

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

Monday, June 5, 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, Philip R. Cousin Jr. (left at 11:00 a.m.), and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Demonstration of New Tax Administration Website

Ken Joyner, Tax Administrator, made a presentation to the Board demonstrating the new Tax Administration website. He stated that the website is expected to go live in July.

County Manager Mike Ruffin questioned whether the Board could consider a fee to access the tax information using the website.

County Attorney stated that charging a fee for the tax information is at the Board's discretion.

Commissioner Cousin stated that this service provides the majority of the work for the realtors in the community. He also stated that this is a better option than the services that some realtors provide.

Vice-Chairman Heron concurred with Commissioner Cousin's comments.

Chairman Reckhow stated that the Tax Administration website is wonderful for Durham County citizens. She concluded that no charge should be made to access the tax information.

Directive

Determine how to recoup some of the costs without creating difficulty for Durham County citizens.

Pandemic Flu Briefing

Brian Letourneau, Public Health Director, introduced this item.

Arlene Sena, MD, MPH, Medical Director, provided a brief overview of the pandemic influenza. She outlined the following:

- Pandemic Influenza Overview
- Key Assumptions and Plans for Pandemic Influenza
- Local Planning Activities
- General Recommendations

In response to Commissioner Cousin's concerns about the duration of the pandemic, Ms. Sena predicted a three- to four-month time span.

Vice-Chairman Heron asked the following questions:

- How many beds would be available if the Pandemic occurs?
- How would the flow of food be affected?

Mr. Letourneau replied that the state gathers information about the availability of beds. In response to food supply, the State is responsible for maintaining the flow of food throughout the state.

Mr. Letourneau informed the Board that most of the monies allocated from the federal government for pandemic influenza planning are being used for drug and research development.

Directives

1. Report back to the Board on any additional work that would address the general recommendations, with specific recommendations and funding sources for purchasing antibiotics.
2. Mr. Letourneau to work with the Tax Department to distribute information in the tax notices about pandemic influenza preparedness; ascertain that the information provided to citizens is in proper context to avoid a panic.
3. Apply for funding available from the state and federal level for emergency management in preparation for the pandemic influenza.

Regulation of Solicitation on the Street and Highways of Durham County

Chairman Reckhow introduced this item stating, that at the February 2006 Worksession, the Board of County Commissioners considered an ordinance regulating solicitation on the streets and highways of Durham County. A draft ordinance was presented which would make begging, solicitation campaigns, and sales within the right-of-way unlawful. Safety was noted as a particular concern. Discussion proceeded regarding issues involved in enacting the proposed ordinance. It was agreed that additional information be gathered prior to the Board's further consideration.

Commissioner Cheek distributed his outlined proposal to eliminate solicitation within the rights-of-way of all roads in Durham County.

The Board held a discussion about moving forward with the ordinance.

Directives

1. Update the resource list on agencies that would assist homeless individuals.
2. Have nonprofit organizations or trained professionals work with the individuals to get back into mainstream.
3. Place on the June 26 regular session agenda.

Discussion of Senate Bill 1819—“NC Turnpike Encouragement and Assistance” Program

Chairman Reckhow stated that the Legislation has been introduced in the North Carolina General Assembly to establish a North Carolina Turnpike Encouragement and Assistance Program (N.C.TEA) and to assist the North Carolina Turnpike Authority and the Department of Transportation to find funding and move forward with transportation improvements. Senate Bill 1819 was introduced by Senator Clark Jenkins (Edgecombe) and has been referred to the Senate Transportation Committee. Of concern is the proposal to use a percentage of current Highway Trust Fund Loop Funding to plan and build turnpikes.

Chairman Reckhow recommended that a motion be made to suspend the rules.

Commissioner Cheek moved, seconded by Commissioner Page, to suspend the rules.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Chairman Reckhow recommended that a motion be made to protest any removal of monies from highway trust fund loop programs to support toll roads.

Vice-Chairman Heron moved, seconded by Commissioner Page.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Directive

Assistant County Manager Deborah Craig-Ray to draft a letter to the N.C. Delegation, Senator Clark Jenkins, Representative Lucy T. Allen, Secretary of Transportation, and Executive Director of the Turnpike Authority about the Board’s opposition to removing funds from the highway trust fund to pay for toll roads.

Durham County Human Services Complex Design Update – Project No: DC070-48

Glen Whisler, P.E. County Engineer, introduced this item. He stated that the Board requested an update on the schematic design 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.

Mr. Whisler recapped the stakeholders meeting which was held on April 12, 2006, during which County staff and architects presented the status of the project and received public input. An update on the schematic design phase was presented on May 1, 2006. The Appearance Commission reviewed the project on May 17, 2006. Mr. Whisler added that the update will reflect revisions in the design that respond to BOCC and Appearance Commission comments. The intent of this update is to gain the Board's consensus on the exterior appearance of the building, which will allow the project to advance to the design development phase.

Philip Freelon, President, The Freelon Group Inc., led the presentation by introducing his staff and thanking the Commissioners for the opportunity to be heard.

Rick Kuhn, Principal, and Daniel Jewell, RLA, ASLA, President, provided a brief overview of the master plan and the zoning issues regarding the Human Services Complex Design.

The Board held a discussion regarding the design of the Human Services Complex.

Chairman Reckhow expressed concerns on whether City Council would want to see a development plan.

Directives

1. Consider a drop-off area for the disabled.
2. Bring back to the Board information on other buildings that have the louver treatment; explain how the louvers would be maintained.
3. Get a response from the City Council and neighboring churches about moving forward with the Human Services Complex without a development plan.
4. Place on future consent agenda to move forward with the rezoning.

Closed Session

Chairman Reckhow recommended that a motion be made to adjourn to closed session to consult with an attorney regarding a possible claim and to preserve the attorney-client privilege and to instruct the staff concerning the position to be taken in negotiating the material terms for the acquisition of real properties pursuant to G.S. § 143-318.11(a) (3) and (5). The properties and owners are: Ernest & Doris G Brandt, owners of 111 S. Dillard Street, 0 E. Peabody St., and 0 Peabody St.; Betty A. Bunn, owner of 400 N. Elizabeth St., 0 E. Peabody St., and 507 Ramseur St.; Canadays Cab Company Inc., owner of 528 E. Main

Street; Church of God, owner of 520 E. Peabody St.; Greater Life Outreach Church, owner of 510 E. Peabody St.; GWC Properties, owner of 500 E. Peabody St.; Azem Mansour, owner of 500, 502, and 504 E. Main St; Allen Stewart Partnership, owner of 523 E. Peabody St.; James & Betty Willoughby, owners of 201 and 203 S. Dillard St; Whites Enterprises Inc., owner of 520 E. Main St; and David Woodell, owner of 522, 524, and 526 E. Main Street.

Vice-Chairman Heron moved, seconded by Commissioner Cheek.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Reconvene to Open Session

Chairman Reckhow announced that no action was taken during the closed session; directives were given to staff.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 1:20 p.m.

Respectfully Submitted,

Vonda C. Sessoms
Clerk to the Board