

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

Monday, February 14, 2005

AGENDA

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed. As a courtesy to others, please turn off cell phones during the meeting.

7:00 P.M. Regular Session

1. **Opening of Regular Session**?Pledge of Allegiance
2. **Agenda Adjustments**
3. **Minutes**
 - a. January 10, 2005 Regular Session
 - b. January 24, 2005 Regular Session
4. **Resolution In Support of Medicaid Relief for Counties**

Medicaid Relief is one the legislative priority items approved by the Association. Jim Blackburn, General Counsel of the North Carolina Association, is requesting that all counties approve a resolution in support of Medicaid Relief as part of the Association?s comprehensive strategy to seek legislation to phase out county participation in Medicaid costs. Staff has prepared a resolution for the Board?s consideration.

Resource Person(s): Deborah Craig-Ray, Public Information/Governmental Affairs Director

County Manager?s Recommendation: The Manager recommends that the Board approve the resolution and send copies to the North Carolina Association of County Commissioners and the Durham Delegation.

5. Consent Agenda

- a. Lease Amendment?414 E. Main Street (ASAP) (approve the Lease Amendment with Area Services and Programs Inc. at a rate of \$10.00 per sq. ft.);
- b. Stone Road Abandonment (SR1956) Petitions for Abandonment of Road Addition and Addition to State Maintained Roads (approve the petition and forward to the North Carolina Department of Transportation for action);
- c. Budget Ordinance Amendment No. 05BCC000030?EMS?Authorization to Receive Reimbursement for Wrecked Emergency Medical Services Vehicle (accept the \$50,000 reimbursement and \$3,000 salvage amounts);
- d. Budget Ordinance Amendment No. 05BCC000031?Social Services?Recognize Additional Revenue (represents funding changes in Crisis Intervention Prevention, Energy Administration, LINKS (Independent Living), State Adult Day Care, TANF Domestic Violence, Work First Block Grant, Work Force Investment Act Grant, and Child Care (approve for a total increase of \$2,043,364);
- e. Budget Ordinance Amendment No. 05BCC000032?Public Health?Recognize Title X Bonus Family Planning Funds for \$87,315 and \$52,934 from the N.C. Department of Health and Human Services;
- f. Budget Ordinance Amendment No. 05BCC000033?Public Health?Recognize Grant Funding for \$33,328 from Temporary Aid to Needy Families Through the N.C. Department of Health and Human Services;
- g. Budget Ordinance Amendment No. 05BCC000034?Public Health?Recognize Funds for the Health Education Division for \$15,000 for the Syphilis Elimination Project from the N.C. Department of Health and Human Services;
- h. Budget Ordinance Amendment No. 05BCC000035?Public Health?Recognize Funds for the Health Education Division for \$5,000 for the Youth Tobacco Prevention Mini-Grant Initiative from the N.C. Department of Health and Human Services Tobacco Prevention and Control Branch;
- i. Budget Ordinance Amendment No. 05BCC000036?Criminal Justice Resource Center (approve a discretionary grant from the NC Department of Corrections, Criminal Justice Partnership Program for \$4,700);
- j. Budget Ordinance Amendment No. 05BCC000038?General Services?Contract Award to Precision Walls Inc. for the Cleaning and Repainting of the Exterior Steel and Masonry on the Detention Center (approve the appropriation of additional property tax revenue totaling \$96,008);
- k. Bringing Income Maintenance Salaries Up to Market Rate (approve the recommended increase in the hiring rate, adjust existing IM staff salaries effective February 28, 2005 [March 24, 2005 payroll], and amend the education and experience requirements for Income Maintenance positions);
- l. Final Qualifying Bid to Purchase County Property (accept the offer from Michael P. Jackson to purchase 2100 Charles Street for \$3,000 and have a non-warranty deed prepared for the Chairman?s signature);
- m. Street Annexation Petition?Terry Brook Lane and River Forest Drive (adopt the resolution to approve the addition of South Forty Road to the state?s road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- n. Property Tax Releases and Refunds for Fiscal Year 2004-05 (accept the property tax release and refund report for January 2005 and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- o. Contract Award to BFI Waste Services, LLC for the Hauling and Disposal of Solid Waste from County Facilities and Residential Convenience Centers (RFP 05-013) (approve for the hauling and disposal of solid waste from 12 county facilities and four residential convenience centers for \$292,183); and
- p. Extension of Civic Center Management and Catering Agreements (approve authorization to enter into the Agreements with the City of Durham and the Shaner Hotel Group Inc. extending the term of the current Agreements to May 31, 2005 to allow for the completion of the contractual agreements).

6. Advance Public Hearing on the FY2005-2006 Budget

The Board will hold an Advance Public Hearing to receive public comment for the FY2005-2006 Budget. As County staff begins preparation of the budget, public comment is being solicited on issues that may need to be addressed.

The County Manager's Recommended FY2006 Budget will be presented to the Board of Commissioners on Monday, May 23, 2005, with individual budget worksessions to be scheduled for the period May 31-June 17. Final adoption of the FY2005-06 Budget Ordinance is scheduled for Monday, June 27, 2004.

Resource Person(s): Pam Meyer, Director of Budget and Management Services

County Manager's Recommendation: The County Manager recommends that the Board hold the Advance Public Hearing on the Fiscal Year 2005-2006 Budget.

7. Public Hearing on the Community Block Grant?2005 Scattered Site Housing

The State Department of Commerce Division of Community Assistance has made available to the County of Durham \$400,000 in grant funds for the purpose of rehabilitating low-income housing. The funds can only be used in the unincorporated areas of the county. The primary objective of the Community Development Block Grant Scattered Site Housing Program is to improve the housing conditions of very low-income households at or below 50 percent of area median income. Recent changes by the General Assembly now provide that all eligible counties receive these funds every three years on a non-competitive basis. As lead agents, counties will receive funds by submitting a detailed plan describing how funds will be distributed to meet housing priorities. The application deadline for receiving funds from the State Department of Commerce Division of Community Assistance is February 28, 2005. Staff has moved forward with the application process.

An informal RFP was posted on the County website. Proposals were solicited until February 10, 2005 for the purpose of hiring a consultant to administer the Scattered Site Housing Program.

Staff is requesting that the first public hearing be held for the purposes of receiving citizen comments on the County's intentions of receiving this grant and awarding a contract to one of the consulting firms for purposes of administering the Scattered Site Housing Program in Durham County.

Resource Person(s): Wendell M. Davis, Deputy County Manager

COUNTY MANAGER'S RECOMMENDATION: THE MANAGER RECOMMENDS THAT THE BOARD HOLD THE FIRST OF TWO PUBLIC HEARINGS ON THE 2005 CDBG SCATTERED HOUSING PROGRAM, RECEIVE PUBLIC COMMENT, AND HOLD THE SECOND PUBLIC HEARING AT THE FEBRUARY 28 BOARD MEETING.

8. Closeout of the 2002 CDBG Scattered Site Housing Program

The County of Durham contracted with Leah Consulting Group to administer the 2002 CDBG Scattered Site Housing Program. The CDBG grant was for \$400,000 from the State Department of Commerce Division of Community Assistance. The purpose of grant funds was to repair homes in the unincorporated portion of Durham County for residents whose income was very low, meaning at or below 50 percent of area median income. The administrator of the program, Mr. Brian Crawford of Leah Consulting Group, will discuss the results of the 2002 CDBG Scattered Site Housing Program, thus closing out the grant.

Resource Person(s): Brian Crawford, President of Leah Consulting Group

COUNTY MANAGER'S RECOMMENDATION: THE MANAGER'S RECOMMENDATION IS THAT THE BOARD RECEIVE THE CLOSEOUT REPORT FOR THE 2002 CDBG SCATTERED SITE HOUSING PROGRAM AND CONGRATULATE OUR PROGRAM ADMINISTRATOR ON A JOB WELL DONE.

9. Budget Ordinance Amendment No. 05BCC000037?Interlocal Agreement with the City of Durham for the Implementation of the Cultural Master Plan

The Board is requested to approve the Interlocal Agreement for Implementation of the Cultural Master Plan with the City of Durham. Both the City Council and County Commissioners have approved a Cultural Master Plan implementation strategy. The implementation strategy calls for the establishment of an Advisory Board and a full-time project manager to be located within City offices (within OEED). The two-year implementation plan will be funded with \$500,000 from the Occupancy Tax that was approved in 2001 and has already been collected by the County. The Interlocal Agreement establishes the relationship between the City and County in implementing the Cultural Master Plan.

The Board is also requested to approve a budget amendment to appropriate the portion of first year's budget that will be needed for the remainder of current Fiscal Year 2004-2005. Funding totaling \$29,887 will be appropriated for the remainder of the year that represents four months of salary and benefits, an estimated \$22,100, and operating expenses estimated at \$1,787, plus one-time expenses of \$6,000. The County's FY2005-2006 budget will include full funding for the salary, benefits, and operating expenses estimated at \$71,660.

Background: The Cultural Master Plan was a result of an extensive process to establish specific goals and recommendations for cultural development in the City and County. The assessment process included six community meetings, 114 individual interviews, 33 small group meetings, and 15 committee meetings. The County Commissioners approved the Cultural Master Plan on August 23, 2004. Because of the Plan being approved, the 17-member Executive Committee and the 63-member Steering Committee established an implementation strategy utilizing the \$500,000 in occupancy tax funds dedicated for this project.

The Implementation Strategy called for the establishment of an advisory board to execute and monitor administration of the strategy and recommended that a full-time project manager be located in the City's Office of Economic and Employment Development. It was determined that the relationship between economic development and cultural development was critical to the success of the strategy. The Implementation Strategy was presented to the City-County Joint Task Force and approved.

The City-County Joint Task Force directed City and County staff to negotiate an interlocal agreement to execute administrative details.

The Interlocal Agreement contains the following substantive provisions:

- An Advisory Board is established to advise the governing bodies of the City and County regarding the implementation strategy. The powers and duties of this Board are also established.
- The Advisory Board shall consist of 12 members, six appointed by the County Commissioners and six appointed by the City Council. These 12 members were selected from the Durham Cultural Master Plan Steering Committee and Executive Committee. The Advisory Board can appoint up to three non-voting student representatives from area schools to advise regarding youth's interests in cultural planning. The Advisory Board membership was approved by the County Commissioners at their December 13, 2004 meeting.
- A full-time project manager will be hired by the City and be housed in the offices of OEED. The responsibilities of the project manager are outlined in the agreement.
- The County will provide an amount not to exceed \$500,000 to be used for expenses related to implementation, such as costs of salary and benefits of the Project Manager, operating expenses as provided in the budget, and grants that will be separately approved by the County Commissioners to community agencies to launch primary initiatives for the Plan.
- The agreement also contains a sunset clause that states that if the 1% occupancy tax is repealed, the Interlocal Agreement terminates.
- Budgets will be presented to the County Commissioners for approval. The first year's budget is part of the Interlocal Agreement and outlines a salary for the project manager and reasonable operating expenses, including one-time expenses such as computers and furniture. The second-year projected budget includes salary and benefit adjustments and operating expenses, but will be brought back before the Board for approval around January 2006. All grant funding to community-based organizations must first be approved by the Advisory Committee and then approved by the County Commissioners as a separate item from the above budget process.
- The City will receive 12 monthly payments of the amount indicated in the approved budget.
- The term of the agreement is 24 months.

Resource Person(s): Alan DeLisle, City Office of Economic and Employment Development; Sherry DeVries, Executive Director, Durham Arts Council; Heidi Duer, Assistant County Manager; and Carol Hammett, Assistant County Attorney

County Manager's Recommendation: The Manager recommends that the Board approve the Interlocal Agreement with the City of Durham for Implementation of the Cultural Master Plan; approve the Year 1 Budget as attached to the Agreement; and approve Budget Ordinance Amendment No. 05BCC000037 for \$29,887 appropriating funds for the remainder of the current Fiscal Year 2004-2005.