

**THE BOARD OF COUNTY COMMISSIONERS**

**DURHAM, NORTH CAROLINA**

Monday, November 13, 2000

7:00 P.M. Regular Session

**AGENDA**

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

2. **Agenda Adjustments**

3. **Minutes**

- a. October 2, 2000 Worksession
- b. October 10, 2000 Regular Session

4. **Resolution Honoring IBM Corporation**

A resolution honoring the IBM Corporation has been prepared at the request of Chairman MaryAnn Black. The resolution is written in tribute to the generous corporate support the company has provided for many years to the Durham community and beyond. David E. Benevides, Regional Director, Corporate Community Relations and Public Affairs for IBM, will receive the resolution and make comments.

County Manager's Recommendation: Present the resolution to David E. Benevides of the IBM Corporation and extend sincere congratulations for years of leadership in corporate philanthropy in the Durham community.

5. **November Anchor Award Winner--Lt. Nick Then**

Lt. Nick Then, Office of the Sheriff, is the winner of the November Anchor Award.

Sheriff Worth Hill received a letter from Betsy Feifs, Executive Director for Student Services of Durham Public Schools, praising the work of Lt. Nick Then. Lt. Then provides safety training, crisis management, and resources to Durham Public Schools principals and staff. He has worked to empower principals to manage their schools in the critical first 20 minutes following a crisis. Lt. Nick Then is noted for being "a consensus builder, a thoughtful planner, and a safety expert."

County Manager's Recommendation: Present the November Anchor Award to Lt. Nick Then, along with the sincere congratulations of the entire organization.

6. **Consent Agenda**

- a. Public Health—Budget Amendment No. 01BCC000019 to Recognize Funds from The North Carolina Healthy Start Foundation (approve Budget Ordinance Amendment No. 01BCC000019 to recognize \$775 in funds from the North Carolina Healthy Start Foundation to address issues of infant mortality);
- b. Emergency Management Budget Amendment No. 01BCC000020 to Recognize and Appropriate Lowe's Home Improvement Centers Hero Program Grant Funds (approve

- Budget Amendment No. 01BCC000020 to recognize and appropriate Lowe's Home Improvement Centers Hero Program Grant funds in the amount of \$2,000 for the purchase of beds for the Emergency Management Special Needs Response Unit);
- c. Budget Amendment No. 01BCC000021 Office of the Sheriff—BJA—Bulletproof Vest Partnership Grant (congratulate the Sheriff on receiving this grant funding and recommend approval of Budget Amendment No. 01BCC000021 in the amount of \$4,218);
  - d. Budget Amendment No. 01BCC000023 Appropriation of \$37,800 from Contingency Fund to Library Budget to Cover Increased Cost of Security (approve the request for \$37,800 from the County's Contingency Fund to the Library budget);
  - e. Budget Amendment No. 01BCC000024 Request to Accept New DSS Revenues (approve the amendment to recognize new revenues in the amount of \$9,730);
  - f. Budget Amendment No. 01BCC000027 to Reconcile FY 99-00 Occupancy Tax Payment to Durham Convention and Visitor's Bureau (DCVB) (approve reconciliation budget amendment in the amount of \$226,328 from General Fund balance to the Durham County Convention and Visitors Bureau budget);
  - g. Vehicles for Emergency Medical Services, Department of General Services, and Emergency Management Services (authorize the County Manager to proceed with a contract to Sir Walter Chevrolet for \$81,270.00 and University Ford, Inc., for \$26,428.50 to purchase vehicles); and
  - h. Appointments—Boards and Commissions (Jeffrey Batten, Durham County Fire Marshal, has requested that the County Commissioners appoint the applicants listed below to the Durham County Emergency Medical Services Council to represent the following organizations:

<u>Applicants</u>	<u>Organization</u>	<u>End of Term</u>
a) Phil W. Bunn	Redwood Volunteer Department	June 2003
b) Kenneth J. Caviston	Parkwood Volunteer Fire Department Rescue	June 2002
c) Eric L. Conley	Durham County Regional Hospital	June 2003
d) Richard C. Riley	Durham County Sheriff's Department	June 2003
e) Joyce Sykes	Lebanon Volunteer Fire Department	June 2003
f) J.M. Tezai	Emergency Medical Services Provider	June 2003
g) Victoria L. Thorton, MD	Duke University Medical Center	June 2002

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.

## **7. Public Hearing and Budget Amendment No. 01BCC000022--2000 Local Law Enforcement Block Grant Funds**

The Office of the Sheriff submitted its on-line application for Durham County's share of the 2000 Local Law Enforcement Block Grant (LLEBG) and received subsequent approval of a \$44,770 block grant award from the U.S. Department of Justice—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 for this grant program.

These intergovernmental funds awarded to Durham County will be used for the purchase of equipment for the Sheriff's Investigators, SAC/NARC, Community Services Division, and general field deputies.

The Sheriff established an Advisory Board as specified by the grant, which met on October 23, 2000 to recommend the proposed use for these funds. The equipment to be purchased as

suggested by the Advisory Board are as follows: K-9 body armor/puncture resistant vests, K-9 overdose kits, cellular phone/transmitter/receiver for SAC/NARC, portable surveillance equipment for Investigations, video production room for Community Services "Bull City Streets" show, and rechargeable MAG flashlights (mountable in vehicles) for all field deputies. Such equipment and technology will enhance and improve the law enforcement abilities of the Sheriff's Office.

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. This public hearing was advertised in the Durham Herald-Sun newspaper on November 5 and 11, 2000 to give proper notification.

No additional County funding is required and no subsequent year budget impact is anticipated. The Office of the Sheriff will provide the required grantee local cash match of \$4,974 from its current budget. The total appropriation is for \$49,744; the revenue recognized is for \$44,770 from the grant award.

Resource Person(s): Janet Birenbaum, Comptroller for the Sheriff's Office

County Manager's Recommendation: The Manager recommends that the Board conduct the public hearing to receive public comment, and if appropriate, approve the Advisory Board's recommendation for the proposed use of the 2000 LLEBG award funds and approve Budget Amendment No. 01BCC000022 to accept \$44,770 in grant funding. We congratulate the Sheriff on applying for and receiving another Local Law Enforcement Block Grant to continue these traditional improvements. The Sheriff's Office has traditionally used the LLEBG funds received the last four years for improving and upgrading the agency's equipment and technological infrastructure.

#### **8. Presentation of the Disparity Study Findings**

On February 28, 2000, the Board of County Commissioners authorized the County Manager to enter into a contract with Mason Tillman Associates, Ltd. to conduct a disparity study for the County of Durham. The objective of the study is to determine whether race and gender discrimination continue to affect prime contractor and subcontractor participation in public contracting activities of Durham County. It was the opinion of staff that a second generation disparity study was necessary to ensure a legally defensible position for the County in whatever type of program the County establishes ensuring an equitable field for the County procurement dollars.

On August 28, 2000, staff informed the Board on the progress of the study and presented a timeline of the study's completion. Dr. Eleanor Ramsey, President of Mason Tillman Associates, Ltd. will formally present the completed disparity study to the Board of County Commissioners and answer questions from the Board regarding the study.

Resource Person(s): Dr. Eleanor Ramsey, Chuck Kitchen, County Attorney, Wendell Davis, Deputy County Manager, Anthony Allen, Interim Purchasing Director, Jan Bryant-Berry, Business Development Manager

County Manager's Recommendation: The Manager's recommendation is that the Board receive the results of the Disparity Study, have the consultant address any concerns, and provide the consultant and staff with directives based upon the deliberations of the Board during the presentation.

#### **9. Presentation of Proposed Durham County Work First Plan and Scheduling of a Public Hearing**

NC Law (NCGS 108A-27) requires each county's Board of County Commissioners to appoint a committee of local leaders to assist in the development of its Work First Block Grant Plan. A critical part of each county's plan development is a decision whether the county will seek Electing County or Standard County status.

On August 28, 2000, the Durham County Board of Commissioners approved a local planning committee that would be responsible for recommending to the Board whether Durham County should request Electing or Standard County status to implement its Work First Block Grant funds. This committee would also recommend to the Board a Work First Plan to implement Durham County's Work First program.

On September 25, 2000, the Durham County Board of Commissioners voted to recommend to the NC Department of Health and Human Services that Durham County be given Electing status to implement its Work First Block Grant.

At this time, the committee is presenting a draft of the Work First Block Grant Plan for FY 2000-2003 for the Board's review and is requesting permission to make this draft available to the community for public comment from the period November 14, 2000 to November 20, 2000 at noon.

The committee requests that the Board of County Commissioners schedule a public hearing at the Board's meeting on November 27, 2000 and that the Board vote on the plan on the same evening after completion of the public hearing. The plan must be submitted to the North Carolina Department of Health and Human Services by December 1, 2000.

Resource Person(s): Micheline Malson, Chair, Work First Planning Committee, and Dan Hudgins, DSS Director, will be available as resource persons for this request.

County Manager's Recommendation: The Manager recommends that the Board receive the presentation and 1) provide input and direction to the Work First Planning Committee on the draft plan; 2) make the draft plan available for public review and comment for the period of November 14, 2000 through noon November 20, 2000; and 3) schedule a public hearing on the plan for November 27, 2000.

**10. Budget Amendment No. 01BCC000025 to Recognize New Smart Start Revenues and Establish Five Child Care Program Positions**

Durham's Partnership for Children has approved additional funding for DSS Child Care Services in the amount of \$1,800,000. There are no additional County dollars required to accept this funding.

The majority of the funding (\$1,701,807) will go directly into child care subsidy payments. This additional funding will allow us to continue to operate the Child Care Program at its present level (providing child care subsidies for over 3,500 children each month) and will, hopefully, avoid creation of a waiting list for these services.

The remainder of this request involves the establishment of 5 positions within the department to support the Child Care Program.

Current staffing for the DSS Child Care Program is as follows:

Position Title	FTEs
Social Work Supervisor	1.0

Day Care Services Coordinator	1.0
Social Worker	9.0
Accounting/Clerical Support	4.0
<b>Total Position</b>	<b>15.0</b>

In addition, for the past year, the department has had two contract social worker positions and a contract business manager position purchased through Partnership funding. These contracted staff members have been supplied by temporary employment agencies.

This budget request recommends establishment of 5 new salaried DSS Day Care positions as follows. Two of the positions will be funded with the additional \$98,193 included in this amendment.

New Position	FTEs	Comments
Business Manager	1.0	The funding for this position is in the current approved budget as Partnership contract services.
Social Worker	2.0	The funding for these positions is in the current approved budget as Partnership contract services
Social Worker	2.0	These are new positions that will be funded with this amendment.

The Business Manager position will provide administrative oversight to the provider payment process—currently of a scope that includes monthly payments in excess of \$1,000,000 to approximately 400 child care providers. The Business Manager also provides software administration support for the Child Care Program's newly implemented Cox One Case Day Care Program. It is our recommendation that this position be converted from a contractual arrangement to an established, salaried County position to lend stability to this critical program function.

The four social worker positions will allow us to adjust caseloads from the current average of 400 children per worker to an average of 275 per worker. A recent study conducted by the Child Care Services Association recommends an increase in the number of DSS caseworkers who administer this program. The outcome of this increased staffing will be improved customer service via reduced waiting times and faster processing of child care applications. (An excerpt from this study is also included with this Agenda Item.)

The DSS Board, at its October 25, 2000 meeting, approved this request.

Resource Person(s): Dan Hudgins, DSS Director, will be available as a resource person for this request.

County Manager's Recommendation: The County Manager recommends approval of the Budget Amendment to recognize new revenues in the amount of \$1,800,000 and recommends establishment of the five additional DSS positions to support the program.

#### **11. Budget Amendment No. 01BCC000026 to Recognize New Revenue and Establish DSS Elderly Case Manager Position**

Duke University Medical Center, Department of Community and Family Medicine, has received funding through a Fullerton Foundation Grant to implement a service delivery model that will coordinate health care, social services, housing services, and transportation services to Durham's community-based elderly population. The model will utilize a multi-disciplinary team that will visit elderly citizens in their own homes. This team consists of a gerontological nurse practitioner and a clinical social worker. During team visits, elderly household members will receive services that include screening and identification/treatment of health problems. In addition, a DSS case manager will provide case finding and case management services. Initially, the team will provide

services to the residents of J.J. Henderson Towers. It is hoped that the program will expand to additional sites in the future and will improve access to health care and other support services for the residents of Durham's public senior housing facilities.

The department is requesting the establishment of a Social Worker position to support the case management activities needed in this initiative as they cannot be incorporated into the duties of existing Adult Services Social Worker positions. The salary and benefits for this position for one year will be \$37,421. Medicaid At-Risk funding will provide 2/3 of the cost during the first year of the initiative, and Duke funding will provide the remainder of the cost (\$12,474). It is anticipated that the position will be self-sustaining after the pilot year. If this should not be the case, there is no commitment on the part of the County to continue funding this position beyond the grant period which ends October 31, 2001.

Resource Person(s): Dan Hudgins, DSS Director, and a Duke University Medical Center Project representative will be available as resource persons for this request.

County Manager's Recommendation: The County Manager recommends approval of the Budget Amendment to recognize new revenues in the amount of \$12,474 and recommends establishment of the additional DSS case manager position to provide services to Durham's elderly population.

#### **12. Proposal to Establish a City-County Appearance Commission**

North Carolina has enabled local governments to establish joint city and county appearance commissions. The Interlocal Agreement establishes a joint City-County Appearance Commission. The Appearance Commission is advisory in nature, rather than regulatory, and its specific powers and duties are spelled out in the Interlocal Agreement. The Commission would be made up of 15 members with eight appointed by the County Board of Commissioners and seven appointed by the City Council. NC statutes require that a majority of the members have expertise in architecture, landscape design, city planning, horticulture, urban design, or a related field. Commission appointees serve three years. Staff support for the commission is provided by the Durham City-County Planning Department. The Planning Department has recently hired a Senior Planner with a specialty in urban design; this staff person would provide staff support to an appearance commission.

The Joint City-County Planning Committee has reviewed the Interlocal Agreement and recommends its adoption. The Planning Staff recommends that the City Council and County Board of Commissioners approve the Interlocal Agreement Between the City of Durham and Durham County Creating a Durham City-County Appearance Commission, draft dated October 26, 2000.

Resource Person(s): Keith Luck, Planning Supervisor

County Manager's Recommendation: The Manager recommends that the Board approve the Interlocal Agreement Between the City of Durham and Durham County Creating a Durham City-County Appearance Commission, draft dated October 26, 2000.

#### **13. Durham Public School Board's offer of Holloway Street School to BOCC**

Durham Public Schools Board of Education desires to dispose of the Holloway Street School property. N.C.G. S. 115C-518 requires that it must first be offered to the Board of County Commissioners. Considering that the property is in need of substantial renovation and repair, that the Facility Master Plan did not identify the need for such a building to meet the County's space needs, and that no County departments or agencies have identified a need for such a facility, it is

requested that the Board of County Commissioners decline the Durham Public School Board's offer of the Holloway Street School property. The school property is located at 1107 Holloway Street and is identified as Tax Map Parcel #128-03-001, PIN: 0831-11-57-2138.

Durham County Engineering Department has determined that the overall condition of the Holloway Street School building is fair to poor and that use of the building on a long-term basis would require extensive renovations to meet code and functional requirements. In addition, within the main building are lead paint and asbestos products.

The main school building was originally constructed in the late 1920's and was added onto in 1949 and 1954. It is a two-story structure with basement. The gymnasium was constructed in 1975 and is one story. Currently, the school building is partially occupied by the Northeast Central Durham Community Assistance offices and the Weed & Seed program. The remainder of the building is unused at this time. Site improvements in addition to the two buildings include paved parking for approximately 25 vehicles and a playground. The school property fronts on Holloway St., N. Hyde Park Ave., and Spruce St. It is located in both NC (Neighborhood Commercial) and R-3 (Residential 3) zoning districts. Durham County Tax Administration records indicate the land value is \$145,920, the building value is \$1,225,830, and the total value is \$1,371,750. The parcel is 4.864+/- acres. The property was appraised in August 2000 by an independent fee appraiser and the estimated market value was determined to be \$898,000. The appraisal report indicated an estimated cost of \$1,002,000 to convert to office use. No cost figures were provided for remediation/abatement of asbestos materials or lead-based paint or to make the property ADA compliant.

Resource Person(s): Bill Martin, Real Property Manager; Glen Whisler, County Engineer; and Donald Hasselbach, Assistant Director, Durham County General Services.

County Manager's Recommendation: The Manager's recommendation is that the Board decline the schools offer to purchase the Holloway Street School in the amount of \$898,000 to the extent that a use for the facility has not been identified by any County Department.

#### 14. **Board and Commission Appointments**

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

- Animal Control Review Board
- Criminal Justice Partnership Act Advisory Board
- Durham Convention and Visitors Bureau
- Historic Preservation Commission
- Juvenile Crime Prevention Council
- Transportation Advisory Board
- Women's Commission