

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

Monday, March 26, 2001

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 MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser, Philip R. Cousin Jr., and Becky M. Heron

Absent: None

Presider: Chairman Black

Opening of Regular Session

Chairman Black called the Regular Session to order with the Pledge of Allegiance.

Agenda Adjustments

Chairman Black told the Commissioners that consent agenda item Nos. 7(b) and 8(a) had been revised.

Minutes

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the February 19, 2001, BOCC/Hospital Corporation Board of Trustees Minutes, the January 22, 2001 Regular Session Minutes, and the January 23, 2001 BOCC/Legislative Delegation Minutes as corrected.

The motion carried unanimously.

Presentation of Outstanding County Program Award from the North Carolina Association of County Commissioners

“Neighborhood Nurse Project,” a Durham County Public Health Program, was recognized by the North Carolina Association of County Commissioners with an “Outstanding County Program” award. This program was noted for its innovation.

The intent of the Outstanding County Program awards is to recognize and share information with other counties about programs that involve a uniquely innovative process, solution, or idea to address a county or multi-jurisdictional issue and/or to prevent a future problem from developing.

County Manager's Recommendation: Congratulate Ms. Milligan and staff members for receiving recognition for this successful program.

Brian Letourneau, Public Health Director, and Ms. Milligan made comments.

Commissioner Heron made comments; she was a member of the Selection Committee.

Vice-Chairman Reckhow made remarks and spoke about the project. (Vice-Chairman Reckhow serves on the Public Health Board.)

Chairman Black requested that a copy of the award go to the Durham Housing Authority with a letter of thanks for the space they provide to house the program. Chairman Black thanked Public Health Department employees for all the hard work they do for Durham communities.

Resolution for William Colville

County Ranger William Colville retired on February 28, 2001 following 44 years of service with the North Carolina Division of Forest Resources and Durham County Government. A resolution was prepared recognizing him for an outstanding career in public service.

County Manager's Recommendation: Approve the resolution and present to Mr. Colville, along with sincere congratulations from the Board of County Commissioners for his extraordinary work.

Chairman Black read the resolution into the record as follows:

RESOLUTION

WHEREAS, after college and a stint in the Air Force, William Colville began his career in public service with the N. C. Division of Forest Resources in June 1957 as a Forestry Aide based in Fayetteville, NC; and

WHEREAS, in 1960, he transferred to Durham County as a County Ranger where he assumed responsibility for directing forest fire control efforts and for providing forest management assistance to private landowners in an effort to teach them the importance of appropriate environmental protection; and

WHEREAS, he organized and trained many of Durham County's volunteer fire departments and staff, and provided thousands of hours of education and technical support to those volunteer fire departments, and currently serves on the Board of Directors for Lebanon Volunteer Fire Department; and

WHEREAS, as a steward of environmental resources in Durham County, he worked vigorously to educate the community on the importance of protecting the water quality of our rivers and streams by using best management practices; and

WHEREAS, over the years he delivered numerous presentations and organized special equipment demonstration events during annual "Fire Prevention Week", and regularly educated the public regarding forest fire prevention; and

WHEREAS, in addition to managing fire suppression issues, he also implemented forestry management insect and disease control programs; and

WHEREAS, through the years he assisted in various mutual aid efforts involving fires, hurricanes, and other natural disasters locally, statewide, and across the country; and

WHEREAS, William Colville will long be remembered for more than 44 years of dedicated, selfless public service of the highest order:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby congratulate

WILLIAM COLVILLE

for 44 years of dedicated service to Durham County Government and the State of North Carolina, and for the numerous, invaluable contributions he has made to improve the quality of life for others. We wish for him a wealth of success in his well-earned retirement, and hope that he will have the opportunity to enjoy family activities with his wife, his two children, and grandchild for many years to come.

This the 26th day of March, 2001.

/s/ Five Commissioners
Durham County Commissioners

The Commissioners congratulated Mr. Colville for his years of service.

He thanked the Commissioners for the resolution and made brief remarks about the forestry program in Durham County.

Consider Adoption of Resolution Supporting House Bill 99

Representative Mickey Michaux introduced House Bill 99 on February 12, 2001. The bill, entitled "An Act to Authorize Counties and Cities to Levy a Menu of Local Option Taxes if Approved by the Voters," provides a number of different sources of revenue that counties and cities can ask their voters to approve. The proposed legislation has been referred to the House Committee on Rules, Calendar and Operations.

Resource Person(s): Chuck Kitchen, County Attorney; Deborah Craig-Ray, Public Information Officer

County Manager's Recommendation: The Manager recommended that the Board approve the resolution.

Chairman Black read the resolution into the record as follows:

A RESOLUTION IN SUPPORT OF HOUSE BILL 99 ENTITLED "AN ACT TO
AUTHORIZE COUNTIES AND CITIES TO LEVY A MENU OF LOCAL OPTION
TAXES IF APPROVED BY THE VOTERS"

WHEREAS, Representative Mickey Michaux has introduced the above-styled legislation in the North Carolina House of Representatives; and

WHEREAS, the proposed legislation is in keeping with the Board's interest in developing alternative sources of revenue to assist with the provision of county services as well as expanding the county's infrastructure; and

WHEREAS, Durham County has adopted a \$534 million Capital Improvements Program, the successful implementation of which will depend upon the development of alternative sources of revenue:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Durham, that the Board enthusiastically supports the legislation introduced by Representative Michaux and hereby authorizes its Chairman to send letters of support, along with a copy of this resolution, to the Durham County legislative delegation, the Speaker of the North Carolina House of Representatives, and the appropriate chairmen of any legislative committees charged with its review.

Adopted this the 26th day of March, 2001.

/s/ Five Commissioners

Durham County Commissioners

The Commissioners agreed, by consensus, to send the resolution and letter to the Governor, the local legislative delegation, and the North Carolina Association of County Commissioners.

Consent Agenda

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the following consent agenda items:

- * (a) Street Annexation Petition—Strathmore Drive (Mayfair Subdivision Phase I) (adopt the resolution to approve the addition of Strathmore Drive to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- * (b) Judicial Building Annex and Judicial Building Renovation Capital Projects Allocation (approve capital budget amendment No. 01CPA000008 and 01CPA000009 to establish the Judicial Building annex project and the Judicial Building renovation project);
- * (c) Budget Ordinance Amendment No. 01BCC000053—Library (approve Budget Ordinance Amendment No. 01BCC000053 for the Library to recognize and expend funds received in a donation and a grant from the Institute of Museum and Library Services through the NC Museum of Life and Science for the Library Youth Partners Program);
- * (d) Budget Ordinance Amendment No. 01BCC000054—Public Health—To Recognize Revenue for Health Education Division (approve Budget Ordinance Amendment No. 01BCC000054 for Public Health to recognize \$7,500 from the State Office of Healthy Carolinians as pass-through funds for the Durham County Healthy Carolinians Consortium);
- * (e) Budget Ordinance Amendment No. 01BCC000055—Office of Juvenile Justice—Recognize New Revenues (approve budget amendment No. 01BCC000055 appropriating revenues of \$121,450 from the State Department of Juvenile Justice and Delinquency Prevention);
- * (f) Budget Ordinance Amendment No. 01BCC000056—Budget Reconciliation Amendment (approve the reconciliation changes in this amendment);

- * (g) Budget Ordinance Amendment No. 01BCC000057— Library (approve Budget Ordinance Amendment No. 01BCC000057 for the Library to recognize and spend revenues from Aid to Libraries Fund and FCC Schools and Libraries Program);
- (h) Volunteer Fire Department Service Contracts (approve the service contracts with Bethesda, Redwood, Moriah, and New Hope Volunteer Fire Departments);
- * (i) Orange-New Hope Fire Service District (approve the expanded Orange-New Hope Volunteer Fire District in an effort to decrease emergency response times in that portion of Durham County);
- * (j) Appointments—Durham Visitor Sector Advisory Board (appoint the nominees);
- * (k) Resolution for Establishment of Policy and Procedures for Appointments to County Boards, Commissions, Committees, or Authorities (approve the changes to the resolution);
- * (l) Amendments to the Durham County Code of Ordinances Relative to Privilege Licenses (adopt the suggested ordinance carrying out the repeal of the majority of the privilege license taxes with the exception of the beer and wine taxes and the regulation of massage parlors);
- (m) Reschedule April 2, 2001 Meeting (approve that the April 2, 2001 BOCC Worksession be rescheduled to Thursday, March 29 at 8:30 a.m.) and
- * (n) Adopt Resolution Requesting Release of Local Government Funds and Approval of Additional Sources of Local Revenue (review the language of the resolution, make any necessary changes, and adopt in a final form suitable for transmittal to the Governor and the County's legislative delegation).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda 7(a). Street Annexation Petition—Strathmore Drive (Mayfair Subdivision Phase I) (adopt the resolution to approve the addition of Strathmore Drive to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation).

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION OF STATE MAINTAINED
SECONDARY ROAD SYSTEM

North Carolina
County of Durham
Road Description: Strathmore Drive—Mayfair Subdivision Phase I—0.34 miles

WHEREAS, the attached petition has been filed with the Durham Board of County Commissioners requesting that the above described road, the location of which has been indicated in red on the attached map,* be added to the secondary road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the secondary road system, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system:

NOW, THEREFORE, BE IT RESOLVED by the Durham Board of County Commissioners that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Durham Board of County Commissioners at a meeting on the 26th day of March, 2001.

Witness my hand and official seal this the 27th day of March, 2001.

/s/ Garry E. Umstead
Clerk, Board of Commissioners
County of Durham

*In the office of the Clerk to the Board.

Consent Agenda 7(b). Judicial Building Annex and Judicial Building Renovation Capital Projects Allocation (approve capital budget amendment No. 01CPA000008 and 01CPA000009 to establish the Judicial Building annex project and the Judicial Building renovation project).

DURHAM COUNTY, NORTH CAROLINA
 FY 2000-01 Capital Projects Ordinance
 Amendment No. 01CPA000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the

Judicial Building Annex Capital Projects Allocation

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Other Financing Sources	\$ -0-	\$2,608,685		\$2,608,685
<u>Expenditures</u>				
Judicial Bldg. Annex	\$ -0-	\$2,608,685		\$2,608,685

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

This the 26th day of March, 2001.

(Capital Projects Ordinance Amendment recorded in Ordinance Book _____, page _____.)

DURHAM COUNTY, NORTH CAROLINA
 FY 2000-01 Capital Projects Ordinance
 Amendment No. 01CPA000009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the

Judicial Building Renovation Capital Projects Allocation

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Other Financing Sources	\$ -0-	\$26,730		\$26,730
<u>Expenditures</u>				
Judicial Bldg. Renovation	\$ -0-	\$26,730		\$26,730

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

This the 26th day of March, 2001.

(Capital Projects Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda7(c). Budget Ordinance Amendment No. 01BCC000053—Library (approve Budget Ordinance Amendment No. 01BCC000053 for the Library to recognize and expend funds received in a donation and a grant from the Institute of Museum and Library Services through the NC Museum of Life and Science for the Library Youth Partners Program).

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000053

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Culture & Recreation	\$ 7,350,890	\$3,138		\$ 7,354,028
<u>Revenues</u>				
Intergovernmental	\$200,237,292	\$3,138		\$200,240,430

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

This the 26th day of March, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda7(d). Budget Ordinance Amendment No. 01BCC000054—Public Health—To Recognize Revenue for Health Education Division (approve Budget Ordinance Amendment No. 01BCC000054 for Public Health to recognize \$7,500 from the State Office of Healthy Carolinians as pass-through funds for the Durham County Healthy Carolinians Consortium).

DURHAM COUNTY, NORTH CAROLINA
 FY 2000-01 Budget Ordinance
 Amendment No. 01BCC000054

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$240,467,310	\$7,500		\$240,474,810
<u>Revenues</u>				
Misc. Income	\$ 6,858,900	\$7,500		\$ 6,866,400

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

This the 26th day of March, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 7(e). Budget Ordinance Amendment No. 01BCC000055—Office of Juvenile Justice—Recognize New Revenues (approve budget amendment No. 01BCC000055 appropriating revenues of \$121,450 from the State Department of Juvenile Justice and Delinquency Prevention).

DURHAM COUNTY, NORTH CAROLINA
 FY 2000-01 Budget Ordinance
 Amendment No. 01BCC000055

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Office of Juvenile Justice.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$240,474,810	\$121,450		\$240,596,260
<u>Revenues</u>				
Intergovernmental	\$200,272,292	\$121,450		\$200,393,742

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

This the 26th day of March, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 7(f). Budget Ordinance Amendment No. 01BCC000056–Budget Reconciliation Amendment (approve the reconciliation changes in this amendment).

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000056

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Equipment Lease Fund.

GENERAL FUND

	<u>Current</u> <u>Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u> <u>Budget</u>
<u>Expenditures</u>				
General Government	\$ 19,935,764		\$55,670	\$ 19,880,094
Public Safety	\$ 30,490,942	\$83,182		\$ 30,574,124
Envir. Protection	\$ 1,924,960		\$ 4,696	\$ 1,920,264
Human Services	\$240,596,260		\$22,816	\$240,573,444

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

This the 26th day of March, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 7(g). Budget Ordinance Amendment No. 01BCC000057—Library (approve Budget Ordinance Amendment No. 01BCC000057 for the Library to recognize and spend revenues from Aid to Libraries Fund and FCC Schools and Libraries Program).

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000057

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Culture & Recreation	\$ 7,354,028	\$10,874		\$ 7,364,902
<u>Revenues</u>				
Intergovernmental	\$200,240,430	\$ 2,182		\$200,242,612
Misc. Income	\$ 6,866,400	\$ 8,692		\$ 6,875,092

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

This the 26th day of March, 2001.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 7(i). Orange-New Hope Fire Service District (approve the expanded Orange-New Hope Volunteer Fire District in an effort to decrease emergency response times in that portion of Durham County).

ORANGE-NEW HOPE FIRE DISTRICT
 SERVED BY: NEW HOPE FIRE DEPARTMENT
 PORTIONS THAT ARE IN DURHAM COUNTY
 MAP 2" = 1 MILE
 FIVE MILE DISTRICT
 APPROVED BY DURHAM COUNTY ON MARCH 26, 2001

Beginning at point (10A) on Mount Moriah Road (2294) at the Durham/Orange County line: thence south and east to point (10B) on Mount Moriah Road (2294) at the Durham City limits: thence north and east following the Durham City limits to point (10C) on Cambridge Road (1302) at the Durham City limits: thence east to point (10D) on Hulon Drive (1369) at the Durham City limits: thence east and north to point (10E) on Pickett Road (1303), .05 miles west of Garrett Road (1116): thence following the Durham City limits north and east to point (10F) on the Durham City limits , 0.2 miles north east of NC Highway 751: thence south and west to point (10 G) on NC Highway 751, 0.4 miles northwest of its intersection with Erwin Road (1306): thence south and west to point (10H) on Cornwallis Road (1308), 0.6 miles southwest of its intersection with Kerley Road (1309) : thence west to point (10 I) on the Durham / Orange County line, 0.4 miles south of the intersection of Kerley Road (1309) and Cornwallis Road (1308): thence south along the Durham/Orange County line to point (11) on Mount Sinai Road (1305) at the Durham/Orange County line.

NOTE: This description describes an area only in Durham County pursuant to General Statutes 153A – 233 for Insurance Grading purposed only.

NOTE: Points 10 F, 10 G, 10 H, & 10 I are adjoining points with East Orange Fire Insurance District.

NOTE: Main station and substation are both located in Orange County.

NOTE: The city limits of Durham and Chapel Hill are excluded from this district.

PARKWOOD WESTERN FIRE INSURANCE DISTRICT
SERVED BY: PARKWOOD FIRE DISTRICT
DURHAM COUNTY
MAP 2" = 1 MILE
FIVE MILE DISTRICT
APPROVED BY DURHAM COUNTY ON MARCH 26, 2001

Beginning at point (1) on Pope Road (1113) at its intersection with Ephesus Church Road (1113): thence north and east to point (2) on Pope Road at its intersection with Old Chapel Hill Road (2220): thence south and east along the Durham City limits to point (3) on Farrington Road (1110) at I-40: thence east and south to point (4) on NC Highway 54 at its intersection with Durham City limits: thence south and east along the Durham City limits to point (5) on NC Highway 751 at the Durham City limits: thence south and west to point (6) on Stagecoach Road (1107), 0.6 miles east of its intersection with Farrington Road (1110): thence in a south and west direction to point (7) on Kepley Road (1108) at its intersection with Kennebec Road (2236): thence west to point (8) on Farrington Mill Road (1109), 0.4 miles southwest of its intersection with Kepley Road (1108): thence north and west to point (9) on NC Highway 54 at the Durham/Orange County line: thence north along the Durham/Orange County line to point (1) the beginning.

NOTE: This description describes an area of Durham County pursuant to General Statutes 153A-233 for Insurance Grading purposes only.

NOTE: Points 5 and 6 are adjoining points with Parkwood Fire Insurance District.

NOTE: The Cities of Durham and Chapel Hill are excluded from this district.

NOTE: Parkwood Station Two is on Farrington Road (1110), .03 miles south of Old Chapel Hill Road (2220).

Consent Agenda 7(j). Appointments—Durham Visitor Sector Advisory Board (appoint the nominees).

Ms. Lillie M. Lyons was appointed to the Visitor Sector Advisory Board. The term will end in December 2004. She represents retail stores.

Dr. Thomas H. Krakauer was reappointed to the Visitor Sector Advisory Board in the entertainment/features position. His term will expire in December 2004.

Consent Agenda 7(l). Amendments to the Durham County Code of Ordinances Relative to Privilege Licenses (adopt the suggested ordinance carrying out the repeal of the majority of the privilege license taxes with the exception of the beer and wine taxes and the regulation of massage parlors).

ORDINANCE AMENDING PRIVILEGE LICENSE ORDINANCE

Whereas, the Durham County Tax Administrator has conducted a cost-benefit analysis of the Durham County Privilege License Ordinance; and

Whereas, it has been determined that certain portions of the Durham County Privilege License Ordinance are not cost efficient; and

Whereas, the Board of Commissioners has determined it is in the best interest of the citizens of Durham County to repeal those privilege license taxes which are not cost efficient:

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM DOETH ORDAIN:

1. That sections 8-30, 8-31, 3-82, 8-33, 8-34, 8-35, 8-36, 8-37, 8-38, 8-40, 8-41, 8-42, and 8-44 of the Durham County Code of Ordinances are hereby repealed.
2. This ordinance shall be effective July 1, 2001.

This the 26th day of March, 2001.

(Ordinance Amendment Recorded in Ordinance Book _____, page _____.)

Consent Agenda 7(n). Adopt Resolution Requesting Release of Local Government Funds and Approval of Additional Sources of Local Revenue (review the language of the resolution, make any necessary changes, and adopt in a final form suitable for transmittal to the Governor and the County's legislative delegation).

RESOLUTION REQUESTING GOVERNOR MICHAEL F. EASLEY TO REMIT OBLIGATED FUNDS TO CITIES AND COUNTIES AND THE NORTH CAROLINA GENERAL ASSEMBLY TO ENACT LEGISLATION AUTHORIZING A MENU OF REVENUE SOURCES FOR LOCAL GOVERNMENTS, INCLUDING BUT NOT LIMITED TO A LOCAL SALES TAX OF UP TO ONE PERCENT (1%)

WHEREAS, North Carolina cities and counties have a tradition of promoting the highest ideals of good government and accountability to the citizens of this state; and

WHEREAS, fiscal responsibility is consistently demonstrated by each unit of local government developing and adhering to a budget balanced between revenues and expenditures for the services demanded by the public; and

WHEREAS, a major revenue source used to maintain these balanced budgets has been the reimbursement of revenues lost due to actions of the North Carolina General Assembly that have consistently eroded the tax bases of these local governments; and

WHEREAS, the Governor of the State of North Carolina has acted to deprive the cities and counties of North Carolina of rightfully obligated revenue from the inventory tax reimbursement as well as other revenue sources; thus penalizing local governments for the state's fiscal problems; and

WHEREAS, the North Carolina General Assembly has refused to allow cities and counties the ability to raise revenue from a broad-based menu of sources, mandating that local governments rely on the property tax as their main source of revenue, and thus continually burdening homeowners with ever-increasing property tax bills, while others pay little of the cost of protecting, preserving, and promoting public health, safety, and education:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF DURHAM that said board respectfully requests that the Governor of North Carolina, Michael F. Easley, immediately release any and all funds previously obligated to North Carolina's cities and counties, pledge never again to act to deprive the citizens of the state of the local government's services, or to promote higher property taxes; and further that members of the North Carolina General Assembly act immediately to authorize each and every local government in North Carolina the authority to enact a broad-based approach to financing necessary public services by enacting a menu of revenue sources, including but not limited to, a local sales tax of one percent (1%):

BE IT FURTHER RESOLVED that this Board believes that these actions will restore balance to the state and local partnership that has served the citizens of North Carolina for the past 225 years as well as the faith of city and county officials and our citizens in the Governor and the North Carolina General Assembly.

Adopted this the 26th day of March, 2001.

The Board of County Commissioners concurred to send a letter to Governor Easley, the Durham Delegation, and the North Carolina Association of County Commissioners along with the resolution.

Commissioner Heron removed consent agenda item Nos. 7(e), 7(h), 7(j), and 7(k) for questions and comments to which staff responded. Commissioner Bowser also asked questions and made comments about 7(k).

County Attorney Chuck Kitchen suggested that since changes were being recommended for consent agenda item No. 7(k), "Resolution for Establishment of Policy and Procedures for Appointments to County Boards, Commissions Committees, or Authorities," the Commissioners may wish to delay action until the next Regular Session for final approval.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, that the Clerk be directed to initiate advertisement consistent with this policy.

The motion carried unanimously.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the consent agenda with the exception of consent agenda item No. 7(k).

The motion carried unanimously.

Juvenile Crime Prevention Council (JCPC)

Chairman Black announced that the Department of Juvenile Justice and Delinquency Prevention notified her that Durham County would receive increased funding in the amount of \$10,000 in FY 2001/2002 for the JCPC. Total funding from the state would be \$515,962.

Purchase of Equipment Funded by Gates Foundation for the Durham County Library

The Durham County Library requested approval to purchase computer equipment from Gateway, Inc., in an amount not to exceed \$113,748, according to provisions in a grant awarded to the Library by the Bill and Melinda Gates Foundation in November 2000, and accepted by the County Commissioners on December 11, 2000.

The purchase includes 29 "Gates Library Computers," four servers, six printers, one projector for the training lab, and one switch. The Gates Library Computer is a specially designed and configured computer created by the Gates Foundation for its State Partnership Library Grant Program. This computer has been configured with the needs of public libraries and its patrons, due to years of experience of implementation by the Foundation. The computers are manufactured by Gateway Inc. and include software donated by the Gates Foundation.

The purpose of the grant is to extend public computing resources to low-income areas of the county. Public libraries were chosen as target recipients of these grants because of the pivotal role librarians are playing in helping people use computers and the Internet. It

is the goal of this program that citizens will think of the public library not only as a champion of books and knowledge, but as a major access point of the digital age.

Eligible library facilities in Durham County include the Main Library, Stanford L. Warren, McDougald Terrace, Salvation Army Boys and Girls Club, and Bragtown. Eighteen workstations and three servers will be distributed to these locations for public use. The grant also includes the provision to establish a Regional Training Lab at the Main Library that will include eleven workstations, one server, and one projection equipment. By purchasing the server, the Library will also be eligible to receive free software licenses to extend to its existing workstations.

This particular grant stipulates that the hardware must be purchased from the identified vendor (Gateway Inc.). The grant also provides provisions for software donated by the Gates Foundation and free technical and training support for the specified equipment. Durham County will purchase this equipment from Gateway Inc. under the sole source provision because of the grant agreement and the necessary compatibility of the hardware and software. No County dollars are required as a result of this grant.

Resource Person(s): Dale Gaddis, Library Director; Anthony Allen, Interim Purchasing Director

County Manager's Recommendation: The Manager recommended that the Commissioners authorize the purchase of equipment funded by the Bill and Melinda Gates Foundation from Gateway Inc., according to the grant provisions of the Foundation, in an amount not to exceed \$113,748.

Ms. Gaddis presented the Commissioners an overview of the purchase of equipment funded by the Gates Foundation for the Durham County Library. The Commissioners accepted \$120,000 from the foundation last December for computer equipment.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approve the agenda item.

The motion carried unanimously.

Appointment of 2001 Board of Equalization and Review

North Carolina General Statute 105-322 requires the Board of Commissioners to adopt a resolution to appoint the Board of Equalization and Review. A resolution was adopted on February 26, 2001. Each member of the Board of Commissioners should appoint one member to serve on the Board of Equalization and Review for 2001. Commissioners must also consider a compensation rate. The 2000 Board of E & R compensation rate was \$50.00 per session. A session consists of a 3-hour block of time. Due to the revaluation, the Board will be meeting more often and possibly longer than a three-hour session.

The Board of Commissioners must appoint a Chairman and a Vice-Chairman for the 2001 Board of E & R.

Resource Person(s): W. Steven Crysel, Tax Administrator

County Manager's Recommendation: Appoint the 2001 Board of Equalization and Review, establish compensation rate, and appoint a Chairman and a Vice-Chairman.

Mr. Crysel presented the County Commissioners an overview of the requirements to appoint the 2001 Board of Equalization and Review.

Commissioner Heron moved, seconded by Vice Chairman Reckhow, to appoint following four of the five members at tonight's meeting:

George Scott (Chairman Black)

Call Smith (Commissioner Heron)

Kelly Matherly (Vice-Chairman Reckhow)

Ollie Cook (Commissioner Bowser)

The motion carried unanimously.

Commissioner Heron moved, seconded by Commissioner Bowser, to appoint Call Smith as Chairman and George Scott as Vice-Chairman of the 2001 Board of Equalization and Review.

The motion carried unanimously.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to increase the \$50.00 per session to \$50.00 up to three hours and \$15.00 per additional hour or fraction thereof.

Chairman Black said Commissioner Cousin would make his appointment at the March 29, 2001 Worksession.

Board and Commission Appointments

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

- Durham City-County Appearance Commission
- Multi-Jurisdictional Transportation Demand Management Committee

Resource Person(s): Garry E. Umstead, CMC, Clerk to the Board

Vice-Chairman Reckhow talked about the selection procedures that were discussed at the Joint City-County Planning Committee meeting.

After a lengthy discussion, the following appointments were made (asterisks indicate appointees):

Durham City-County Appearance Commission

- *John H. Compton—Black, Bowser, Cousin, Heron, and Reckhow
- *Kenneth R. Coulter—Black, Bowser, Cousin, Heron, and Reckhow
- *Karen Havighurst—Black, Bowser, Cousin, Heron, and Reckhow
- *Nathan Isley—Black, Bowser, Cousin, Heron, and Reckhow
- *Dale McKeel—Black, Bowser, Cousin, Heron, and Reckhow
- Annette G. Montgomery—no votes
- D. Parker Morton—no votes
- Tod M. Parrott—no votes
- *Brenda Hill Pollard—Black, Bowser, Cousin, Heron, and Reckhow
- *George Ettore Stanaziolo Jr.—Black, Bowser, Cousin, Heron, and Reckhow
- *J. Michael Waldroup—Black, Bowser, Cousin, Heron, and Reckhow

Multi-Jurisdictional Transportation Demand Management Committee

- *Patricia Bocckino—Black, Bowser, Cousin, Heron, and Reckhow
- Wendi Brooks—Black, Bowser, and Cousin (tie vote with Mr. Harrison)
- *Jill Miller Denning—Black, Bowser, Cousin, Heron, and Reckhow
- Edward C. Harrison—Black, Heron, and Reckhow (tie vote with Ms. Brooks)
- *Michael Keohane—Bowser, Cousin, Heron, and Reckhow
- Brian J. Morton—no votes
- Michael William Shiflett—no votes
- Richard A. Sloane—no votes

The Board of County Commissioners would vote on Thursday morning, March 26, 2001, at the worksession to break the tie vote.

Joint Meeting—Board of County Commissioners, Durham City Council, and Durham Public Schools Board of Education-Capital Improvement Program

Chairman Black said the County Commissioners would discuss the joint meeting at the March 29, 2001 Worksession.

Adjournment

Chairman Black adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board