

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

Tuesday, October 3, 2006

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 Becky M. Heron, and Commissioners Lewis A. Cheek (arrived at 9:20 a.m.), Commissioner Philip R. Cousin Jr. (arrived at 9:30 a.m.), and Michael D. Page

Absent: None

Presider: Chairman Reckhow

**Citizens Comments**

China Townsend spoke to the Commissioners about extending the hours of operation of the McDougald Terrace Library. She requested that the Library be opened six days a week.

Skip Auld, Library Director, stated that this issue has been placed on the Library Board's agenda for consideration.

Vice-Chairman Heron mentioned that individual library employees have alternating schedules to accommodate the hours of operation.

Chairman Reckhow concurred with Vice-Chairman Heron comments. She directed Mr. Auld to perform a utilization study to determine the library's clientele and their interest in the change.

In response to Commissioner Cheek's question regarding the utilization of volunteer personnel, Mr. Auld stated that with the possible exception of McDougald Terrace, the remaining libraries could not stay open with volunteers.

Commissioner Cheek asked that Mr. Auld consider ways to better utilize the library staff.

Chief Chris D. Wagstaff requested to speak to the Commissioners regarding the ABC Law Enforcement Chief selection; however, Chief Wagstaff was not in attendance.

Donald Booker and Betty Sampson, representing United Youth Care Services Inc., stated that United Youth Care Services is seeking assistance in locating alternative programs that would provide help for the youth in the community.

Chairman Reckhow encouraged Mr. Booker and Ms. Sampson to contact The Durham Center. She stated that The Durham Center has privatized services and is currently seeking nonprofits in the community to help provide services.

### **Resource Conservation and Development**

Eddie Culberson, Director of Soil and Water Conservation District, introduced the item. He stated that the Durham Soil and Water Conservation District (SWCD) has requested that the BOCC allow a 15-minute presentation on becoming a member of the Piedmont Resource Conservation and Development (RC&D) Council. The purpose of the RC&D program is to accelerate the conservation, development, and utilization of natural resources, improve the general level of economic activity, and enhance the environment and standard of living in designated RC&D areas. RC&D projects relate to land conservation, water management, economic development, and community sustainability. Projects are implemented with grant money.

Mr. Culberson continued by commenting that in 2003, the BOCC approved that the Durham SWCD become a member of the proposed Tar-Neuse RC&D Council. Due to the lack of federal funding, the proposed council did not develop. Since then, the Durham District has requested that the Piedmont RC&D Council adopt the Durham SWCD into its council. At its May 10, 2006 Board of Directors' meeting, the Piedmont RC&D Council agreed to do so tentatively. Along with the Durham SWCD request, the Piedmont RC&D Council requests the support of the Durham BOCC as well.

Barton Robertson, RC&D Piedmont Coordinator, elaborated about the role of the RC&D. He discussed the following:

- Mission
- Vision
- Council Member Representatives and Responsibilities
- Board of Directors Representatives and Responsibilities

Mr. Robertson stated that seven counties are involved in the Piedmont Council.

Vice-Chairman Heron inquired about the following:

- Advantages for Durham County in joining the Piedmont Council; and
- Financial responsibilities for Durham County to be a member of the council.

Mr. Culberson stated that Soil and Water Conservation would be getting an employee without having to pay for benefits or salary. He also stated that Mr. Robertson would solicit grants. The Durham County Board of Commissioners would appoint someone to fill its seat and to bring forth ideas to be addressed.

Mr. Robertson stated that annual dues are paid by each county and are used to carry out basic functions.

### Directive

At the October 9, 2006 Regular Session, enter into a resolution to become a member of the Piedmont RC&D Council.

### **Sales Tax Contract with Durham Public Schools**

County Attorney Chuck Kitchen stated that Durham County and Durham Public Schools (DPS) staffs have been working on a contract for the County to construct school buildings due to the inability of the school system to recover sales taxes paid by the system. Durham Public Schools would act as the construction manager for the County on the school building and would recommend the design and contracts for construction. After construction, the buildings and land would be transferred to the school system. With the County doing the construction, the sales taxes paid on materials would be refunded to the County. The proposal is for these taxes then to be transferred to DPS for their needs.

Chairman Reckhow inquired about the administrative costs associated with the process.

County Attorney Kitchen stated that the architect would be hired by DPS. He then expressed concerns about the disbursement of funds.

George Quick, Finance Director, stated that the process has been discussed; however, nothing had been finalized.

The Board expressed concern about the inability of the school system to recover sales taxes paid by the system.

County Attorney asked that the County Manager be given the authority to finalize the administrative costs.

### Directives

1. Hold a joint meeting with DPS regarding the sales tax issue.
2. Have available for the Durham Delegation the amount of funds being spent on sales tax.
3. Place on the October 9 consent agenda the interlocal agreement for the County to construct school buildings due to the inability of the school system to recover sales taxes paid by the system.

### **Agreement to Implement the 10-Year Plan to end Homelessness in Durham**

Heidi York, Assistant County Manager, introduced this item by stating that the City Council and the County Commissioners adopted this plan with a commitment to identify funding and begin implementation of the plan over the coming months. The City and County Managers earmarked \$56,000 in each respective budget to assist in plan implementation. A memorandum of agreement has been brought before the Board for review to outline the tasks and responsibilities of implementation in partnership with the Triangle United Way, Durham County, and the City of Durham.

Ms. York stated that the Triangle United Way will coordinate implementation efforts by working with the Executive Team consisting of community leaders and County and City staff including members of The Durham Center, the Department of Social Services, and the City's Department of Community Development, to name a few. Triangle United Way will enter into a contract with a third party contractor (Implementing Agency) selected through a competitive RFP process to meet the measurable and time-bound deliverables of the 10-Year Plan to End Homelessness. For the first year of implementation, these deliverables include, but are not limited to:

- Expanding Durham County's successful System of Care model, defined in the Plan, to include homeless individuals and families;
- Ensuring that the four results teams have leadership and are meeting regularly to define priorities and implement some of the most immediate strategies and tactics of the Plan;
- Completing the annual application for the Continuum of Care;
- Organizing the annual point-in-time count of homeless individuals;
- Developing a long-term strategy to finance housing that will be presented to City and County officials; and
- Working with Durham County's Department of Social Services and Information Technology Department to: a) increase the number of agencies participating in the Community Assistance Database/Homeless Management Information System; and b) identify baseline data points that might serve as an evaluation mechanism for the Plan.

Upon receipt of proposals, the City and County Managers will determine any financial impacts of the contract and will bring the contract before the Board of Commissioners and the City Council for review and approval.

Triangle United Way will serve as a pass-through for funding from the County and City to the contracted Implementing Agency and will monitor activities of the Agency.

The Executive Team, with assistance from Triangle United Way, will provide both a mid-year and an annual report to the County Commissioners and City Council.

Stan Holt, Triangle United Way, highlighted the key components of the implementation phase.

Chairman Reckhow expressed concern with the \$56,000 for plan implementation. She stated that both the City and County Managers would assess the resources in the organization to determine whether the funds must be spent.

#### Directives

1. Have RFP (Request for Proposals) shared with other human service and nonprofit agencies to determine if the work is being duplicated.
2. In the RFP, explain how existing resources can be applied and identify additional resources that would be needed.
3. Place the Memorandum of Agreement on the October 9 consent agenda.

### **Report on the Availability of Industrial Designated Lands in Durham County**

Frank Duke, AICP, City-County Planning Director, gave a presentation about industrial land availability. He stated that in response to the comments heard at the Board of Commissioners' January budget retreat, Planning staff and representatives of the Chamber of Commerce met several times to evaluate the existing industrial sites in the county. The analysis indicated that only a handful of sites met the location requirements identified by the Chamber as being important for industrial development; the information was presented to the Joint City-County Planning Committee (JCCPC) on February 1, 2006. After receiving that information, the JCCPC directed that staff and the Chamber work on a more detailed analysis of industrial sites in Durham County. Earlier this summer, the Chamber completed an analysis of 55 different existing or potential industrial sites. A summary of that information, along with Planning staff's evaluation, was presented to the JCCPC on September 6. Mr. Duke requested direction from the Board of Commissioners regarding how to proceed.

In response to Vice-Chairman Heron's concerns about sites that could be used for smaller industries, Carolyn Titus, Deputy County Manager, stated that a second presentation would be brought to the Board in the future regarding her questions and concerns.

Mr. Duke stated that the analysis from the Chamber did review all industrial land, including that in the city.

#### **Directives**

1. Consider taking action to preserve the industrial sites based on the information given.
2. The City to look at abandoned warehouses; determine how industrial developers could be encouraged to locate within the city limits.
3. Look at various unsuitable sites to determine whether the land use designation should be changed; amend the land use plan.
4. Utilize the material in the review of plan amendments and zoning map change requests.

#### **Development Plan Guidelines**

Frank Duke, AICP, City-County Planning Director, stated that at the August 28 Commissioner meeting, the Board directed staff to develop guidelines for the submittal of development plans and committed elements in order to ensure adequate time for staff review. On September 6, the Joint City-County Planning Committee (JCCPC) approved the guidelines and directed their use in future zoning map change cases using development plans. The material was provided to the Board of Commissioners as an informational item consistent with the Board's direction on August 28.

Mr. Duke recommended that the Board receive the guidelines for the development and submittal of development plans and committed elements that were approved by the JCCPC on September 6.

The Board held a discussion about the guidelines.

Mr. Duke responded to questions asked by the Commissioners.

County Attorney Kitchen provided legal advice regarding the committed elements.

Directives

1. Planning staff to work with the County Manager's office on distributing the revised development plans to the Commissioners.
2. Clerk to the Board to place a hard copy of planning items in Commissioners' mailboxes two weeks prior to the meeting. Clerk to include Planning items on the County's website (include upcoming staff reports, land use items, and meeting dates).
3. Monitor planning items that are consistently brought before the Board; have an ordinance to regulate the issue.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 2:21 p.m.

Respectfully submitted,

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