

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Tuesday, September 2, 2003

9:00 A.M. Worksession

AGENDA

1. **Request from Durham Bill of Rights Defense Committee Regarding the USA PATRIOT Act**

The Durham Bill of Rights Defense Committee will make a presentation to the Commissioners regarding the USA PATRIOT Act. The United States Attorney for the Middle District of North Carolina will be present to respond on behalf of the United States.

Resource Person(s): Joan Walsh, Durham Bill of Rights Defense Committee member, and Anna Mills Wagoner, US Attorney for the Middle District

County Manager's Recommendation: The County Manager recommends that the Board consider the presentation by the Bill of Rights Defense Committee and the United States Attorney's Office, and give direction to staff.

2. **Same-Sex Domestic Partner Benefits**

In conjunction with the County Attorney's legal opinion that only same-sex domestic partner benefits can be offered to County employees without the violation of the Commissioners' oaths of office, the Human Resources Department has completed the actions necessary to make this offering possible. Our two Health providers, Cigna Health and Wellpath, have applied for and received approval from the Department of Insurance to provide same-sex health benefits. They have also agreed to provide this benefit with no additional increase in premiums. Upon approval by the Board of County Commissioners, the Human Resources Department will begin the process for adding same-sex benefit coverage during our annual benefits enrollment in October/November for implementation on January 1, 2004.

Resource Person(s): Jackye Knight, Human Resources Director, and Debbie Davidson, Benefits Manager

County Manager's Recommendation: The County Manager recommends that the Board advise staff if any additional information is necessary.

3. **Presentation by the Board of Elections Director Regarding the "Help America Vote Act"**

Michael Ashe, Board of Elections Director, has requested time on the agenda to speak to the new Federal and State legislation regarding the "Help America Vote Act" (HAVA). He wishes to briefly present background information and explain the impacts of the Act on Durham County.

Resource Person(s): Board of Elections Director Michael Ashe

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners receive his presentation.

4. **Bond Fund Report**

The Board of County Commissioners requested that the County Manager provide a report for all bonds that have been issued for public projects since 1986. The report provides summary information for issuances in 1986, 1991, 2000, 2001, and 2002.

Resource Person(s): Mike Ruffin, County Manager; George Quick, Finance Director; and Jessica Brown-Linton, Investment Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the report and advise if any additional action is required.

5. **Durham County East and North Regional Branch Libraries?Project Update (Project Numbers: DC073-48 & DC077-50)**

The 2001 Bond Referendum included funding for the East and North Regional Branch Libraries. The East Branch Library is to be located on Highway 98 east of Nichols Farm Road, and the North Branch Library is to be located on Milton Road near Carrington Middle School. Property acquisition of the potential sites and design of the facilities are underway. On December 9, 2002, the Board of County Commissioners awarded a design contract to The Freelon Group, P.A., of Durham to provide architectural services to develop a prototype regional library for the north and east locations, as well as a future south location. The regional branches will contain approximately 25,000 square feet with 150 parking spaces and a provision for future expansion of a 10,000-square-foot addition.

The programming phase of the project has been completed. This phase involved a series of meetings with Library staff to determine the needs of the facilities. The project is currently in the Schematic Design Phase and the architect will provide an update to the Board. The Library Board of Trustees received a similar update on August 18, 2003.

Resource Person(s): Glen Whisler, P.E., County Engineer; Philip Cherry, Director of Library

Services; and Chris Brasier, The Freelon Group, P.A.

County Manager's Recommendation: The County Manager recommends that the Board accept the update and provide direction to staff as appropriate.

6. **Appointments to the Jury Commission and the Board of Adjustment**

Mr. William J. Brian Jr. has served on the Durham Board of Adjustment since July 10, 2000 and currently serves as chairman of the board. He wishes to serve a second term on the board.

Ms. Dominique Alicia Smith has submitted an application for service on the Durham Jury Commission. Her appointment to the commission will fill the vacant position for the county appointee on the three-member commission.

Both Mr. Brian and Ms. Smith have paid their taxes and are eligible to serve. Their applications are attached.

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

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and appoint Mr. Brian to the Durham Board of Adjustment and Ms. Smith to the Durham Jury Commission.

7. **Resolution on Appointments to Boards and Commissions**

At the City-County Committee meeting, an agreement was reached to shorten from 180 to 30 days the time limit for an appointee to bring his or her taxes current when the taxes become delinquent during the term of appointment. The revision to the attached policy accomplishes this agreement. The language regarding the setting up of an agreement with the Tax Administrator was deleted, as it is no longer needed due to the short time frame.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board receive the information and advise the staff if any additional information is needed.



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