

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

Monday, June 14, 1999

7:20 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 William V. Bell, Joe W. Bowser, 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**

Vice-Chairman Reckhow said the Commissioners should move to set a public hearing for Monday, July 12, 1999 on limiting development in the I-40/54 corridor. This will be agenda item No. 8.

**Announcement**

Chairman Black announced the next budget worksession will be held on June 16 beginning at 8:30 a.m. – 11:30 a.m.

Chairman Black said consent agenda item No. 4(e) will have to be removed from the agenda for discussion.

**Minutes**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the February 1, 1999 Worksession Minutes of the Board as corrected and the March 22, 1999 BOCC/Durham Public Schools Board of Education, April 12, 1999 Regular Session, April 26, 1999 Regular

Session, and May 3, 1999 Worksession Minutes of the Board as submitted.

The motion carried unanimously.

### **Consent Agenda**

Commissioner Bowser moved, seconded by Commissioner Heron, to approve the following consent agenda items:

- \* (b) Census 2000 Complete Count Committee (appoint individuals listed to serve as "County" representatives of the Census 2000 "Complete Count Committee");
- (c) Automation Project for Register of Deeds (revise the Hart contract procurement limit by authorizing the County Manager to enter into a contract with Hart Information Services in an amount not to exceed \$563,397.25 for the automation solution, hardware equipment, related training, and project management. As per the summary, the net results of this change will be an additional cost savings of \$22,916.73. I have included this under your consent agenda, as it is a savings and not an additional expenditure.);
- \* (d) Property Tax Releases and Refunds Report (accept the reports as presented and authorize the Tax Administrator to adjust the tax records as outlined by the reports. These are normal recurring releases and refunds that are presented for your consent agenda.);
- (f) Application for property tax exemption (approve the application for exemption as recommended);
- \* (g) Accept new DSS revenues (accept new revenue which will enable the Department to continue these programs at current client levels for the remainder of the fiscal year); and
- (i) GIS Data Distribution Policy revisions and clarifications (approve the policy effective July 1, 1999 that complies with the North Carolina Public Records Law).

The motion carried unanimously.

\*The documents related to these items follow:

Consent Agenda 4(b). Census 2000 Complete Count Committee (appoint individuals listed to serve as “County” representatives of the Census 2000 “Complete Count Committee”).

The Census 2000 Complete Count Committee members follow:

Appointees

Bill Bartholomay  
4406 Cumberland Drive  
Durham, NC 27705

Mei Cheong  
621 East Knox Street  
Durham, NC 27701

Patricia Hemingway  
27 Dansey Circle  
Durham, NC 27713

Maggie Lee  
5500 Fortunes Ridge Drive, #63C  
Durham, NC 27713

Tracy Pauling  
818 Shari Court  
Durham, NC 27704  
(alternate to Ms. Cheong)

Evelyn Schmidt  
2330 Bedford Street, #6  
Durham, NC 27707

Michael R. Yarborough  
2714 Augusta Drive  
Durham, NC 27707  
(alternate to Mr. Bartholomay)

Agencies Represented

Durham Public Schools

City of Durham Housing Authority

Durham Technical Community College

Durham Community Shelter for HOPE

City of Durham Housing Authority

Lincoln Community Health Center

Durham Public Schools

Consent Agenda 4(d). Property Tax Releases and Refunds Report (accept the reports as presented and authorize the Tax Administrator to adjust the tax records as outlined by the reports. These are normal recurring releases and refunds that are presented for your consent agenda.).

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the reports detail tax releases and refunds for the months of March and April 1999.

For FY 98-99, releases and refunds amounted to \$99,113.77 (Mar) and \$4,988.28 (Apr) in taxes for real property, \$571.36 (Mar) and \$103,974.28 (Apr) in taxes for personal property, \$41,166.12 (Mar) and \$65,875.91 (Apr) in taxes for registered motor vehicles, \$595.00 (Mar) and \$910.00 (Apr) in city vehicle fees and \$165.00 (Mar) in solid waste fees.

For prior years, releases and refunds amounted to \$7,560.68 (Mar) and \$27,403.30 (Apr). Also, for FY 99-00, releases and refunds amounted to \$259,589.96.

(Recorded in Appendix A in the Permanent Supplement of the June 14, 1999 Minutes of the Board.)

Consent Agenda 4(g). Accept new DSS revenues (accept new revenue which will enable the Department to continue these programs at current client levels for the remainder of the fiscal year).

The two budget ordinance amendments follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000065

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Department of Social Services.

GENERAL FUND

|                     | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u>     |                           |                 |                 |                           |
| Intergovernmental   | \$187,911,089             | \$ 72,198       |                 | \$187,983,287             |
| <u>Expenditures</u> |                           |                 |                 |                           |
| Human Services      | \$214,098,914             | \$ 72,198       |                 | \$214,171,112             |

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

This the 14<sup>th</sup> day of June, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

DURHAM COUNTY, NORTH CAROLINA  
FY 1998-99 Budget Ordinance  
Amendment No. 99BCC000066

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for Department of Social Services.

GENERAL FUND

|                     | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u>     |                           |                 |                 |                           |
| Intergovernmental   | \$187,983,287             | \$ 60,960       |                 | \$188,044,247             |
| <u>Expenditures</u> |                           |                 |                 |                           |
| Human Services      | \$214,171,112             | \$ 60,960       |                 | \$214,232,072             |

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

This the 14<sup>th</sup> day of June, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**Consent Agenda Items Removed for Discussion**

Consent Agenda 4(a). Renewal of City-County HOME Consortium Agreement (approve the proposed FY 2000-2002 Durham City-County HOME Consortium Agreement and request that the Board authorize Chairman Black to execute the proposed Consortium Agreement).

Commissioner Heron asked County Manager Thompson to explain the liability the County would incur if we used HOME funds for the homeless shelter.

County Manager Thompson asked County Attorney Chuck Kitchen to explain the liability.

County Attorney Kitchen responded to the request.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the renewal of the City-County HOME Consortium Agreement.

The motion carried unanimously.

Consent Agenda (e). Juvenile Crime Prevention Council (appoint Commissioner Becky Heron Chair of the Juvenile Crime Prevention Council for fiscal year 1999-2000 effective July 1, 1999 and approve the recommendations and service plan of the Youth Coordinating Board and Juvenile Crime Prevention Council).

Anita A. Daniels, Youth Coordinating Board Director, and the Commissioners had a general discussion about the Juvenile Crime Prevention Council relative to program and financing.

Ms. Daniels introduced James Barbee, Regional Consultant, for the Juvenile Crime Prevention Council for remarks and to assist with the questions and comments.

Commissioner Bowser moved, seconded by Commissioner Bell, to appoint Commissioner Heron as liaison between the County Commissioners and the Juvenile Crime Prevention Council for fiscal year 1999-2000 effective July 1, 1999 and approve the recommendations and service plan of the Youth Coordinating Board and Juvenile Crime Prevention Council.

The motion carried unanimously.

Consent Agenda 4(h). Recommended Charges for Children-At-Risk Project (approve so that the charges can be discussed and accepted by the various entities involved with at-risk children).

Vice-Chairman Reckhow requested an additional bullet be added to the charge for the Youth Coordinating Board, the Juvenile Crime Prevention Council, the Criminal Justice Partnership Advisory Board, the Crime Cabinet, and other key community leaders:

The bullet reads:

- “To develop a mechanism for evaluating the performance of existing and proposed programs.”

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the recommended charges for children-at-risk.

The motion carried unanimously.

The two charges follow:

#### CONTINUUM OF CARE FOR AT-RISK CHILDREN

##### Charge from the Board of County Commissioners

June 14, 1999

We, the Durham County Board of Commissioners, hereby charge the Youth Coordinating Board, the Juvenile Crime Prevention Council, the Criminal Justice Partnership Advisory Board, the Crime Cabinet, and other key community leaders with the following:

- To work collaboratively in a coordinated fashion to define a common mission and delineate respective roles and responsibilities.
- To develop a unified, systematic method for sharing information and collecting data on children at-risk in our community.
- To conduct a community wide assessment regarding the needs of at-risk youth in Durham County, identify priority populations in need, delineate gaps in the continuum of care and make recommendations for establishment of services in the Durham community.
- To determine new funding sources that could be developed or existing funding sources that could be redirected to complete a continuum of care for Durham's at-risk youth.
- To devise a community wide strategic plan which encompasses each of the areas outlined above.
- To develop a mechanism for evaluating the performance of existing and proposed programs.

We, the Durham County Board of Commissioners, hereby charge the County Manager's Office with the following:

- To focus on the 75+ consent/court ordered children with the goal of bringing the children back to Durham County.
- To address barriers of confidentiality so as to allow for inter-agency sharing of information regarding said children.
- To perform a clinical review of each of the 75+ consent/court ordered children to determine the most appropriate level of service necessary.
- To determine what new resources must be developed to keep children in Durham County; to review existing proposals and associated costs for new services (i.e. day treatment, juvenile day reporting, continuum for suspended students, multi-purpose group home, and expanded detention facilities).

**Aisin AW/Shimizu Treyburn Production Facility**

Shimizu America Corporation is seeking approval of a site plan request to construct a 313,735-square-foot production facility consisting of 30,755 square feet of office space, 77,164 square feet of warehousing space, and 205,796 square feet of production and manufacturing space on a 123-acre tract. The site is located on the south side of Teknika Parkway and Old Oxford Highway, west of Red Mill Road, and east of International Drive. (Tax Map 950, Block 01, Parcel 001) The site is zoned I-2 and F/J-A, and allows for this use.

Mr. Steve Medlin, Senior Planner, Durham City-County Planning, will present the case and answer questions.

County Manager's Recommendation: Recommend approval of the site plan submittal.

Steve Medlin, Senior Planner, gave the Commissioners an overview of the site plan request.

The Commissioners asked several questions and made comments to which Mr. Medlin responded.

Mr. Randy King, Architect, representing Arcadis Geraghty & Miller, answered questions about the use of the pond that is on the site.

The pond will be used for storm water run off requirements.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the site plan for Aisin AW/Shimizu Treyburn Production Facility.

The motion carried unanimously.

(Tax Map number: 950, Block 01, Parcel 001; recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**Public Hearing on the FY 1999-2000 Budget**

The Board of County Commissioners will conduct a public hearing to receive input from citizens on the FY 1999-2000 recommended budget. In order to be able to hear from all interested citizens, the Commissioners usually set a time limit of three minutes for each speaker.



County Manager's Recommendation: Receive input from speakers and incorporate in your deliberations prior to finalization of next fiscal year's budget.

Chairman Black stated the Commissioners have received correspondence from Lincoln Community Health Center Inc. urging the Board to continue funding the Teen Link program. The receipt of the \$1.6 million from the hospital lease to go to Lincoln Community Health Center enables the Center to maintain its existing services.

The County Attorney is reviewing the hospital lease agreement to take a look at the Teen Link program funding in the lease agreement.

County Manager Thompson said the Teen Link program funding is not in the County Manager's proposed budget recommendation.

The Commissioners discussed the Lincoln Community Health Center's financial condition and why the operational cost has increased.

The Commissioners asked the County Manager to find out how the Lincoln Community Health Center is currently utilizing the funding they are receiving from the Duke and Regional Hospital lease. The lease funding is \$1.6 million from Durham Regional Hospital and \$500,000 from Duke Hospital.

County Manager Thompson said the Commissioners are asking questions about the schools relative to enrollment dates, suspension dropout data for all the schools broken out by grade, school and race for the past several years so we can look at trends.

The Commissioners also requested information on the alternative schools in the school budget and what is the school system doing to help the students pushed out of schools by short and long-term suspensions.

Chairman Black opened the public hearing that was properly advertised.

Linda Self, President, Durham Association of Educators, 6221 Emily Lane, Wake Forest, NC 27587, spoke about salary increases for the teachers, as well as all the employees in the school system. Supplement pay was also discussed. Value needs to be shown to all the employees in the school system. All teachers' goals are student achievement. She urged the Commissioners to approve the proposed salary increases.

Roslyn J. Muse, 709 Cobb Street, representing Senior PharmAssist, talked about the need that senior citizens have to get financial help to purchase medication on a monthly basis. She thanked the Commissioners for their past support for Senior PharmAssist. Ms. Muse talked about the Medicaid program and how it affects the older adult population.

Lavonia Ingram Allison, 1213 Fayetteville Street, representing the Durham Committee, talked about the Durham Public Schools budget. The financing is needed for the schools budget. She stated that there is “intellectual and statistical fraud” going on in the Durham Public Schools as it relates to addressing the majority of the students that are African American students. Ms. Allison discussed the difficulty that exists in getting enrollment and suspension data from the school administration.

Chairman Black asked Commissioner Bell, Board liaison to the Durham Public Schools, to meet with the County Manager and school administrators to discuss the request about receiving the school data relative to enrollment and suspension data from each school.

Jane Ellen Simmons, 1005 Wedgewood Lane, representing the Durham Community Child Protection Team, spoke about the lack of staff in the Police Department and Sheriff’s Department to investigate child abuse and neglect. She supported the request of Commissioner Bowser to add two deputies in the Sheriff Department to investigate child abuse and neglect full time. We need to break the cycle of abuse and neglect. She urged the Commissioners to provide the funding to the Sheriff’s Department to provide for the two deputies to investigate child abuse and neglect.

As no one else asked to speak at the public hearing, Chairman Black closed the hearing and referred the item to the Commissioners for consideration.

Chairman Black recognized Deputy Baker who was on duty during the Commissioners’ meeting.

### **Set Public Hearing on Development Moratorium for July 12, 1999**

Vice-Chairman Reckhow moved, seconded by Commissioner Bell, to set a public hearing on Monday, July 12, 1999 relative to development moratorium.

The motion carried unanimously.

### **Adjournment**

Chairman Black adjourned the meeting at 8:45.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board

