

REVISED

(Added Item No. 2; Amended Item Nos. 4 and 7)

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

Monday, November 2, 2009

9:00 A.M. Worksession

AGENDA

1. **Community Based Corrections Plan Update, Presentation by the Criminal Justice Partnership Advisory Board**

15 min.

Pursuant to NCGS Section 143B-273, et seq., the Criminal Justice Partnership (CJPP) Advisory Board is charged with devising a county Community Based Corrections Plan. The current plan, approved by the Board of County Commissioners in 1995, was revised in 2001 and again updated this year to more accurately reflect current issues facing Durham's criminal justice system.

The statute requires that the members of the CJPP Board participate in a planning process which includes examining the local criminal justice system, identifying problem areas, improving coordination, devising necessary programming, and proposing strategies for improving the local criminal justice system. The Honorable Ann McKown, District Court Judge, Chair of the CJPP Advisory Board, has led a subcommittee and the board through an intensive process to consider the latest update. Board members worked with service providers, community representatives, and members of local law enforcement to obtain input in the process. The updated Community Based Corrections Plan represents the culmination of the CJPP board members' collective efforts to address various issues facing the local criminal justice system today.

Resource Person(s): The Honorable Ann McKown, District Court Judge, CJPP Board Chair; and Gudrun Parmer, Director, Criminal Justice Resource Center

County Manager's Recommendation: The Manager recommends that the Board receive the updated Community Based Corrections Plan from the Criminal Justice Partnership Advisory Board and recognize the board members for their dedication and commitment to improve the delivery of services to citizens involved in the criminal justice system.

2. **Budget Ordinance Amendment No. 10BCC000031 and Capital Project Amendment No. 10CPA000009—Official Closing of General Ledger Capital Project Fund Public Improvement Bonds, Series 2002B (Fund #4004500000) and Transferring the Balance of Funds to the Debt Service Fund to Service the Debt**

5 min.

Durham County is issuing a refunding for the Public Improvement Bonds, Series 2000, and the Public Improvement Bonds, Series 2002B, in the amount of \$4,605,000 and \$42,490,000, respectively, on November 3, 2009. In connection with the refunding of the 2002B bonds it has come to staff's attention that not all of the

proceeds have been expended. In order to maintain the tax exemption of the interest on the 2002B bonds it is important that the County spend the unexpended proceeds as soon as possible. All proceeds from the 2000 bonds have been expended, however, of the 2002B bonds, a balance of slightly over \$128K remains in the fund to date. Finance request that the Board approve closing of the Public Improvement Bonds, Series 2002B Fund with the net equity (\$130,000) to be transferred to the Debt Service Fund (Budget Ordinance Amendment No. 10BCC000031) for funding of the retirement of debt. This amount is estimated because of additional interest allocations that will not be significant, but will change the final transfer amount slightly. In addition, to eliminate budget availability for phases of projects that were funded with proceeds from this general ledger fund, several projects' budgets need amending (e.g., to decrease budget availability to zero for these project phases) (Capital Project Amendment No. 10CPA000009).

Please note that the Public Improvement Bonds, Series 2000, Fund was closed in fiscal year 2007 (June 25, 2007 Board meeting).

Resource Person(s): George K. Quick, Finance Director

County Manager's Recommendation: Recommend that the BOCC suspend the rules and approve the closing of Public Improvement Bonds, Series 2002B, Fund, Capital Project Amendment No. 10CPA000009 decreasing several project budgets' phases, and Budget Ordinance Amendment No. 10BCC000031 transferring the net equity to the Debt Service Fund for funding of the retirement of debt.

3. **Report from Urban Ministries of Durham**

20 min.

The Board is requested to receive a quarterly report from Urban Ministries of Durham Executive Director Patrice Nelson. Urban Ministries of Durham (UMD) receives County funding for its facility which operates a homeless shelter, a food and clothing pantry, a community kitchen, and a recovery program for drug and alcohol addiction. Ms. Nelson joined the 501(c)(3) public charity organization last April.

Resource Person(s): Patrice Nelson, Urban Ministries Executive Director; and Joe Bowser, Durham County Commissioner

County Manager's Recommendation: Receive the report and provide any necessary feedback to Executive Director Patrice Nelson

4. **Update on Progress with Ten-Year Plan to End Homelessness**

30 min.

The Board is requested to receive a report on the progress of the Ten-Year Plan to End Homelessness. The request for an update occurred at the October 12 BOCC meeting during discussion of the stimulus-funded Homelessness Prevention and Rapid Re-Housing (HPRP) program.

Resource Person(s): Lanea Foster, Resource Specialist for the Ten-Year Plan; Lloyd Schmeidler, Community Education Specialist for the Ten-Year Plan; Drew Cummings, Assistant County Manager; **and Anita Oldham, Durham Affordable Housing Coalition**

County Manager's Recommendation: The Manager recommends that the Board receive the report and provide any direction it deems fit.

5. **Economic Development Update—The Durham Chamber of Commerce**

45 min.

The Board is requested to receive an update on economic development from the Durham Chamber of Commerce.

Resource Person(s): Mr. Keith Burns, Chairman, Board of Directors; and Ms. Casey Steinbacher, President and CEO, Durham Chamber of Commerce

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

6. **Review of October BOCC Directives**

5 min.

It was requested that at each month's worksession, the Board of County Commissioners have the opportunity to review the previous month's directives for staff and make comments as necessary.

Resource Person(s): Mike Ruffin, County Manager; Laura Jensen, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends that the Board review the October BOCC directives and make comments to staff as necessary.

7. **South Regional Library Art Project Presentation**

20 min.

The Board is requested to receive updates on the South Regional Library Art Project. In December 8, 2008, the BOCC approved Budget Ordinance Amendment No. 09BCC000035 to recognize \$50,000 in funding from the Herndon Foundation to enhance the South Regional Library with artwork that will honor the life of Mary Herndon. In January 2009, Durham County Library contracted the services of Janet Kagan, a public art consultant, to assist in the selection of a North Carolina artist to undertake creating the South Regional Library art project. A Technical Design Review Committee, consisting of County engineering staff, project architects, and Durham County Library (DCL) staff, serve as the first reviewers; based on their responses and comments, the art proposal was then considered by the Public Art Committee who serve in an aesthetic capacity. The Public Art Committee, led by the chair of the Durham Library Trustees, was chosen from the Durham County community representing art gallery owners, North Carolina Central University Art Department, Durham Arts Council, the Durham Library Foundation, Friends of the Durham Library, and DCL staff. Both groups have approved the conceptual design of Thomas Sayre from both

technical and aesthetic aspects. Construction on the South Regional Library is progressing as planned and is on schedule.

Resource Person(s): Skip Auld, Durham County Library Director; ~~Glen Whisler, County Engineer;~~ and Thomas Sayre, Artist

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

8. **Durham County Human Services Complex Update**

30 min.

The Board is requested to receive an update on the proposed Durham County Human Services Complex project located on 400 & 500 Blocks of 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). On February 23, 2009, the BOCC awarded the construction contract for the DCHSC project to New Atlantic Contracting (NAC) Inc.; construction is currently underway.

This project consolidates delivery of human services and improves service delivery by providing adequate facilities for each agency along East Main Street. 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 intent of this update is to receive input/approval from the Board on the following items: 1) Name of the Building, and 2) Votive Wall (Text).

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

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

9. **Durham County Justice Building and Parking Structure Update**

60 min.

The Board is requested to receive an update on the proposed Durham County Justice Building and Parking Structure to be located on the site adjacent to the current Detention Facility. The award of the architectural design services contract to O'Brien/Atkins Associates (O/A), P.A. was approved by the Board of County Commissioners on July 24, 2006. The BOCC received similar presentations on the schematic design and design development phase of the project on December 3, 2007, June 2, 2008, and September 2, 2008. The construction documents are nearing completion and the project is scheduled to be advertised for bids on November 4, 2009. Also, 10 proposals have been received for the prequalification of contractors who will be invited to bid on the project.

The intent of the update is to receive input/approval from the Board on the following items: 1) Naming of the building, and 2) Review of interiors including art wall.

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

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

LUNCH BREAK

12:45 p.m.

10. **Presentation on NACo Prescription Drug Discount Card Program**

20 min.

The National Association of Counties (NACo) Prescription Drug Discount Card program is a discount card program that helps consumers cope with the high price of prescription drugs. Through a partnership with CVS Caremark, the program allows participating counties to provide free cards for consumers who have no prescription drug insurance or need certain medications that are not covered by their insurance. Currently, 67 counties in North Carolina participate in the program. Best of all, there are no costs to Durham County or taxpayers to participate.

Staff will provide a brief presentation on the proposal and discuss benefits of joining the program.

Resource Person(s): Gayle B. Harris, Health Director; Deborah Craig-Ray, Assistant County Manager; Lowell L. Siler, County Attorney; and Marqueta Welton, Human Resources Director

County Manager's Recommendation: Receive the presentation and instruct staff to place the item on the November 9 agenda for final approval.

11. **Criminal Justice Partnership Act Advisory Board—Removal of Fredricka A. Carver as a Board Member Due to Poor Attendance**

5 min.

On September 22, 2008, the Board of County Commissioners appointed Fredricka A. Carver to serve a full term on the Criminal Justice Partnership Act Advisory Board (CJPAAB). Based on information from the CJPAAB chair, Ms. Carver has failed to comply with the Policy and Procedures for Appointments to the County Boards, Commissions, Committees, or Authorities set forth by the County Commissioners. Section 1.(F) of the Policy states, *"If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year which he or she is required to attend pursuant to his or her appointment, he or she is obligated to resign."*

The Clerk to the Board's office has attempted to contact Ms. Carver via email, telephone, and courier mail requesting her resignation; no response has been received.

Resource Person(s): Angela Pinnix, Administrative Assistant, Clerk to the Board's office

County Manager's Recommendation: The Manager recommends that the Board suspend the rules and remove Ms. Carver from the Criminal Justice Partnership Act Advisory Board.

12. **Families First Internal Audit**

60 min.

The Board of County Commissioners commissioned an internal audit of the Families First Contract. The audit as well as a response from the Department of Social Services (DSS) has been completed, and the findings will be discussed with the Board by the Internal Audit Director and the DSS Director.

Resource Person(s): Richard Edwards, Internal Audit Director; and Gerri Robinson, Department of Social Services Director

County Manager's Recommendation: The Manager recommends that the Board review and discuss the findings and DSS response and advise the staff if any additional action is necessary.

5 ¼ hrs. ~~40 min.~~