

REVISED
(Added Item No. 12a)
THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, October 27, 2003

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session** Pledge of Allegiance 5 min.

2. **Agenda Adjustments** 5 min.

3. **Minutes** 5 min.

a. September 29, 2003 Fall Retreat

b. October 7, 2003 Worksession

c. October 13, 2003 Regular Session

4. **Recognition of City of Medicine High School Awards** 5 min.

The City of Medicine High School Awards were presented to six outstanding students from Durham Public Schools at a special ceremony on October 9, 2003. Three students were recognized as Richard Meyers Scholarship Winners and three were awarded Thomas Howerton Scholarships. The winners are:

Richard Meyers Scholarship Award Thomas Howerton Scholarship Award

Gurdal Baidwan, Winner (\$3,000) Stephen Hoyle, Winner (\$3,000)

Southern High Jordan High

Matthew Rinehart, Runner Up (\$1,500) Monjural Dolon, Runner Up (\$1,500)

Jordan High Southern High

Emily Nwakupda, Judges Incentive Award (\$500) Syed Jaffery, Judges Incentive Award (\$500)

Hillside High School Southern High School

Resource Person(s): Bill Cole, Durham Health Partners

County Manager's Recommendation: The County Manager recommends that the Board congratulate the 2003 City of Medicine Award Winners.

5. **Resolution Honoring the Memory of Lt. Harold Bowen** 5 min.

Commissioner Becky Heron has requested that a resolution be prepared honoring the life and work of Lt. Harold Bowen, who passed away on September 10, 2003. Mr. Bowen was a firefighter and EMT for Bahama Volunteer Fire Department for more than 20 years. He will be remembered for his outstanding contributions to the entire community.

County Manager's Recommendation: The County Manager recommends that the resolution be

presented to family members of Lt. Harold Bowen, along with grateful appreciation from Durham County citizens.

6. **Proclamation for Home and Hospice Care Month** 5 min.

November is National Home Care and Hospice Month. Helen Poole, Director of Major Gifts, Marketing and Development for Duke Health Community Care, has requested that the Chairman of the Board of County Commissioners proclaim the month of November as Home and Hospice Care Month in Durham County.

Mari Pitcher, Hospice Representative, will accept the proclamation.

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present it to Ms. Mari Pitcher.

7. **Proclamation for Grief Awareness Week? November 2-8, 2003** 5 min.

November 2-8, 2003 is Grief Awareness Week. Representatives of the Duke Community Bereavement Services request that the proclamation be issued. Mari Pitcher, Hospice Representative, will accept the proclamation on behalf of the organization.

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present it to Ms. Mari Pitcher.

8. **Literacy Council Presents Special Award to Durham County Board of Commissioners**

5 min.

The Literacy Council, at its annual meeting on Thursday, October 16, 2003, held an awards ceremony. Several awards were presented including one in absentia to the Durham County Commissioners.

Lucy Haagen, Executive Director, Durham Literacy Council, will officially present the award to the Board of Commissioners in recognition of its continuing support of the organization.

Resource Person(s): Lucy Haagen, Executive Director, Literacy Council

County Manager's Recommendation: The County Manager recommends that the Board receive the award from the Literacy Council with grateful appreciation.

9. **Best Workplaces for Commuters Distinction** 10 min.

Best Workplaces for Commuters, established by the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT), is a public-private sector program recognizing employers who reach a National Standard of Excellence for offering cost-effective, highly sought-after commuter benefits to their workforce. This nationwide, voluntary program advocates employee commuter benefits and promotes innovative solutions to commuting challenges. Participating companies earn the designation "Best Workplaces for Commuters" a mark of excellence for environmentally- and employee-friendly organizations.

Best Workplaces for Commuters was launched as a pilot program in October 2000 with 11 pilot partners. In April 2001, the pilot phase ended and the program was opened to employers nationwide and now includes over 1800 employers, covering more than 800,000 employees. Other partners in North Carolina obtaining this distinction include:

Cisco Systems Inc., Research Triangle Park, NC
GlaxoSmithKline, Research Triangle Park, NC
National Institute of Environmental Health & Sciences, Research Triangle Park, NC
Research Triangle Foundation, Research Triangle Park, NC
Triangle Transit Authority, Research Triangle Park, NC
University of North Carolina, Chapel Hill, NC
U.S. Environmental Protection Agency, Research Triangle Park, NC

To participate in this federal program, employers must meet numerous criteria, including a central point of contact for commuter benefit information; educational and informational promotion of commuting alternatives; transit or vanpool subsidies; telecommuting options; a ridesharing match program; bicycle racks; active membership in a Transportation Management Association; and a voluntary agreement with EPA and DOT. As part of this agreement, Durham County has consented to a series of commitments to continue promotion of commuting benefits and to submit annual reports to the EPA detailing the commuting choices of our workforce.

Durham County Government ranks in the top 1 percent of commuter-friendly employers in the country, while its participation in the Best Workplaces for Commuters program demonstrates leadership and commitment to reducing traffic and air pollution, as well as improving the quality of life for employees.

Resource Person(s): Heidi Duer, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation.

10. **Consent Agenda** 20 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2003-04 (accept the September 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. 04BCC000021?FY 2003-2004 Encumbrances (approve the budget ordinance amendment; the unrestricted fund balance will not be affected by this amendment);
- c. Budget Ordinance Amendment No. 04BCC000022?Recognize Deferred Revenue for the Departments of Fire Marshall, Public Health, Sheriff, Budget, Social Services, Tax, and Mental Health (approve the budget ordinance amendment to recognize deferred revenue in the amount \$1,532,397);
- d. Budget Ordinance Amendment No. 04BCC000023?Recognize Revenue From the Bureau of Justice Assistance (BJA) (authorize the Sheriff's Office to accept the award from the Bureau of Justice Assistance and approve the budget ordinance amendment in the amount \$93,108);
- e. Budget Ordinance Amendment No. 04BCC000024?Fire Marshal?

US Department of Homeland Security/State Homeland Security Grant Program (approve the budget ordinance amendment in the amount of \$221,227 to be received from the North Carolina Crime Control and Public Safety, Division of Emergency Management);

- f. Donation of Obsolete Desktop Computers to Triangle United Way (declare the obsolete systems

surplus and approve donation of these systems to Triangle United Way);

g. Ordinance Amending the Commute Trip Reduction Program (approve the ordinance with the changes proposed by the Advisory Board and County Attorney); and

h. Contract Amendment?Extension of Schedule for Development of Unified Development Ordinance

(UDO) (approval to execute an amendment to the UDO contract to extend the schedule for project completion through September 30, 2004).

11. **Preliminary Plat?Landings at American Village (Case D03-201)** 30 min.

Tony M. Tate Landscape Architecture, P.A., on behalf of Regions Development, LLC, has submitted a preliminary plat for 104 clustered single-family residential lots on an approximate 64.3-acre site zoned R-20. The property is located on the west side of American Drive and south of Neal Road and Southern Railroad. PIN 0802-02-77-6852, 0802-02-68-8138, 0802-02-68-8513, 0802-02-67-8823, 0802-02-67-8415 (portion). County Atlas Page 47, Block C-1, C-2, D-1, D-2.

The Planning staff recommends approval.

Resource Person(s): Frank M. Duke, AICP, Planning Director, Durham City-County Planning Department

County Manager's Recommendation: The County Manager recommends approval.

12. **Timer Warner Cable?s Rate filing Through January 2004** 10 min.

On October 1, 2003, Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing, FCC-1205 Determining Regulated Equipment and Installation costs, and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the County. Time Warner Cable's filing includes actual and estimated costs which it may incur during the projected period January - December 2004, along with previous expenses from the "true up" period October 2002-September 2003;

The Federal Communications Commission has promulgated rate filing procedures that allow cable operators to estimate future external costs, and costs associated with system upgrades, and recover those projected costs utilizing the FCC-1240 filing process, performed annually;

The County is certified with the FCC to regulate basic cable service, equipment and installation rates and services within Durham County; and

The FCC '76.933 grants franchise authorities the ability to toll the time in which to review rate filings submitted by cable operators, extending the period of review from the initial 30 days, to an additional 90 days (120 days total) past the original date of receipt by the franchise authority.

Resource Person(s): Robert Sepe, President, Action Audits LLC; Chuck Kitchen, County Attorney; and Lowell Siler, Deputy County Attorney

County Manager's Recommendation: The time period in which Durham County has to review Time Warner Cable's FCC-1240 rate filing be tolled 90 days past the original 30 days (120 days total) allowed by the FCC, extending the total review period deadline; and that Time Warner Cable be directed to maintain a complete and accurate accounting of all costs and revenues associated with

the aforementioned filing.

12a. **Update on After-School Child Care Funding** 20 min.

Due to a funding shortfall, Durham's Alliance for Child Care Access (DACCA) has begun a waiting list for child care subsidies. Currently, there are over 1,200 eligible children on the waiting list (this includes the 688 school-age children being terminated). The combination of increased demand for services, increased costs for quality child care, and a cut in funding from our local Smart Start agency has left Durham with a projected shortfall. Because funding is so limited, subsidy is being terminated for school-aged children for before- and after-school care effective November 14. Letters were sent to parents and child care providers on October 7, 2003 to give families time to make alternative plans.

Plans have been developed in partnership with the Child Care Services Association and Durham CAN to solicit funds from the faith and business communities to cover the shortfall in funding for school-age children currently enrolled in before- and/or after-school programs. The Department of Social Services will share these plans and provide background information, as well as information on current funding proposals in Congress to address the demand for child care subsidy.

Resource Person(s): Dan Hudgins, DSS Director; Arnold Dennis, Director for Family Economic Independence, DSS; and Karenne Berry, Executive Director, Durham's Alliance for Child Care Access

County Manager's Recommendation: The County Manager's recommendation is that the Board receive the report and provide staff with policy direction on this matter.

13. **Board and Commission Appointment** 10 min.

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots for the Commissioners to make an appointment to the Citizens Advisory Committee.

Resource Person(s): Garry E. Umstead

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint a representative to the Citizens Advisory Board.

14. **Closed Session** 45 min.

The Board of County Commissioners is requested to adjourn to closed session pursuant to G.S. 143.318.11(a)(4) to consider the location or expansion of an industry.

3 hrs. 5 min.



Last updated: July 23, 2006

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