

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

November 24, 2003

**AGENDA**

4:00 P.M.

**Joint Meeting-Board of County Commissioners and  
Durham Public Schools Board of Education**

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7:00 P.M.

Regular Session

1. **Opening of Regular Session**-Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Minutes** 5 min.
  - a. November 3, 2003 Worksession Minutes
  - b. November 10, 2003 Regular Session
4. **Presentation by Lincoln Hospital School of Nursing Alumni** 5 min.

In recognition of the 100<sup>th</sup> Anniversary of Lincoln Hospital School of Nursing, the Board of County Commissioners voted to provide financial assistance for a permanent memorial recognizing the institution. In gratitude, Ms. Gloria King and other representatives of the Lincoln Nursing Alumni Association will present the Board of County Commissioners with a commemorative print of the observance. The theme of the August celebration was, -Celebrating the Legacy-Retaining the Spirit".

**COUNTY MANAGER'S RECOMMENDATION:** Receive the presentation from Lincoln Hospital School of Nursing representatives.
- 4a. **November Anchor Award Winner-Deborah Craig-Ray** 10 min.

Deborah Craig-Ray, Public Information/Governmental Affairs Director, has been selected to receive the November Anchor Award. Over the past four months, she has successfully managed several critical projects on behalf of the County, including:

  - 2003 Bond Referendum Communications: Developed Durham County's \$124 million Bond Communications Plan by providing informational materials for all registered voters, television shows, and a comprehensive 2003 Bond web page. She served as advisor to the Bond Marketing Committee, which culminated in the successful bond approval on November 3.
  - Durham Neighborhood College: Managed implementation and execution of the first 10-week session of classes to help participants understand the operations of City and County Governments.
  - Junior Leadership Durham Government Day: Coordinated a daylong program for 20 local high school students who spent the day shadowing Department Heads and conducting a Mock County Commission meeting where the issue of "Four Year Terms" was debated.

Chairman Ellen Reckhow will lead the presentation.

**COUNTY MANAGER'S RECOMMENDATION:** Present the November Anchor Award to Deborah Craig-Ray, along with congratulations of the entire organization.
5. **Consent Agenda** 20 min.
  - a. Property Tax Releases and Refunds for Fiscal Year 2003-04 (accept the October property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
  - b. Budget Ordinance Amendment No. 04BCC000026-Finance-Governor's Crime Commission Pass-Through Grant Award (approve the budget ordinance amendment accepting the pass-through grant revenue in the current budget for \$80,178);
  - c. Budget Ordinance Amendment No. 04BCC000027-Social Services-To Recognize Funding from the City of Durham (approve the budget ordinance amendment recognizing \$34,267 for salary and benefits for 11 months for a full-time case manager [\$28,000 to be provided by Community Development Block Grant Funds and \$6,267 from Medicaid At-Risk Reimbursement] [no new County dollars are involved]);
  - d. Budget Ordinance Amendment No. 04BCC000028-Mental Health (approve the budget ordinance amendment and appropriate funds in the amount of \$130,611 for Children's Residential Group Home, PATH/Homeless Adult Allocation, and Work First/Child Protective Services Substance

- Abuse Initiative);
- e. Interlocal Reconciliations (approve the transfer of funds, including the appropriation of \$148,417 from the general fund contingency account, for payment of the Interlocal Reconciliations);
- f. Request to Terminate Lease Agreement-The Durham Center (approve the termination of the lease for the property at 508 Gordon Street, Durham, NC 27701, effective on or about December 1, 2003, so long as Freedom House Inc. has entered into a lease with Mr. Niemeyer);
- g. Extension of the Listing Period for Business Personal Property (give the Tax Assessor authority to grant extensions for business personal property owners who request in writing until March 15, 2004);
- h. NCDOT Community Transportation Grant Approval Request (approve the application and authorize Cooperative Extension to submit the FY 2004-2005 Community Transportation Program Grant to the North Carolina Department of Transportation);
- i. Farmland Preservation: Adoption Map Which Identifies Voluntary Agricultural Districts (VAD) and Agricultural Priority Areas (APA) (approve the Voluntary Agricultural Districts [VAD] and resolution designating the Agricultural Priority Areas [APA]);
- j. Durham City/County Interlocal Cooperation Agreement for Planning (approve the Interlocal Cooperation Agreement for Planning and authorize the Manager to execute the Agreement); and
- k. Cancellation of the December 22, 2003 Board of County Commissioners' Regular Session (cancel the Regular Session due to the Christmas Holiday).

**6. Public Hearing-Transportation Improvement Program (TIP) for FY 2006-2012 30 min.**

The Transportation Improvement Program (TIP) determines how state and federal transportation funds will be spent throughout Durham County and the State of North Carolina in upcoming years. The bi-annual TIP preparation begins with a process of setting of priorities by local jurisdictions. Each jurisdiction gives a priority recommendation for transportation projects that have not been funded or are partially funded. A public hearing is scheduled, followed by a three-week comment period. Following the public hearing, if appropriate, the TIP priorities should be adopted by the Board.

Attachments:

- A. 2003 County of Durham Resolution and Priority List for 2006-2012 TIP
- B. TIP Two-year Cycle Process
- C. 2001 Durham County Priority List
- D. 2001 City of Durham Priority List
- E. 2001 Regional Priority List for 2004-2010 TIP
- F. Durham County Element of the 2004-2010 TIP
- G. Funding status of Durham County Projects in the 2004-2010 TIP Priority List
- H. 2006-2012 TIP Development Schedule
- Map #1 TIP Project Map

**RESOURCE PERSON(S):** Felix Nwoko, Transportation Planning Manager, City Transportation Division  
**COUNTY MANAGER'S RECOMMENDATION:** Conduct the public hearing and, if appropriate, adopt the FY 2006-2012 TIP Priorities List.

**7. Quasi-Judicial Public Hearing: Major Special Use Permit-Bahama Volunteer**

**Fire and Rescue (Case M03-03)** 30 min.

The Board is requested to hold a quasi-judicial public hearing to consider a Major Special Use Permit for a government facility on a parcel located within the RD, R-20, and R-15 Zoning Districts.

Direct the Planning Director to prepare an order for adoption in one of the following ways: 1) approval; 2) approval with conditions; 3) denial; or, 4) continue the hearing to a specified later meeting.

The Timmons Group, on behalf of the Bahama Fire and Rescue Company, proposes a new volunteer fire station and headquarters on a parcel with access on the south side of Bahama Road and east of Staggsville Road (PIN 0838-04-70-6049, Parcel ID# 191071). The proposed station will comprise 14,843 square feet (21'4" high) with four bays for storage of six fire and emergency vehicles.

The Planning Department recommends approval based on the technical requirements.

**RESOURCE PERSON(S):** Frank M. Duke, AICP, Planning Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board conduct a quasi-judicial public hearing and, if appropriate, based on the testimony, make required findings and approve.

**8. Major Site Plan-Bahama Volunteer Fire and Rescue Headquarters (D03-412) 15 min.**

The Timmons Group, on behalf of the Bahama Volunteer Fire and Rescue & EMS Company Inc., has submitted a site plan for a 14,843-square-foot fire and rescue station on 21.01 acres, zoned RD, R-15, R-20 and M/LR-A. The applicant has requested a reduction in the required buffer from 30 feet to 15 feet along the western boundary of the site. The property is located on the south side of Bahama Road and east of Staggsville Road. PIN 0838-04-70-6049. Parcel ID 191071. Durham County Street Atlas Page 17, Blocks C-2 and D-2.

The Planning staff recommends approval.

RESOURCE PERSON(S): Frank M. Duke, AICP, Planning Director

COUNTY MANAGER-S RECOMMENDATION:

The Manager-s recommendation is that the Board approve the site plan.

**9. Scattered Site Housing Program 10 min.**

On December 9, 2002, the County received a Community Development Block Grant (CDBG) for \$400,000 to be used for a Scattered Site Housing Program in Durham County. On January 28, 2002, the Board awarded a consulting contract to Benchmark, LLC for administering the CDBG Scattered Site Housing Program through December 30, 2003. The total amount for those services was an amount not to exceed \$49,937.00. The primary objective of the CDBG Scattered Site Housing Program is to improve housing conditions of very low-income households with incomes at or below 50 percent of area median income. Eligible counties receive these funds every three years on a noncompetitive basis. The funds can be used only in the unincorporated areas of Durham County.

Although Benchmark had performed much of the planning services required under the contract, staff has been informed recently that Benchmark has ceased doing business and another company purchased much of its assets. In light of these events, the County Attorney-s Office advises that the Board declare Benchmark in default and terminate the contract pursuant to Section 5 of the contract. To date, the County has paid Benchmark \$19,418.89 for services rendered; however, \$30,518.00 remain under the contract which will not be paid to Benchmark, due to its substantial failure to perform and subsequent default.

To preserve the remainder of the CDBG funds received from the state for the program, the County is in need of a new consulting firm to administer the Scattered Site Housing Program. The County will need to follow the procurement process to replace the administrator. The maximum amount of the new contract shall not exceed \$30,518.00 and shall be paid from the CDBG grant funds received by the County in December 2002.

RESOURCE PERSON(S): Wendell M. Davis, Deputy County Manager

COUNTY MANAGER-S RECOMMENDATION: The Manager-s recommendation is that the Board declare Benchmark, LLC in default of its contract with Durham County and authorize staff to begin the procurement process for selecting a new consulting firm to administer the CDBG Scattered Site Housing Program.

2¼ hrs.



**Last updated: July 23, 2006**

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