

THE BOARD OF COUNTY COMMISSIONERS

DURHAM, NORTH CAROLINA

Monday, March 9, 1998

5:00 P.M. - 6:30 P.M. Joint Meeting

BOCC/Area Mental Health Board

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session**?Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

- a. January 26, 1998 BOCC/School Board
- b. February 9, 1998 Regular Session
- c. February 16, 1998 Budget Retreat

4. **Proclamation Recognizing "Employ an Older Worker Week"**

A proclamation naming the week of March 8-14, 1998, as "Employ an Older Worker Week" has been prepared for the Board's approval.

County Manager's Recommendation: Approve the resolution.

5. **Consent Agenda**

- a. Board and commission appointment--Nursing Home Community Advisory Committee (appoint Ms. Fogleman to represent the chief administrators on the Nursing Home Community Advisory Committee);
- b. Setting the date for the 1998-1999 Consolidated Action Plan Draft public hearing (set the date for the 1998-99 Consolidated Action Plan Draft public hearing to be held on March 23, 1998 to fulfill requirements of the adopted Citizen Participation Plan for use with the HUD Consolidated Plan);
- c. Street closing?Pleasant Hill Drive (SC 97-11)?set a public hearing (adopt the resolution declaring the intent of the Commissioners to consider permanently closing Pleasant Hill Drive and set a public hearing for March 23, 1998); and
- d. Offer to purchase County property (308 Lancelot Drive) (receive the higher offer submitted by Mr. McCarter and adopt the accompanying resolution whereby the property is advertised as an ?upset bid? sale.

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

6. **Office of the Sheriff?1997 Local Law Enforcement Block Grant Funds Public Hearing and Budget Amendment Agenda**

The Office of the Sheriff submitted an application for Durham County's share of the 1997 Local Law Enforcement Block Grant (LLEBG) and received subsequent approval of a \$44,121 block grant award from the U.S. Department of Justice's Bureau of Justice Assistance. The purpose of the LLEBG program is to reduce crime and improve public safety. The award can only be used in accordance with the seven purpose areas described in the statute.

These intergovernmental funds awarded to Durham County will be used for mobile data expansion (portable computers) and desktop computer enhancements for the Office of the Sheriff. To comply with a special condition of this grant award, the Sheriff established an advisory board that met on January 21, 1998, to recommend the proposed use for these funds. Additional portable computers (with auto adapters) and related software will be purchased to provide mobile computing and incident reporting capabilities to additional/new areas of the Sheriff's Office, such as DARE, SRO (School Resource Officers) and SCOPE units, etc. This is an expansion of our Phase I automated field reporting system implemented through funding from a COPSMORE technology grant from the U.S. Department of Justice. New desktop personal computers and software/equipment upgrades are needed to provide data system improvements for Warrant Control, CRIMES reporting/records, GIS/CAD, future wireless mobile data network, and Year 2000 compliance. Such computer equipment and technology enhancements will improve information reporting, access, and sharing for the entire Sheriff's Agency. One of the special conditions of this grant award program is to conduct a public hearing to receive public comment as to the use of these funds.

No additional County funding is required and no subsequent year budget impact is anticipated. A required grantee local cash match of \$4,902 will be provided by the Office of the Sheriff from the current budget. The total appropriation is for \$44,301 of which \$180 is from the 1996 LLEBG interest earned, and the remainder from the 1997 LLEBG award. The project period is October 1, 1997 through September 30, 1999.

Nancy Dellinger, Director of Planning and Development, and Janet Birenbaum, the Sheriff's Comptroller, will be present to discuss their recommendation to the Board.

County Manager's Recommendation: Congratulate the Sheriff on applying and receiving another Local Law Enforcement Block Grant to enhance and expand the department's technological infrastructure. This computer equipment will also assist in implementing the comprehensive plans of the Durham Crime Cabinet.

7. Adoption of Resolution and Designation of Members for 1998 E & R Board

North Carolina General Statute 105-322 requires adoption of a resolution to appoint a special Board of Equalization and Review to hear tax appeal matters. Membership to this board needs to be determined by the Board of County Commissioners by the first commission meeting in March. The Board of County Commissioners shall also appoint the Chair and Vice Chair for this special board and set the rate of compensation.

The rate of compensation for the 1997 Board of Equalization and Review was \$50 per session. A session consisted of a three-hour block of time that board members actually attended for official meetings.

County Manager's Recommendation: Adopt a resolution to appoint a special Board of Equalization & Review, designate membership to this board, appoint a Chair and Vice Chair, and establish a rate of compensation for serving on this board at \$50 per session.

8. Time Warner Rate Increase

Time Warner Cable increased its cablevision rates on January 1, 1998. In the portion of Durham County outside the Durham City limits, the basic service was increased \$.30 and the standard service was increased \$3.10. After receiving several complaints from citizens (as is required before proceeding with a complaint), the County Attorney served a draft complaint on Time Warner Cable. No response has been received by the County within the 30-day time period fixed by FCC rules. The Board of Commissioners may now direct that the complaint be filed with the FCC. An individual citizen can not file a complaint.

The County Attorney will be present to answer questions. A representative of Time Warner will also be present to answer questions.

County Manager's Recommendation: After receiving the explanation from Time Warner, direct the County Attorney to file the complaint with the FCC if appropriate.

9. Carolina Theatre--Cancellation of Loan Agreement

In FY1993, the Carolina Theatre entered into a loan agreement with Durham County borrowing \$200,000 to purchase equipment needed to outfit the Theatre in time for its opening and operation. The loan agreement was restructured in November 1995 to allow the Theatre to pay off its remaining balance (\$144,500) over a seven-year period at 4 percent interest. The Carolina Theatre Board developed an amortization schedule to be paid using fundraising revenues. The Board of County Commissioners supported this agreement with the view that the Theatre represents an investment in downtown and thus is a part of the larger economic development efforts to improve the County's tax base and community.

The Theatre is requesting the Board of County Commissioners forgive the loan beginning July 1, 1998. The outstanding balance on this loan shall be \$94,162.73. Several reasons exist for this request: 1) The Carolina Theatre and the City of Durham are about to enter into a multi-year agreement for the operation of the city-owned facility. The definition of ownership is critical to the determination of which entity will be responsible for the future repair and replacement of the equipment; 2) it removes donors' objections to support of the theatre that funds go to debt rather than to operating costs; and 3) it will free funds currently directed to debt that could be used by the Theatre to enhance programs and benefit the community.

As the Board may recall, the equipment purchased and subsequently owned by the Theatre totaled \$400,000 with the City of Durham and the County each loaning the Theatre \$200,000. If the County forgives the loan and allows the Carolina Theatre to convey its interest in the equipment to the City, the City is prepared to pay the County a 50%/50% split of any proceeds realized by the City upon the sale of the equipment, if and when that were to occur. An advantage of this arrangement is that the transfer of equipment ownership to the City is that the City will take on the responsibility for the maintenance and future replacement of the equipment.

Stephen Scott-Martin, Executive Director of the Carolina Theatre, will present this item.

County Manager's Recommendation: The County Manager requests that the Board decide whether to relieve the Carolina Theatre of this loan commitment. To put it simply, the Carolina Theatre is requesting that the County forgive the outstanding balance of \$94,162.73 in exchange for 50 percent of the equipment that was bought with this funding if it is ever sold. The bottom line is that the County will probably never see the proceeds of the sale of this equipment. The Board is basically being asked to contribute these funds to endorse the operation of the Carolina Theatre. If the Board decides to approve this request, the Manager recommends making this action contingent on the City's execution of the agreement.

10. Update?Capital Improvements Plan?Water and Sewer Projects

The Environmental Engineering Office developed a prioritized list of water and sewer project needs for Durham County. This list was presented at the BOCC Budget Retreat last month.

To proceed with this program of water and sewer extensions, the Environmental Engineering Office is pursuing a new interlocal agreement with the City and requesting approval of one Project Manager staff position.

To proceed with the Santee Road Water Project, the Environmental Engineering Office is requesting approval of a detailed engineering study. The recommendation is to amend the contract with Coulter Hart Jewell Thames, the Durham firm that prepared the August 1997 study which included the Santee Road Water Project.

County Manager's Recommendation: County staff will be requesting guidance from the Board as to the list of projects. The Manager has also asked them to bring forth the Santee Road and Willow Hill projects as they appear to be priorities of this Board.

11. Approval to Purchase Magistrate's Warrant Control System Software

The Board is requested to authorize the County Manager to enter into a contract for \$111,350.00 with Vision Software Inc. to purchase the Magistrates Warrant Control Software, including software, training, first-year maintenance, and project management for software installation. The Magistrates Warrant Control System project is being funded through a Governor's Crime Commission Grant to Durham County approved last year.

The Board approved Vision Software Inc. as a sole source on December 15, 1997. Shortly after the Board's approval, the Governor's Crime Commission informed staff that a formal bid process will be required to meet current approval requirements. This request was followed and the invitation for bid, No. 98-018, was publicly advertised on December 24, 1997 in both the Carolina Times and Durham Herald/Sun and sent to six vendors. Bids were publicly opened January 20, 1998 and only Vision Software Inc. responded with a bid package. The Governor's Crime Commission then informed staff since the bid exceeded \$100,000.00, the County would need further approval from the Federal Bureau of Justice Assistance. Since that time, staff has submitted the proper documentation to the Federal Bureau of Justice Assistance and is expecting approval shortly.

Perry Dixon, Director of Durham County Information Services, and Sandra Phillips, Director of Purchasing, are recommending approval of this purchase. Mr. Dixon, Ms. Phillips and Brad Young, Project Manager, will be attending the meeting to answer any questions.

County Manager's Recommendation: The Manager is requesting authorization to enter into a contract in the amount of \$111,350.00 with Vision Software Inc. for the Magistrate's Warrant Control System, including software, training, first-year maintenance, and project management for software installation. This approval is fully contingent on approval by the Governor's Crime Commission and the Federal Bureau of Justice Assistance. The initial approval in December was only for software. Through the bid process, the County has now received firm pricing on all components of this critical project.

12. Approval to Purchase Magistrate's Warrant Control System Servers

The Board is requested to authorize the Information Services Department to purchase the budgeted Magistrates Warrant Control Servers as follows:

Item	Quantity	Cost	Vendor
Compaq Proliant Primary Controller	1	\$18,608.00	Alph. Systems, Inc.
Compaq Proliant Main Server	1	\$9,813.00	"
Compaq Proliant Backup Server	1	\$18,608.00	"
Servers Total	<u>3</u>	<u>\$47,029.00</u>	

These goods are provided through the State of North Carolina Convenience Term Contract for Micro-Computers and Peripherals #250.

Perry Dixon, Director of Durham County Information Services, and Brad Young, Project Manager, are recommending approval of this purchase. Mr. Dixon and Mr. Young will be attending the meeting to answer any questions.

County Manager's Recommendation: Authorize the Information Services Department to purchase the budgeted Magistrate's Warrant Control Servers valued at \$47, 029.00. The 25 percent match for the equipment is already budgeted with the Information Services Department. The other 75 percent of cost is funded by our Governor's Crime Commission Grant.

13. Request to Establish Formal Linkages With County Durham, England

Durham County and the Greater Durham Chamber of Commerce recently hosted Phil Eadon, Director of Marketing for County Durham (England) Development Company, during his recent visit to Durham. The purpose of his visit was to identify potential areas and activities upon which to establish economic, tourist, and educational links between Durham County and County Durham, England. This was a follow-up meeting to one that was held previously with Ken Frankish, Director of Economic Development and Planning for County Durham.

The proposed link between the two counties would go beyond the educational and cultural links in place through the Sister City program between the City of Durham and City Durham (40,000 population), England. The link would also extend beyond the geographic boundaries of City Durham, England to include the entire County Durham which has a population of approximately 500,000. The link between Durham County and County Durham would include links in economic development and tourism that could possibly entail:

- cooperation to encourage business links between organizations and enterprises;
- cooperation to identify and match joint business ventures or strategic alliance opportunities to expand commercial markets;
- participation in Economic Development Trade Fairs (especially the County Durham Medical Devices & Scientific Innovation Fair to be held October 1998 in County Durham);
- promotion of tourism activities and representation at Travel and Tourism Fairs; and
- research exchange programs and student exchange programs between Duke University, North Carolina Central University, and Durham University. A link already exists between Duke University and Durham University.

To fully explore the benefits of a formal link between the two counties, County Durham has established a steering committee composed of representatives from the County Council, County Durham Development Company, Durham University, Glaxo Wellcome, and the Chamber of Commerce. In addition, the County Council formally provided the County Durham Development Company with the authority to pursue establishing a link with Durham County.

County Manager's Recommendation: The County Manager requests that the Board provide him with the authority to pursue establishing a formal link with County Durham, England. The Manager is also requesting authority to establish a steering committee to develop a strategy for maximizing the potential links between the two counties. The Manager will present a proposed committee listing at the County Commission meeting.

14. Work First Plan Update

Daniel C. Hudgins will present the January monthly update on the Department's Annual Plan for Work First.

15. Offer to Purchase County Property (6821 Matterhorn Road)

Durham County obtained the property located at 6821 Matterhorn Road in 1994 after completing a tax foreclosure sale.

Redditt and Ida Alexander, the former owners of the property, have submitted a request to purchase the property for the sum of \$2,032.37.

North Carolina General Statute 105-376(c) provides that a taxing body which purchases property at a tax foreclosure sale may, at the discretion of its body, resale the property to the former owner at a private sale for an amount not less than the taxing unit's interest in the property. Durham County's interest in the property amounts to \$2,032.37.

The County has also received an offer from Mr. Charles McCarter in the amount of \$4,500 to purchase this property.

This property is accessible only by walking.

The County's investment (taxes and foreclosure fees) amounts to \$2,032.37 and the tax valuation is \$4,000. City and County departments were informed of the availability of this property and there has not been any inquiry by government departments.

Marvin Pope and David Powell are resource persons for this agenda item.

County Manager's Recommendation: To receive the higher offer submitted by Mr. McCarter and adopt the resolution whereby the property is advertised as an "upset bid" sale.

16. **Board and Commission Appointments**

Garry E. Umstead, Clerk to the Board, will distribute ballots to make appointments to the following boards and commissions:

- Area Mental Health Board
- Boxing and Wrestling Commission
- Durham Planning Commission
- Nursing Home Community Advisory Committee
- Transportation Advisory Board
- Youth Services Advisory Board