks to establish a new Finance Officer position responsible for ensuring fiscal accountability through the continued development, implementation and monitoring of financial internal controls. This new position will report directly to the Chief Deputy and supervise the staff and activities of the Sheriff's Fiscal Services Division.

Funding for the full salary and benefit costs for the remainder of this fiscal year and Fiscal Year 12/13 are available from increased Sheriff revenue collections primarily impacted by the civil process service fee. Effective August 1, 2011, the North Carolina General Assembly raised the statutory civil service process fee from \$15.00 to \$30.00. The Sheriff's Office is projecting \$420,339 in additional revenue during FY 11/12, the majority is associated with the civil service process fee increase. Increased revenues in the amount of \$552,200 are anticipated for FY 12/13 as well; therefore, no additional county funding will be required to fund the Finance Officer position.

Additional supporting documentation regarding the position is attached, including a funding summary for the position, the current and proposed organizational structures for the Fiscal Services Division of the Sheriff's Office and a position description for the proposed position.

Resource Persons: Sheriff Michael D Andrews; Chief Deputy Don Ladd; Kim Cook, Comptroller

County Manager's Recommendation: The County Manager recommends that the Board receive the report, ask any related questions and place the item on the April 9, 2012 Regular Session for final consideration.

8. Board Directives (5 min)

The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers December of 2011 and January, February and March of 2012.

Resource Person: Michael Davis, Assistant to the County Manager

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

9. Lunch and Closed Session (60 min)

The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

County Manager's Recommendation: The County Manager recommends that the Board adjourn into Closed Session, and instruct staff accordingly.

10. Public Comment Period for Non-Profit Agencies Applying for FY 2012-2013 Funding (90 min)

The Board is requested to hear presentations from non-profit agencies that applied for funding in the 2012-2013 Fiscal Year.

Resource Person(s): Pam Meyer, Budget and Management Services Director; Laura Jensen, Budget Analyst

County Manager's Recommendation: The County Manager recommends that the Board receive comments from presenting non-profit agencies.

11. Closed Session (30 min)

The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

County Manager's Recommendation: The County Manager recommends that the Board adjourn into Closed Session, and instruct staff accordingly.

5 hrs 45 min