

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

Monday, April 7, 2003

9:00 A. M. Worksession

MINUTES

Place: Commissioners' Room, second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman Ellen W. Reckhow, Vice-Chairman Joe W. Bowser, and
Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D.
Jacobs

Absent: None

Presider: Chairman Reckhow

Call to Order

Chairman Reckhow convened the meeting and welcomed everyone in attendance.

Citizen Comments

A number of citizens requested time to speak to the County Commissioners regarding domestic partner benefits. Each citizen was allowed three minutes to speak.

The following citizens spoke in support of domestic partner benefits:

Nancy Blood	Cathy Chandler	Sharon A. Thompson
Aviva Shira Starr	James Emery	Sara Terry
Doris Taylor	Richard Mullinax	

The following citizens spoke in opposition to domestic partner benefits:

Victoria Peterson	Joy Foster	Mike Schmidt
Minister Rosetta Jones	Fred Jones	

The citizens listed below had requested to speak at the worksession but were not present:

Pastor Donald Fozard Sr.	Angela McLean	Deacon Leondras Owens Jr.
Alex S. Johnson	Cassandra Robinson	Alda Lawson
Boris Satterwhite	Sandra McNeil	Melvin Talbert
Joyce A. Davis	Peggy McClain	

No official action was taken on this agenda item.

Water and Sewer Contract Amendment for Agreed Upon Procedures Between the County and City of Durham

The Board was requested to approve the joint City/County contract amendment with Dixon Odom for completion of the agreed upon procedures. The amendment includes a 111-day time extension and an additional contract amount not to exceed \$25,000. The responsibility for the cost is to be shared equally by the City and the County (\$12,500 each). Mr. Neal Dorman of Dixon Odom provided an attachment describing the additional scope and estimate.

The agreed upon procedures contract comprises two phases. Phase I was completed December 31, 2002. Phase II began upon completion of Phase I. After completion of Phase II, the project status was presented March 11, 2003 to the Joint City/County Committee.

On March 4, 2003, the preliminary report was given to City/County staff participating in the project. The report was reviewed in depth by staff. Staff found inconsistencies, and therefore, was not willing to agree to the initial findings of the preliminary report. Staff proceeded with further research.

The findings currently being researched by staff are:

- The County's remittance reports show receipts for addresses that were verified as County lines or City lines being serviced by the County basin but are not in Dixon Odom's database.
- Several remittance amounts that were based on payment (not consumption) were found to be significantly different from amounts reflected in Dixon Odom's database.
- Various commercial accounts only have nine billings instead of 12.

In performing this research, it has been proven that there is no clear 12-month remittance dollar amount to compare to Dixon Odom's recalculation (e.g., no clear starting and ending point for the dollar amount to determine the overpayment/underpayment). City and County staff and Mr. Dorman of Dixon Odom have been conferring and attempting to find a method by which to reasonably determine a dollar amount for comparison. The only answer is to match Dixon Odom's findings to the actual County remittances for the agreed upon timeframe, create exception reports, and have staff research these exceptions. This would give a beginning dollar amount that would be adjusted based on the outcome of the research.

To perform the matching previously stated, these remittances must be converted into electronic format. This methodology is not in the scope of the contract as it is currently written. Staff recommended approval of the amendment to include the conversion and the matching process.

The retroactive approval date of March 11, 2003 was recommended to provide a continuous contract period for this project.

Resource Person(s): Wendell M. Davis, Deputy County Manager; Glen Whisler, County Engineer; Susan Fox-Kirk, Deputy Finance Director; and Chuck Hill, Utility Division Manager

County Manager's Recommendation: The Manager's recommendation was that the Board suspend the rules and approve the amendment to the contract to include the change in scope, increase in estimated costs, and extension for Phase II completion.

Mr. Davis presented this agenda item to the Commissioners.

The Commissioners asked questions to which Mr. Davis responded.

Chairman Reckhow requested that the final report be placed on the May 13, 2003 City/County Committee meeting agenda for resolution.

Commissioner Heron requested an interim report on the project in two to three weeks.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to suspend the rules in order to take action at this worksession.

The motion carried unanimously.

Commissioner Jacobs moved, seconded by Commissioner Heron, to approve the contract amendment to include the change in scope, increase in estimated costs, and extension for Phase II completion with the understanding that the audit will be completed by May 13, 2003.

The motion carried unanimously.

Annual Report from the Durham County Local Emergency Planning Committee (LEPC)

Bill Robbins, Chairperson for the Durham County Local Emergency Planning Committee, requested time on the agenda to report activities of the previous year to the County Commissioners. Mr. Robbins also addressed some of the group's goals and objectives for the upcoming year.

Resource Person(s): Jeffrey L. Batten, Durham County Fire Marshal, and William Robbins, Chairperson, Durham County LEPC

County Manager's Recommendation: Receive the report and thank Mr. Robbins for the work of the LEPC in making our community safer.

An outline of Mr. Robbins report follows:

- Acknowledgement
- Mandate
- Plan
- Methods (Committee Structure)
- Activities
- Projections
- Members

Mr. Robbins and Mr. Batten responded to questions from the Commissioners.

Chairman Reckhow instructed Public Information/Governmental Affairs Director Deborah Craig-Ray to work with Mr. Robbins to furnish information to citizens about the Durham County Local Emergency Planning Committee (LEPC).

Chairman Reckhow and Commissioner Heron mentioned that the LEPC has several vacancies. The Commissioners would be willing to help recruit members for the committee.

No official action was taken on this agenda item.

Fiscal Year 2003-04 Tax Base Estimation

The County Commissioners requested a presentation on the tax base projections for the upcoming budget year.

Resource Person(s): Kenneth L. Joyner, Tax Administrator

County Manager's Recommendation: The Manager's recommendation was that the Board receive the presentation from the tax valuation working group.

Mr. Joyner stated that the Tax Base Estimation Workgroup was tasked with determining tax base projections. Members of the Workgroup are listed below:

- Kenneth L. Joyner, Tax Administrator
- George K. Quick, Finance Officer
- Pamela Meyer, Director of Budget & Management Services
- Kimberly H. Simpson, Deputy Tax Administrator
- Jay V. Miller, Deputy Assessor

Mr. Joyner stated that the tax base comprises all taxable real and personal property, all taxable registered motor vehicles, and public services valuations. He remarked that growth estimation, historical estimation, and reliance on both growth and historical estimations are ways of developing the estimate.

Mr. Joyner related the 2003-2004 Fiscal Year Tax Base Projections as follows:

<u>Fiscal Year</u>	<u>Totals</u>
2003-2004	\$19,719,555,247—Projected
2002-2003	\$19,474,422,991—Year-End Final Totals
2002-2003	\$19,232,079,231—Revised Budget Estimate

Mr. Joyner compared the projection with our historical growth. He distributed charts reflecting the tax base from an historical perspective and the historical growth factor for real property.

The Commissioners asked questions and made remarks about the figures.

Tax Base Estimation Workgroup members responded to the questions and comments.

Chairman Reckhow asked Mr. Joyner to forward a copy of Senate Bill 512—“An Act to Provide a Method for Valuation of Motor Vehicles for Property Tax Purposes”—to the County Manager for discussion at the April 8, 2003 City-County Committee meeting.

No official action was taken on this agenda item.

Durham County Youth Home Security Measures

At the March 26, 2003 Board of County Commissioners’ CIP Worksession, the Board requested that staff return with a detailed recommendation regarding security measures needed to sustain the Youth Home. Staff reported that the Youth Home could be maintained for several years at its current location with the addition of the following minimal security features:

- Additional staff (1.5 FTEs) for the night shift
- Installation of caller ID telephone system
- Purchase of radio equipment for staff
- Fencing around the facility
- Installation of security camera system

The additional 1.5 FTE staffing was placed in the Youth Home’s FY 2003-04 budget request. Staff recommended that the one-time security costs be funded this fiscal year from the County’s contingency fund. Those costs follow:

Security cameras	\$8,606
Radio 2-way	\$1,794
Upgrade telephone system	\$1,851
Fence	<u>\$19,984</u>
Total	\$32,235

Resource Person(s): Carolyn P. Titus, Deputy County Manager, and Angela Nunn, Youth Home Director

County Manager's Recommendation: The County Manager recommended that the Board receive the recommendation and place a budget amendment on the Board's April 14, 2003 meeting agenda to fund the security measures through the County's contingency fund.

Ms. Titus presented this item to the Commissioners. Five security features were recommended following an analysis by the Sheriff's Department and the General Services Department due to the October 2002 escape at the Youth Home. The fencing around the Youth Home involves the Emergency Management Department as well, since the two buildings are situated on one parcel of land. Emergency Management will be presenting a request for fencing around its building for enhanced security purposes. Money can be saved if the fencing is installed simultaneously.

Ms. Titus and Chief Batten responded to questions from the Commissioners.

Chairman Reckhow directed that a budget amendment be placed on the Board's April 14, 2003 meeting agenda to fund the security measures through the County's contingency fund.

No official action was taken on this agenda item.

Review of Memorandum of Understanding with Durham Public Schools

The Durham County Board of Commissioners and Durham Public Schools Board of Education have agreed to develop annual Memoranda of Understanding (MOU) to strategically identify issues/initiatives of mutual interest. The agreement is largely an effort to ensure strong channels of communication between both boards while working to improve the quality of education for students attending Durham Public Schools.

The two boards have a joint meeting scheduled for April 28, 2003, part of which will be devoted to a discussion of a MOU for the 2003-2004 School Year. The Manager will conference with Superintendent Denlinger prior to that meeting and would like to propose any Board-desired changes for her consideration.

Resource Person(s): Mike Ruffin, County Manager

County Manager's Recommendation: The Manager recommended that the Board review the existing MOU and advise staff of any additional changes or issues that should be incorporated in the FY 2003-2004 MOU.

The Board of County Commissioners asked several questions and made comments about the Memorandum of Understanding.

County Manager Ruffin responded to the questions and comments.

Vice-Chairman Reckhow and Commissioner Heron informed the County Manager of the changes they wished to make in the document.

Chairman Reckhow advised that further changes must be submitted to the County Manager this week.

Commissioner Heron conveyed that she would like a report from the Sheriff's truancy officer.

Local Option Sales Tax

On February 3, 2003, the Board of County Commissioners authorized a letter to the City of Durham regarding the impact of the half-cent sales tax on City and County coffers. The letter requested that the City "give some consideration to sharing the surplus that was created...when the Board of County Commissioners decided to impose the additional half-cent sales tax." Since the receipt of that letter, City and County staffs have entered into negotiations to determine if a satisfactory solution could be reached. The two Managers recently agreed on a change for their respective boards to consider. Essentially, the City Manager has agreed to the County Manager's proposal to share 50 percent of its "net gain" with the County, but only for the next five fiscal years. While both boards must approve the agreement that has been reached between the two Managers, the County Manager believes that an equitable settlement has been reached.

Resource Person(s): Mike Ruffin, County Manager; Chuck Kitchen, County Attorney; and Pam Meyer, Budget and Management Services Director

County Manager's Recommendation: The Manager recommended that the Board agree to the terms and conditions as outlined in a March 31, 2003 letter from the City Manager to the County Manager for sharing the gain that the City of Durham realizes from the new one-half cent sales tax.

The Commissioners asked questions and made comments about the local option sales tax proposal.

Ms. Meyer responded to the questions and comments. She related that City Council will discuss the proposal tonight.

Chairman Reckhow directed staff to prepare the interlocal agreement for consideration by City Council at its April 21, 2003 meeting. If the agreement fails to be approved at that meeting, the Commissioners could amend it at their April 28, 2003 Regular Session.

County Attorney Chuck Kitchen said that the only outstanding issue is that the City requested a five-year commitment, which is included in the interlocal. However, this is a governmental function, and a future Board cannot be bound. A six-month termination clause is integrated in the interlocal; thus, the new Board may terminate the agreement, if it so chooses.

Chairman Reckhow said that the local option sales tax proposal is on the April 8, 2003 City-County Committee meeting agenda. She asked the County Manager to find out if City Council will support the proposal.

No official action was taken on this agenda item.

Budget Presentation for Nonprofit Agencies Applying for FY 2003-2004 Funding

The Board was requested to hear presentations from various nonprofit organizations regarding their requests for funding in Budget Year 2003-2004.

Resource Person(s): Pam Meyer, Budget Director, and presenters from the nonprofit organizations.

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

Chairman Reckhow announced that 37 persons had signed to speak and would be called in the order of sign-up.

The following agency representatives spoke about their nonprofit requests:

<u>AGENCY</u>	<u>REPRESENTATIVE</u>	<u>AMOUNT REQUESTED</u>
Volunteer Center of Durham	Beth Sorensen 136 E. Chapel Hill Street Durham 27701	\$ 5,000
John Avery Boys and Girls Club	Elaine C. Hyman and Floyd Laisure 808 Pettigrew Street Durham 27703	\$ 35,000
Family Counseling Service	Sheila Broderick 1058 W. Club Blvd. Durham 27707	\$ 14,250
Council for Senior Citizens	Joan Pellettier 807 S. Duke Street Durham 27701	\$118,750
Radio Reading Service	Theodore Bryant 211 Six Forks Road Raleigh, NC	\$ 4,000

Durham Striders	Frank Davis 309 Rippling Stream Rd. Durham 27704	\$ 60,000
Durham Crisis Response Center	Ada Gregon P O Box 52028 Durham 27707	\$ 55,000
Durham County Teen Court and Restitution	Sabrina Cates and Ishani Sud 212 W. Main Street Durham 27701	\$ 30,000
Alliance of Aids Services-Carolina	John Paul Womble 107 North Driver Street Durham 27707	\$ 10,000
Hopeline	Gayle Butzgy P. O. Box 10490 Raleigh 27513	\$ 9,000
Senior Aides Program	Arlene M. Ridgell 1801 Fayetteville St. NCCU Campus	\$ 28,500
Eno River Association	Lori Olson and Greg Bell 4419 Guess Road Durham 27712	\$ 15,000
Project Graduation of Durham	Dan Milam and Mary Holderness 4900 American Drive Durham 27705	\$ 5,700
TROSA	Joseph Kilpatrick and Jesse Battle 1820 James Street Durham 27707	\$ 75,000
Genesis Home	Ann Tropiano 300 N. Queen Street Durham 27701	\$ 20,000
Durham County Literacy Council	Kevin Nickodem 6921 Knotty Pine Drive Chapel Hill 27514	\$ 16,000
Salvation Army Boys and Girls Club	Jerry Sorrow 531 Lakeland Street Durham 27701	\$ 25,000
Housing for New Hope/ Phoenix House	Terry Allebaugh and Sam Whitted P. O. Box 11867 Durham 27703	\$ 5,000

Middle School After School Program	Mike Vadala, Julia Fairley, and Tommy Newnam Durham Public Schools 302 Morris Street Durham 27702	\$ 85,500
Urban Ministries Of Durham	Lloyd Schmeidler 410 Liberty Street Durham 27701	\$150,000
Senior PHARMAssist	Gina Upchurch 123 Market Street Durham 27701	\$ 90,000
Center for Employment Training (CET)	Linzie Atkins 807 E. Main Street, Bldg. 4 Durham 27701	\$100,000
The Women's Center	Terri Allred P. O. Box 1057 Chapel Hill 27514	\$ 3,000
Durham Companions	Della McKinnon P. O. Box 1953 Durham 27701	\$ 6,500
El Centro Hispano	Angelina Schiavone 201 W. Main Street Durham 27701	\$ 25,500
American Red Cross	Rose Vaughan Hitchings Center Durham, NC	\$ 20,000
Child and Parent Support Services	Karen O'Donnell and Matt Epstein Markham St. Durham, NC	\$ 8,800
Little River Community Complex	Dr. Kate Young 8307 Roxboro Road Bahama 27503	\$ 15,000
Operation Breakthrough	Charles Chapman 200 E. Umstead St. Durham 27707	\$ 97,376
SpiritHouse	Mark Sutton P. O. Box 61865 Durham 27705	\$ 73,726

Consumer Credit Counseling	Glyndola Massenburg–Beasley 413 E. Chapel Hill Street Durham 27701	\$100,000
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The total nonprofit requests amounted to \$1,484,723. All agencies that requested funding did not appear for a presentation.

Commissioner Heron wanted information regarding salary increases for agency directors and executive directors for FY 2003-04. Some agencies did not provide that information in their applications.

No official action was taken on this agenda item.

Adjournment

Chairman Ellen Reckhow adjourned the meeting at 3:15 p. m.

Sincerely,

Garry E. Umstead, CMC
Clerk to the Board