

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, December 1, 2003

9:00 A.M. Worksession

AGENDA

1. Election of Chairman and Vice-Chairman of the Board of County Commissioners

10 min.

County Attorney Chuck Kitchen will preside over the election of the Board's Chairman.

The newly elected Chairman will preside over the election of the Vice-Chairman.

2. Approval of Public Official Bonds 5 min.

The Board of Commissioners is required to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney, and Cathy Whisenhunt, Risk Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the bonds, as they meet the statutory requirements.

3. Ten-Year Plan to End Homelessness 15 min.

The Council to End Homelessness in Durham (CEHD) has participated with the Triangle United Way regarding local efforts to develop ten-year plans to end homelessness. The CEHD is requesting that the Durham County Board of Commissioners take the following actions:

1. Participate in a joint press conference with the City of Durham announcing local government support and participation in a ten-year planning effort to eliminate homeless in Durham County;
2. Appoint representatives to serve on the Steering Committee for the development of the ten-year plan; and
3. Appoint staff members from the Department of Social Services and the Durham Center to participate in the planning process.

RESOURCE PERSON(S): Terry Allebaugh, Chairman, Council to End Homeless in Durham

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board receive the presentation.

4. Adequate Public Schools Facilities Policy 20 min.

The Board of County Commissioners expressed a desire that the City and County implement a policy tying rezonings with a residential component to the availability of classroom space in public schools. The proposed policy establishes a level of service for public schools of each type and proposes that rezonings be denied when the proposed student increase will cause the public school system to exceed its building capacity. The BOCC considered this policy at its August Worksession and asked for additional study of the issue by staff. The policy has been revised to take into account reductions, as well as increases in enrollment linked to rezonings.

The draft policy establishes a level of service for schools and links the ability to seek rezoning to the ability of the public school system to accommodate the projected student population. The policy establishes the level of service as 120 percent of building capacity system wide, providing no

consideration for modular classrooms.

Staff is recommending that the Board discuss the Adequate Public Schools Facilities Policy and adopt it at a regular meeting.

RESOURCE PERSON(S): Frank M. Duke, AICP, Durham City-County Planning Director

COUNTY MANAGER'S RECOMMENDATION:

The County Manager recommends that the Board discuss the Adequate Public Schools Facilities Policy and if appropriate, adopt the policy at a regular meeting of the Board.

5. Policy on Payment of Impact Fees for Affordable Housing 20 min.

In connection with the Impact Fee Ordinance that was adopted by the Board in September, a resolution is proposed establishing a policy on payment of the impact fees on affordable housing by the County. The proposal would provide for the payment of impact fees when Renter-Occupied or Owner-Occupied housing is developed by a nonprofit organization. Based on the number of qualifying units, which information was provided by the Durham Affordable Housing Coalition, the initial cost would be approximately \$325,000. The policy provides that the payment of this amount shall be made without the actual transfer of funds, provided the amounts to be credited to the fund do not exceed the amount paid by the County for additional school capacity. Should the County elect to pay for for-profit, as well as non-profit development for affordable housing, the amount estimated would be between \$1,500,000 and \$1,600,000 based on earlier estimates provided by Lanier Blum.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney

COUNTY MANAGER'S RECOMMENDATION:

Give directions to staff as to any changes the Board wants in the policy and direct that the policy be placed on the agenda for December 8, 2003.

6. Livable Wage Proposal Review 20 min.

At the October 7, 2003 Commissioner Worksession, DurhamCAN presented a proposal for a Durham County living wage ordinance. The proposal seeks to "ensure that all people working in County Government and all those working for the County as employees of businesses with service contracts shall receive at least a living wage calculated as the Federal Poverty Level plus 7.5% (\$9.85)." Since then, staff has reviewed the proposal and gathered data on implementing such an ordinance. A Living Wage Taskforce was created and has met several times to review impact data and develop a recommendation to the County Manager.

After significant research and review, major issues that must be considered regarding a Livable Wage are rate of pay, scope of coverage, provision of benefits, service contracts, compliance management, and costs.

On November 24, 2003, recommendations of the Living Wage Taskforce were presented to members of DurhamCAN. The following recommendations were agreed upon:

1. Set a livable wage based on the federal poverty guidelines plus 7.5 percent (\$9.51 [adjusted annually]).
2. The living wage will apply to all full-time County employees, at no additional cost to the County for the first year of implementation.
3. The living wage will also apply to all full-time temporary employees, the hourly rate negotiated as needed between the County department and the individual temporary agency.
4. Further study is needed to determine the fiscal impact of the living wage on service contracts, part-time employees, and nonprofits.
5. Adopt the policy for living wage for all full-time County employees, effective July 1, 2004.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney, and Heidi Duer, Assistant to the County Manager

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board suspend the rules, adopt the Living Wage Policy with an effective date of July 1, 2004, and authorize the Manager to publish a request for proposal to evaluate the fiscal impact of the implementation of a living wage policy on County service contracts.

7. **Budget Ordinance Amendment No. 04BCC000031?Criminal Justice Resource Center?Community Learning Center**

20 min.

The Criminal Justice Resource Center (CJRC) is requesting authorization and funding to establish a "Community Learning Center" to meet the needs of students not eligible for either traditional school classroom settings or the alternative school at Lakeview School. The target population for the program are students expelled from the Durham Public School system (permanently removed), suspended for 365 days (not allowed on DPS property, often due to a weapon charge), or not working towards high school graduation but may be performing on a middle or high school level.

The program will serve ten students and operate Monday through Friday from 9:00 a.m. to 12:30 p.m. The classroom will be equipped with ten individual workstations and computers with Internet access. Students will receive a reading test upon enrollment and every six months thereafter, will use the Nova Net Curriculum (which is aligned with the NC Standard Course of Study), and will work individually on a series of courses. A teacher and an assistant will be available to aid students at any time. The Community Learning Center can operate throughout the year, allowing students to catch up on courses and continue their studies during the summer. A law enforcement officer will be present at check-in, during class hours, as well as at break times to ensure the safety of students and staff. A case manager will work with referring agencies, ensure proper enrollment, track attendance and testing, and provide individual counseling and follow-up. The program may be expanded in July 2004 to offer additional afternoon or evening sessions.

RESOURCE PERSON(S): Gudrun Parmer, Director, Criminal Justice Resource Center, and Dr. Bert L'Homme, Associate Superintendent for Instructional Services, Durham Public Schools

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board suspend the rules; authorize the creation of the Community Learning Center through June 30, 2004, after which its efficiency and effectiveness will be evaluated; and approve Budget Ordinance Amendment No. 04BCC000031 in the amount of \$55,920, which will approve moving \$27,960 from the Commissioners Contingency account for the County's share of the program and revenue to be received by the City for its share of the program. In addition, the Manager recommends approval of a .5FTE Case Manager position in the CJRC.

| FY2004 Commissioners Contingency Account | | |
|--|----------------------|------------------|
| | <u>Appropriation</u> | <u>Balance</u> |
| Original Budget | | \$400,000 |
| Donation to Lincoln Hosp School of Nursing-statute at LCHC | \$20,000 | \$380,000 |
| Literacy Council additional funding | \$32,500 | \$347,500 |
| First in Flight Memorial-Raleigh Durham Airport | \$50,000 | \$297,500 |
| Community Learning Center-CJRC | \$27,960 | \$269,540 |

8. **Update on Client Wait Times at DSS** 15 min.

DSS has experienced a significant increase in demand for services and requested additional staff positions to address the accompanying increase in client wait times and crowding in the lobby at Duke Street. These positions were not approved in this year's budget process. The issues of long

wait times and large crowds were particularly acute this summer with the heat and demand for emergency assistance for energy bills. DSS had long lines early in the morning at Duke Street and had many days with "standing room only" crowds in the lobby, creating the potential for a violent response among clients and a safety hazard. DSS realized it must "think outside the box" and develop other strategies to address these issues, creating a "Wait-Time Work Group" comprised of agency staff to develop potential solutions.

Department staff will provide an update on caseloads, the changes made, and progress to date in reducing client wait times.

RESOURCE PERSON(S): Dan Hudgins, Director; Catherine Williamson-Hardy, Director, Family Economic Stability; Arnold Dennis, Director, Family Economic Independence; and Sharon Hirsch, Director, Customer Access and Program Support

COUNTY MANAGER'S RECOMMENDATION: The Manager's recommendation is that the Board accept the report from staff and provide policy guidance.

9. Left Blank Intentionally

10. **Benefits ? Hospital Gap Policy and Dental Coverage for Retirees** 20 min.

At the October 7, 2003 Worksession, the Board approved a Hospital Gap Plan for Durham County employees to cover the increased copays for in-patient (\$500.00) and out-patient (\$250.00) care. Human Resources was instructed to issue an RFP for a Hospital Gap Plan for Durham County Employees not to exceed an annual cost of \$410,000 for employees and \$25,000 for retirees. This RFP was issued but no bid was received that met all requirements of the RFP. Based on information the Human Resources Department has developed, the County can self-insure this plan and engage a Third Party Administrator to pay claims for less cost to the County than using a product currently available. The recommendation from Human Resources is that the County self-insure this coverage and use a Third Party Administrator to pay claims for the calendar year 2004. This program will be evaluated after the first six months of coverage to ensure that it is cost effective.

Currently retired employees are not eligible to participate in the County's Dental Insurance Plan. At the October Worksession, Human Resources was directed to verify the feasibility of allowing retirees who are eligible for County Retiree Health Insurance to participate in the Dental Plan at the retirees' cost. HR is able to provide this coverage at no change in current rates, and can offer this to retirees effective January 1, 2004.

RESOURCE PERSON(S): Debbi Davidson, Benefits Manager, and Tony Noel, Acting Human Resources Director

COUNTY MANAGER'S RECOMMENDATION: Recommend approval of self-insured Hospital Gap Plan with Third Party Administrator. Recommend approval of offering Dental Coverage to eligible retirees effective January 1, 2004.

11. **Pay-for-Performance Enhancement** 30 min.

The Pay-for-Performance program has been established to provide a systematic way to reward employees based on job performance and to provide recognition for high quality performance. The program is also designed to provide an incentive for improving performance and productivity and to maintain a high level of employee performance and morale.

In 2002, the Pay-for-Performance program, which proved to be very unpopular with most employees, granted a \$1000, one-time lump-sum bonus to employees who received a performance rating of "Exceeds Expectations" in all high priority workplan objectives. Three hundred of the 1,700

employees evaluated, qualified for the bonus. That program officially ended on December 31, 2002.

The current Pay-for-Performance program that began in January 2003 grants all employees a five-percent pay adjustment for "Meets Expectations" performance. This program officially ends on December 31, 2003. In response to a request to design a new plan that awards an increase for both "Meets Expectations" and Exceeds Expectations performance, input from employees, other jurisdictions and the latest trends were obtained and is hereby provided for your review, discussion, and further direction.

Working within the available funds, Human Resources recommends the County provide a 3 percent pay increase for "Meets Expectations" performance and a 4.5 percent increase for "Exceeds Expectation" performance.

RESOURCE PERSON (S): Elaine Hyman, Human Resources Manager; Tony Noel, Acting Human Resources Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the BOCC approve the pay-for-performance enhancement that provides a 3 percent pay increase for "Meets Expectations" performance and an additional 1.5 percent increase for "Exceeds Expectation" performance.

12. Update on Human Resources, Budget, and Financial Computer Systems Replacement Project

20 min.

The Enterprise Resource Planning Replacement (ERP) Project Team has been working for eight months to develop specifications and publish an RFP and is in the process of evaluating the proposals received from potential vendors for new applications systems for Human Resources, Payroll, Finance, and Budget.

Last November, American Management Systems (AMS) announced that effective July 2005, it is terminating support of its Advantage Financial and HR applications software that Durham County has been using for approximately 14 years. Because this will result in Durham County being unable to receive enhancements, day-to-day support, or any software modifications due to regulatory or legislative action, a project was initiated to review, evaluate, purchase, and implement a new ERP application software package and supporting hardware.

The ERP Project Team, comprised HR, Finance, Budget, and IT representatives, has extensively reviewed responses to RFP 04-001. ERP Project Team wishes to present an update to the Commissioners on the status of the project including the vendor selection process, implementation planning, and projected costs. Identification of other issues (including staffing during implementation, conversion of historical data, detail computer and network requirements, and training of support and user staff) is underway but cannot be planned in detail until final vendor selection.

The ERP Project Team and sponsors will be returning to the Board at the February 2, 2004 Worksession to request approval of funding and authority to enter into a contract with the selected vendor. This will permit the vendor to begin working with the project team to detail tasks and schedules to meet the required deadlines for the implementation of Durham County's ERP system by July 2005.

RESOURCE PERSON (S): Carolyn Titus, Deputy County Manager; George Quick, Finance Director; Pam Meyer, Budget Director; Jackye Knight, Human Resources Director; Perry Dixon, Information Technology Director; and the ERP Project Team.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board receive the presentation.

13. **Justice Building Programming and Facility Master Plan Revisions** 1 hr.

The Board is requested to consider revisions to the Justice Building program and Facility Master Plan and authorize the County Manager to proceed with development of a design contract for the Justice Building project.

In March 2000, the Board adopted the Facility Master Plan that identified construction of a Justice Building as the highest priority project. The project was included in the Capital Improvement Program (CIP). The programming phase of the project, completed in October 2002, included two options for building occupancy. Option 1 included all functions related to the justice system and required 282,645 SF. Option 2 recommended a building of 245,420 SF and did not include Community Corrections and the Criminal Justice Resource Center. Option 2 was incorporated in the 2004-2013 CIP. However, during review and approval of the CIP, the Board requested that staff reconsider the occupancy of the proposed Justice Building along with the Judicial Building, Judicial Building Annex, and Eligibility Building, which resulted in the development of Option 3.

Option 3 places Community Corrections in the Judicial Building Annex, Criminal Justice Resource Center in the Eligibility Building, and Juvenile Justice and Guardian Ad Litem in the Judicial Building, resulting in a Justice Building of 228,974 SF.

RESOURCE PERSON(S): Glen Whisler, County Engineer

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board support Option 3 for the Justice Building and authorize staff to develop a design contract to be considered in January 2004.

4¼ hrs.



Last updated: July 23, 2006

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