

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

Monday, January 7, 2008

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 Michael D. Page, and Commissioners Lewis A. Cheek, Philip R. Cousin Jr. and Becky M. Heron

Absent: None

Presider: Chairman Reckhow

Receive a Presentation from Griffin & Strong P.C. on the Drafted M/WBE Ordinance

County Manager Mike Ruffin introduced this item stating that on August 6, 2007, the Board received a presentation from Griffin & Strong P.C. on the County's Disparity Study. The County Attorney and the Finance Department held a follow-up meeting to address legal issues; Griffin & Strong P.C. drafted a new M/WBE Ordinance.

Rodney Strong, Lead Consultant, provided an overview of the drafted M/WBE Ordinance and addressed recommendations to support an M/WBE program versus a DBE program for Durham County

County Attorney provided a legal response regarding the implications of what the County is allowed to do relating to the expenditure of M/WBE funds.

In response to Chairman Reckhow's concern regarding the merits of a DBE ordinance verses the WBE, Mr. Strong informed the Board that the DBE programs are used with federal government contracts. North Carolina has laws that offer a new approach to manage M/WBE's at the state level.

Chairman Reckhow inquired about the City's DBE programs.

Mr. Strong stated that the City has the DBE program verses the WBE programs because their operation consists of transit as well as other federally funded programs.

Finance Director George Quick and Purchasing Manager Jacqueline Boyce responded to questions posed by Board regarding enhancing outreach and reporting accountability of County data. However, the responses were inaudible due to speakers not speaking into the microphones.

Directives

1. Place the changes in bold and underline.
2. County Attorney to do an explanatory memo for the numbers that have changed relating to the expenditure of funds chart; give an explanation as to why the numbers changed.
3. Place on the January 14 Regular Session.

Library Meeting Room Fees

The Board reviewed and discussed the recommendation of Durham County Library Board of Trustees that would eliminate meeting room fees for nonprofit organizations, while reinstating a \$25 fee for groups serving refreshments and a \$100 fee for commercial, for-profit groups.

Hampton “Skip” Auld, Library Director, recommended that the current meeting room fee structure be changed to the following:

1. No charges for non-profit organizations and groups, other than a \$25 fee for those having food and beverages (as permitted in the Meeting Room Policy).
2. That if it can be determined that damage to a room has resulted from use by a specific organization or group, that they be charged the cost of rectifying the damage.
3. That profit organizations will be charged, as stipulated in the current policy.

Ken Berger, Chair, Durham County Library Board of Trustees, explained the Library’s proposal and the recommendations that were made.

Directives

1. Do additional research regarding acoustic tile; research places currently using acoustic tiles.
2. Consider all implications of the changes.

Holton School

Hugh Osteen, Assistant Superintendent, Durham Public Schools, presented this item stating that the escalation in construction prices has forced the Durham Public Schools to revise its budget and program for the Holton School. Presently, \$13,730,188 is appropriated for the project—\$8,650,188 from the City of Durham, \$1,080,000 in 2003 General Obligation Bonds, and \$4,000,000 from Durham County. Several improvements have been eliminated from the budget. Additional funding would permit Durham Public Schools to complete the original program that was planned. The project, when completed, will provide training in skilled trades and in areas with projected high growth occupations along with a recreations center and health clinic.

Mr. Osteen discussed the following:

- Executive Summary

- Current Budget Summary
- Historic Development of Project Estimate
- Carter Burgess – Opinion of Probable Cost
- Skanska – Estimate Summary v2
- Davis Kane – Space Evaluation/Square Footage Analysis
- Space & Scope Summary
- Site Plan
- Floor Plans

Chairman Reckhow asked for an explanation regarding the first floor program area.

Commissioner Cheek inquired about how operations would be conducted in terms of after-school hours. He stated that this is an important component and would like to see the County utilize these training operations for the adult population.

Per a question posed by Vice-Chairman Page, Chairman Reckhow stated that the County has not been involved in the planning phase because of DPS's leading role. However, the County is willing to work with the Workforce Development Board.

Commissioner Heron expressed concerns regarding the cost estimate and how it will be shared.

County Manager Ruffin informed the Board that the rationale for the additional capital cost will be brought back to the Board at the January Worksession for a decision. This is due to the County having to apply to the local government commission for the net two-thirds bond application. This is done prior to the sale of general obligation bonds that will be reviewed in the future based on the recent November referendum; the additional amount will be added to the bonds application.

Directives

1. Look into creating a full source career center.
2. County Manager to adjust the recommendation to include the amount; add two-thirds bond.
3. Provide quarterly progress reports to the Board.

Settlement for 2007 Property Taxes Due to a Vacancy and the Charge of 2007 Property Taxes to the Interim Tax Collector

As required by G.S. 105-373(d) Settlement upon Vacancy during Term—when a tax collector voluntarily resigns, he shall, upon his last day in office, make full settlement for all taxes in his hands for collections.

Furthermore pursuant to G.S. 105-373(d), the Board of County Commissioners may deliver the tax records to a successor collector immediately upon the occurrence of the vacancy.

Commissioner Heron moved, seconded by Commissioner Cheek, to suspend the rules.

Commissioner Cheek moved, seconded by Commissioner Cousin, to receive and approve the 2007 Property Tax Settlement Report.

The motion carried unanimously

Tax Administrator Recruitment Process

County Manager introduced this item. He stated that the Tax Administrator is appointed by the Board of County Commissioners. The advertisements to fill the position vacancy have been placed in several publications, and applications are being received by the Department of Human Resources. The final decisions relative to the recruitment process need to be made in order for interviews to be scheduled.

Marqueta Welton, Human Resources Director, discussed the recruitment process used in 2003. She responded to questions raised by the Board.

The Board held a discussion regarding the process.

Directives

1. Human Resources to close the Tax Administrator position and have all applications to the Board by January 31.
2. Marqueta Welton to develop a draft schedule regarding the proceedings for the recruitment process.
3. Submit qualified applications to the Board for review; include background checks
4. Have the City to equally participate with the County regarding the process; contact the Mayor to see who will be designated by the City.
5. Consider an early meeting on February 11 at 4:00 p.m. to review the applications.
6. Set up screening exercises that would help with the recruitment process.

Social Services Shell Positions

County Manager Ruffin introduced this item stating that the Department of Social Services has requested approval of ten shell positions that will be funded with lapsed salaries within the DSS agency. These positions will help to deal with high turnover in several areas, most specifically Child Welfare and Medicaid.

Sammy R. Haithcock, DSS Director, briefed the Board on the shell positions. He stated that the positions would be established as provisional positions as a temporary trial method of addressing the turnover/vacancy issues. Fringe benefits will be provided to the employees. The agency would move employees currently holding these shell positions into permanent

positions through the internal posting process as the permanent positions become vacant. This would be possible based on the understanding that these shell positions will be recruited the same as any other permanent position.

This measure is needed because vacancies in child welfare create a backlog of work, which must be done in a timely manner. These backlogs create burnout, and burnout leads to turnover. Additionally, since state caseload standards were not met, shell positions would help to reduce the already large workloads that DSS staff experience.

Mr. Haithcock ensured the Board that creating these positions will require no additional expense from the County; it will be managed within the existing budget.

Commissioner Heron asked the following questions:

- How did the County fail to meet the state's case-load standards?
- How are court systems working with DSS regarding the cases that go to court?
- What is causing the delay?

Mr. Haithcock reported that the County has failed to meet 15% of the state case-load standards. However, DSS has made good efforts to work with the court systems.

County Attorney concurred with Mr. Haithcock's comments stating that an upcoming meeting will be held to discuss the utilization of the time regarding DSS case loads. He mentioned that a future report will be generated at the end of the fiscal year that would compare the various judicial districts in North Carolina.

Commissioner Cheek expressed interest with the Board's efforts to deal with the court system.

Directive

1. County Attorney to receive Judge Elaine Bushfan's input regarding the need for an additional judge.
2. Place on January 14 consent agenda.

Amendments to County Incentives Policy

County Manager Ruffin stated that at the December 3, 2007 Worksession, the Board reviewed proposed changes to the county incentives policy. The Board requested that additional amendments be made to the policy and asked that the item be placed on the January 7, 2008 Worksession for further review and discussion.

County Manager provided an analysis about the comparison of the economic incentive policy alternatives.

Vice-Chairman Page stated that Durham County must work proactively in considering Durham County residents.

The Board discussed the wording of the County's incentives policy and giving Durham County resident's first priority with new jobs coming into Durham.

Directives

1. Make the necessary changes as directed by the Board.
2. Place on the January 14 Regular Session for public comment.
3. Place the completed version of the incentives policy on the County website upon completion.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 11:23 a.m.

Respectfully Submitted,

Angela M. McIver
Staff Specialist
Clerk to the Board's office