

REVISED
(Removed Item Nos. 8 and 9)
THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA
Monday, November 28, 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 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
 - Forum on the Ten-Year Plan to End Homelessness in Durham
Impact of Homelessness Upon Children
December 8, 2005?St. Philip?s Episcopal Church?7:00 ? 9:00 p.m.
4. **Minutes**
5 min.
 - a. November 7, 2005 Worksession
 - b. November 14, 2005 Regular Session

5. **Truancy Hotline**
10 min.

The Durham County Sheriff's Office has recently implemented a Truancy Hotline to assist the public in reporting possible violations. Citizens are encouraged to call 697-9024 or 697-9025 to report school age youngsters not in school on a regular day.

Nationwide, truancy is recognized as a gateway to school failure, gang involvement, and criminal activity. Durham Public Schools has placed special emphasis on attendance for this academic year and intends to contact parents whose children are absent from class.

Besides traditional court and law enforcement resources, school counselors, and social workers, Truancy Officers and a Truancy Court program also support the County?s truancy initiative. There are currently two full-time deputies assigned to the Truancy Unit of the Durham County Sheriff's Office. Their primary responsibility is to investigate and enforce violations of the Compulsory School Attendance Law. Truancy cases originate through referrals from the school system or by self-initiation. These cases are then assigned to the officers who are tasked with making juvenile and family contacts to inform those involved of their legal obligations and consequences for violating the law.

Resource Person(s): Wes Crabtree, Chief Deputy

County Manger?s Recommendation: The Manager recommends that the Board receive the presentation and advise staff if additional action is necessary.

6. **Recognition of the \$1,112,000 Clean Water Management Trust Fund Grant for the Duke/Erwin Trace Acquisition**
10 min.

At its Board Meeting on November 14, 2005, the State of North Carolina Clean Water Management Trust Fund (CWMTF) Board approved a \$1,112,000 grant to Durham County, which reflects the full amount requested by the County. The grant will be shared by Durham County, Orange County, City of Durham, and Chapel Hill to reduce the amount of each jurisdiction?s financial commitment for the Duke University/Erwin Trace acquisition. Durham County agreed to purchase the 42.8-acre Duke tract in April 2005 for \$1,500,000 after the other local governments agreed to participate with up to \$375,000 of the purchase price. In keeping with the purposes of the CWMTF?s mission, after the

property is acquired, conservation easements will be placed on the bulk of the property to ensure it will remain in open space for water quality purposes.

The Triangle Land Conservancy (TLC) in partnership with the Erwin Area Neighborhood Group (EANG) is also providing a critical \$225,000 of the overall purchase price, with the bulk of these funds provided by EANG pledges. The EANG held a strong grass-roots public education campaign to gain public support of the acquisition. They also held a tour of the property for CWMTF Board members and state legislators in July to highlight the proposed CWMTF grant request by Durham County.

The CWMTF grant will provide \$1,000,000 towards the Duke University/Erwin Trace acquisition. Durham County's financial commitment towards the \$1,514,000 project cost was up to \$914,000 if no grant funds were received to assist with the project. Based on the provisions in the draft Interlocal Agreement, Durham's share of the grant funds would be \$762,357, lowering Durham County's expected costs to \$151,643. Chapel Hill had committed \$100,000 to the acquisition; its costs would be lowered to \$36,629. The City of Durham had committed \$75,000 to the acquisition; its costs would be lowered to \$27,471. Orange County had committed \$200,000 to the acquisition; its costs would be lowered to \$73,257.

The CWMTF grant also includes \$112,000 to be used to assist Orange County with the acquisition of the Penny floodplain property. This acquisition includes 23 critical floodplain and riparian areas that abut New Hope Creek and help to provide a continuous protected open space corridor in this fast growing part of the Triangle. During the spring, the Penny's had also pledged to donate additional conservation easements on upland acreage that adjoins their floodplain and the Duke property. The award of CWMTF grant funds included a requirement that the funds are contingent upon the completion of this additional donated acreage. The Penny's further renewed their commitment to donate the easements in writing during November.

Resource Person(s): Jane Korest, Open Space and Real Estate Manager

County Manger's Recommendation: The Manager recommends that the Board acknowledge the awarding of the \$1,112,000 CWMTF grant towards the Duke and Penny properties and acknowledge the efforts of staff, TLC, and EANG towards this effort.

7. Consent Agenda 15 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2004-05 (accept the property tax release and refund report for October 2005 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. NCDOT Community Transportation Grant Approval Request (approve the resolution authorizing Durham County Cooperative Extension to submit the FY2006-2007 Community Transportation Program Grant to the North Carolina Department of Transportation; commit \$30,000 for inclusion in the County's FY2006-2007 budget to meet local match requirements);
- c. GIS Interlocal Agreement with the City of Durham (approve and authorize the Manager to execute the agreement); and
- d. Budget Ordinance Amendment No. 06BCC000028?Tax Office?Request for Additional Revaluation Positions (authorize the establishment of four positions; the funding source is fund balance from the Revaluation Fund, which is set up for these types of expenditures and is anticipated to cost no more than \$90,339 for the 2005-06 Fiscal Year).

8. ~~Capital Project Amendment No. 06CPA000006?Durham Public Schools 2001 & 2003 General Obligation Bond Project Adjustments~~

10 min.

~~On October 27, 2005, the Durham Public Schools Board of Education approved several changes to the project funding levels in the 2001 and 2003 school bond referenda. Approval of four actions is required. For 2003 General Obligation Bond funds: 1) redistribute Phase I funds due to completed work (\$367,129) to two existing projects; 2) approve the initial distribution of Phase II funds; and 3) approve several adjustments to overall planning budgets. For 2001 General Obligation Bond funds: 4) close four complete projects and reallocate funds to four new projects (\$583,455).~~

Resource Person(s): Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools

~~County Manger?s Recommendation: The Manager recommends that the Board approve Capital Project Ordinance Amendment No. 06CPA000006: transfer \$367,129 in unused 2003 General Obligation Bond funding from several completed school capital projects to two uncompleted school capital projects; transfer \$583,455 in unused 2001 General Obligation Bond funding from four complete projects to four new school capital projects. The four new capital projects: Durham School of the Arts - Gym Roof & Windows project (\$125,000); Jordan High ? Auditorium project (\$225,000); Northern High - HVAC Upgrades project (\$177,830); and Jordan High - HVAC Upgrades project (\$55,625).~~

9. Capital Project Amendment No. 06CPA000007?Durham Public Schools (DPS) Applications to the Public School Building Capital Fund

10 min.

~~On October 27, 2005, the Durham Public Schools Board of Education approved two applications to the Public School Building Capital Fund. Each project uses local capital funds to match state funds to finance these crucial projects. The projects are Durham School of the Arts gym roof & windows project and Northern High School chiller replacement project.~~

~~Resource Person(s): Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools~~

~~COUNTY MANGER?s RECOMMENDATION: THE MANAGER RECOMMENDS APPROVAL OF CAPITAL PROJECT AMENDMENT NO. 06CPA000007 APPROPRIATING PUBLIC SCHOOL BUILDING CAPITAL FUND FUNDS TO THE DURHAM SCHOOL OF THE ARTS GYM ROOF & WINDOWS PROJECT (\$375,000) AND THE NORTHERN HIGH SCHOOL CHILLER REPLACEMENT PROJECT (\$270,000) (A NEW PROJECT).~~

1¼ hrs.

55 min.