

**REVISED**

Addition—Item No. 4a

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

Monday, December 3, 2007

9:00 A.M. Worksession

**AGENDA**

1. **Election of Chairman and Vice Chairman of the Board of County Commissioners**

5 min.

The County Commissioners, at their first meeting in December, elect a Commission chairman and vice chairman.

County Attorney Chuck Kitchen will preside over the election of the Board's chairman.

The newly elected chairman will preside over the election of the vice chairman.

2. **Approval of Public Official Bonds**

5 min.

The Board of Commissioners is required to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

Resource Person(s): Chuck Kitchen, County Attorney, and Cathy Whisenhunt, Risk Manager

County Manager's Recommendation: The Manager recommends that the Board suspend the rules to approve the bonds, as they meet the statutory requirements.

3. **Resolution of Support for Highway Historic Marker Honoring the Royal Ice Cream Parlor Sit-In**

10 min.

Local historians R. Kelly Bryant and Virginia Williams have asked the Board of County Commissioners to adopt a resolution urging the state's Highway Historic Marker Committee of the Office of Archives and History division of the NC Department of Cultural Resources to reverse an earlier decision and honor the participants of the Royal Ice Cream Parlor sit-in with an historic marker. The marker would be located at the corner of North Roxboro and Dowd streets where the Royal Ice Cream Parlor once stood.

On June 23, 1957, Reverend Douglas Moore and six students, including Virginia Williams, launched the sit-in (believed to be one of the first of its kind in the state and is

widely held as a precursor to the more famous 1960 sit-in at a Woolworth's lunch counter). The latter event is widely credited with touching off an historic civil rights movement in North Carolina.

Resource Person(s): R. Kelly Bryant and John Schelp

County Manager's Recommendation: Suspend the rules and approve the resolution asking the Historic Marker Committee to approve a marker for Durham which will bring long overdue recognition to this significant civil rights event.

4. **Truancy Triage Center**

15 min.

Chairman Reckhow has requested that Ms. Irene Dwinneel of the Truancy Triage Center make a brief presentation regarding the creation of the Center and its core mission.

Resource Person(s): Irene Dwinneel, Project Director, Truancy Triage Center

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

4a. **Budget Ordinance Amendment No. 08BCC000039A and Capital Project Amendment No. 08CPA000010—\$1,475,000 Appropriation of Capital Financing Fund Fund Balance to Increase the New Justice Center Project (No.: DC066) to \$14,296,455**

5 min.

The County and AREC 3, LLC have entered into a consent judgment on the condemnation of the property for the new Justice Center. A copy of the judgment is attached. The County had initially deposited the sum of \$1,350,000, and has now agreed as part of the settlement to deposit an additional sum of \$1,475,000. This additional sum will come from a Capital Financing Fund fund balance appropriation and will increase the overall New Justice Center Project budget to \$14,296,455.

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

County Manager's Recommendation: Suspend the rules and approve Budget Ordinance Amendment No. 08BCC000039A and Capital Project Amendment No. 08CPA000010 appropriating \$1,475,000 of Capital Financing Fund fund balance to increase the New Justice Center capital project to \$14,296,455.

5. **Sales Tax Redistribution**

30 min.

The interlocal agreement between Durham County and the City of Durham expires on June 30, 2008. The agreement specifies how sales tax proceeds are shared by the two

jurisdictions. The present formula for the distribution of countywide sales tax proceeds will no longer work due to changes in how existing sales proceeds may be shared. These changes were approved as a part of the General Assembly action to assume responsibility over the next few years for the County's share of Medicaid. Consequently, either a change in the method of distribution must be approved by the County or a new interlocal agreement must be negotiated, approved by both jurisdictions, and received by the North Carolina Department of Revenue on or before April 1, 2008. Informal negotiations with the City of Durham have commenced to determine if agreement can be reached on a new interlocal agreement. County staff has analyzed several alternatives, will present options to the Board of Commissioners for discussion, and discuss the status of current negotiations.

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

County Manager's Recommendation: The Manager recommends that the Board review the alternatives and advise the staff if additional information is necessary. (A recommendation will be made by the County Manager; however, negotiations with the City were in progress and not concluded before this agenda material was distributed.)

6. **Amendments to County Incentives Policy**

45 min.

The Board requested a review of the present County Incentives Policy to determine if any changes might be necessary in light of a rapidly changing and competitive economic development environment. County staff has performed a statewide and national search of best practices. A new policy is proposed for the Board to consider.

Resource Person(s): Mike Ruffin, County Manager; Chuck Kitchen, County Attorney; and Carolyn Titus, Deputy County Manager

County Manager's Recommendation: The Manager recommends that the Board review the recommended policy, make changes as it deems appropriate, and place the adoption thereof on a future Consent Agenda.

7. **Amendment to City-County Interlocal Cooperation Agreement 911 Communications**

20 min.

During the recent General Assembly Session of North Carolina, Chapter 62A of the General Statutes was amended significantly with the intent to modernize and improve the administration of the state's 911 system through a statewide 911 board. The legislation also imposes a statewide fee of \$.70 on all wire-line and wireless active voice communications service connections capable of accessing the 911 system. These funds will be collected by the State 911 Board and distributed to the primary PSAPs (Primary Public-Safety Answering Points). Individual counties and/or cities of North Carolina

will no longer be responsible for the collection or setting of 911 fees as of January 1, 2008. This legislation necessitates the revision of the 911 Interlocal Agreement between the City and County of Durham to reflect the Statute change so that the funds collected are in agreement with these changes and appropriated in accordance with law. No change on the current budget is anticipated due to this legislative revision.

Staff is recommending that the revised Agreement be in effect January 1, 2008 to comply with the law.

Resource Person(s): Carolyn P. Titus, Deputy County Manager; Jim Soukup, Director of Durham City County Emergency Communications; and Carol Hammett, Assistant County Attorney

County Manager's Recommendation: The Manager recommends that the Board receive the presentation, make any recommended changes, and place on the December 10, 2007 meeting agenda for approval.

8. **Register of Deeds' Request for Fund Appropriation for Automation, Restoration, and Preservation of Birth, Death, and Land Records**

25 min.

The Office of the Register of Deeds has recently completed Phase I of the Reunification of Durham County Vital Records Project. In July, the physical relocation of the Vital Records and staff to the Register of Deeds office in the Administration Building was completed. This move was necessary to realign all birth, death, and land records under the statutory owner—the Office of the Register of Deeds. The Register of Deeds is uniquely equipped and has the responsibility to hold county records in perpetuity. Over the past year, it has come to staff's collective attention that the vital records recently acquired by the office are in serious need of automation, restoration, and preservation to ensure the safety and availability of these records.

To preserve these unique vital records and other documents found only in the Register of Deeds' Office, a fund appropriation in the amount of \$945,000 is being requested. These funds will be used for birth records from 1879 to present, death records from 1909 to present, and land records from 1881 to 1962. Expenditures are as follows:

‣ Book Scanning/Indexing of Vitals & Real Estate Records and the Preservation/Restoration of Vitals & Real Estate Records	- \$785,000
‣ Deacidification/Conservation Treatment of Vitals Records	- \$160,000
Total	<hr/> \$945,000

Resource Person(s): Willie L. Covington, Register of Deeds

County Manager's Recommendation: The Manager's recommendation is that the Board receive the presentation from the Register of Deeds and move the item to the

December 10, 2007 consent agenda for an appropriation not to exceed \$945,000 for the restoration and preservation of these critical Vital and Real Estate Records.

9. **Durham County Human Services Complex Design Update**

30 min.

The Board is requested to receive an update on the construction documents phase for the proposed Durham County Human Services Complex to be located on East Main Street. This project is to build a new Human Services Complex to house the Department of Social Services, Public Health Department, and The Durham Center (formerly Mental Health). This facility was included in the Durham County Facility Master Plan completed in 2000 and amended in 2003 to reflect the changes generated by the downsizing and reorganization of Mental Health.

The schematic design was presented to the BOCC on May 1 and June 5, 2006. On November 6, 2006, the BOCC received presentations on the design development phase including revisions that responded to the BOCC and Appearance Commission comments. The BOCC provided input on the exterior appearance of the building, which allowed the project to advance to the construction document phase.

Upon completion of the construction documents and demolition of the 500 Block, the next phase of the project is to advertise the construction for bids.

Resource Person(s): Glen Whisler, P.E., County Engineer; and Zena Howard, AIA, The Freelon Group, P.A.

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

10. **Durham County Justice Center Update**

30 min.

The Board is requested to receive an update on the schematic design of the proposed Durham County Justice Center. On July 24, 2006, the Board of County Commissioners awarded a contract to O'Brien/Atkins Associates (O/A), P.A. for architectural design services for the project.

Programming was finalized and the schematic design was completed. The project is currently in the design development phase. A series of meetings with the court staff and occupants of the building have been completed as part of the programming and preliminary design phases. The architect will provide an update to the Board.

Upon completion of the design development, the next phase of the project is to begin construction documents. The purpose of this update is to present the project to the BOCC and receive input on the exterior appearance of the building, which will allow the project to move into the construction document phase.

Resource Person(s): Glen Whisler, P.E., County Engineer, Engineering Department; Franklin L. Turner, Jr. AIA, O'Brien/Atkins Associates, P.A.; and Kevin Montgomery, FAIA, O'Brien/Atkins Associates, P.A.

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

11. **Renovation of the Second Floor of the Judicial Building Project Discussion**

25 min.

The Board of County Commissioners requested that the renovation of the second floor of the Judicial Building be discussed. The project is to renovate and backfill the spaces vacated in the Judicial Building when the Judicial Building Annex was occupied. The renovations to the second floor will provide short-term and overcrowding relief in the Judicial Building. The renovation will provide more efficient operations in the Clerk of Court's Office by consolidating separate offices into one area to serve as the Office Suite and Cashier's Station and provide workable office space for the new Criminal Justice Resource Center – Job Resource Center programs including modifications for storage, communication cabling, plumbing, mechanical, and electrical systems. Modifications to the existing Public Defender's Office will accommodate new program space needs. Renovations to Courtroom No. 2 will provide direct access into the courtroom from the existing holding area to minimize security risks. The renovations to the office space for the Judge, Police, Sheriff Department Security Control, District Attorney Interview Area, and related waiting space will provide more efficient use of the spaces.

Resource Person(s): Glen Whisler, P.E., County Engineer; Peri Manns, Assoc., ASLA, Project Manager, Engineering Department; and John Thompson, AIA., DTW Architects and Planners, Ltd.

County Manager's Recommendation: The Manager recommends that the Board discuss the project and provide input to staff as appropriate.

~~4 hrs.~~

**4 hrs. 5 min.**