

January 4, 2006 Worksession

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

Wednesday, January 4, 2006

2:30 P.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. (arrived late), and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Chairman Reckhow announced that Commissioner Cousin would arrive late; he was delayed because of automobile trouble.

Citizen Comments

Mr. Ralph McKinney Jr. requested time on the agenda to speak to the Commissioners about various issues; however, he was not in attendance.

Chairman Reckhow called on Ms. Dorothy Gentry, 2714 Davie Drive, Durham, NC 27704, who requested time on the agenda to present an update to the Board on the status of her home repairs (which were accomplished from a 2002 CDBG Scattered Site Program grant).

After Ms. Gentry's five-minute presentation, Chairman Reckhow referenced a letter from D. Miller & Associates, PA (an engineering firm hired by the State), stating that the firm had attempted to perform a structural analysis but was denied admittance to the property.

Chairman Reckhow requested that Deputy County Manager Wendell Davis respond to Ms. Gentry's remarks.

Deputy County Manager Davis communicated that three different contractors have worked on the home repairs but have been unable to complete the project due to a lack of cooperation by Ms. Gentry. The major concern is that the 2002 grant must be closed prior to administering funds from the 2005 grant. Durham County administration is currently at a loss as to how to bring the project to closure. According to information from the State, the consultant, and the compliance officer, the problem is a basic lack of cooperation by the property owner.

Per a question from Chairman Reckhow, Deputy County Manager Davis replied that his next step would be further communication with Vicki Miller, Assistant Director, State Division of Community Assistance, as well as the Director and State Inspector, to determine their wishes concerning disposition of this project.

In response to questions by Vice-Chairman Heron, Deputy County Manager Davis responded that the repairs were performed under the CDBG Scattered Site Housing Program. The County receives approximately \$400,000 every three years from the State to fund the repairs of 12 to 13 houses. The maximum annual amount designated per property is \$29,999. Repairs to Ms. Gentry's home have exceeded \$45,000—\$15,000 of which has been fronted from the 2005 grant.

Vice-Chairman Heron expressed concern that the lack of closure on this project is delaying 2005 grant projects in which homeowners are in dire need of repairs.

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Commissioner Cheek directed staff to continue to work with the State in order to bring this matter to a resolution.

Chairman Reckhow asked that the Board be kept apprised of the matter.

**Keep Durham Beautiful (KDB) Quarterly Progress Update**

Mike Turner, Director of General Services, stated that at a regular meeting of the Board of County Commissioners on September 26, 2005, the Board entered into an interlocal agreement with Keep Durham Beautiful (KDB), a nonprofit organization, and agreed to fund \$19,336.16 or 25% of the total program cost for Fiscal Year 2005-06. The City of Durham has agreed to fund \$77,344.64 or the remaining 75% of the annual program cost. With approval of the interlocal agreement, the Board requested that a representative of KDB provide the Board with quarterly progress updates on specific KDB initiatives and quarterly budget expenditures.

Mr. Turner introduced Dorothea Pierce, Program Coordinator, KDB, to provide the quarterly progress update.

Ms. Pierce thanked the Commissioners for their ongoing support. She recognized several KDB Board members who were present. Ms. Pierce informed the Commissioners that KDB completed its certification in September as a Keep America Beautiful National Affiliate. The speed and comprehensiveness with which the requirements were fulfilled, in addition to activities that were completed during the certification process, led to KDB's receipt (in less than three months after certification) of the President's Circle Recognition Award (a national award received annually by less than 25% of the affiliates). Ms. Pierce continued by presenting the quarterly progress update for October through December 2005, including information about KDB budget allocations as follows:

Purpose

• Certificate Celebration	\$ 600
• Ownership Program	2,000
• Neighborhood Litter Cleanups	2,000
• Education	4,000
• Elementary School Curriculum	5,000
• Capital Purchases	2,000
• Tipping Fees	3,000
• Other	<u>736</u>
TOTAL	\$19,336

Chairman Reckhow expressed appreciation for the presentation and for KDB working in close cooperation with General Services.

Ms. Pierce informed the Commissioners that she would return in March with another progress report.

**DSS Work First Program Staff Recognition**

Chairman Reckhow recognized and congratulated Sam Haithcock, Director, Department of Social Services, for the performance of the Work First Program within the Department of Social Services.

Mr. Haithcock stated that the agency met all of the Work First goals set aside by the State Division of Social Services and exceeded in seven of the eight measured areas. Durham was one of only five counties in the state to meet all of its state goals. He introduced Rhonda Stevens, Work First Program Manager, to expound on the program's goals and accomplishments.

Ms. Stevens presented background about the Work First Program. With changes in the Program, the State of North Carolina identified performance goals for each county to indicate its performance. Originally, the state used a report card to inform counties of how efficient

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they were in meeting the goals. The state then moved to an annual performance report. Since 1997, Durham County DSS has performed well in meeting its goals. Over time, the goals measured by the state have changed. Goals measured by the state for Fiscal Year 2004-2005 were: 1) the number of adults entering employment; 2) the number remaining off Work First; 3) the number receiving Benefit Diversion Assistance; 4) the number receiving Employment Services; 5) meeting 50% All-Parent Participation Rate; 6) meeting 90% Two-Parent Participation Rate; and 7) the number employed six months after leaving the Work First Program. Durham County's Work First Program has exceeded in seven of the eight measured areas. In one area, the goal was 100 and Durham County achieved 100%; "exceeding" was not possible in that area.

Ms. Stevens asked Work First Program staff to stand and be recognized for the excellent job.

Chairman Reckhow thanked Ms. Stevens and the employees for their efforts to achieve a very positive performance card.

### **Capital Project Amendment No. 06CPA000006—Durham Public Schools 2001 & 2003 General Obligation Bond Project Adjustments and Capital Project Amendment No. 06CPA000007—Durham Public Schools (DPS) Applications to the Public School Building Capital Fund**

#### Capital Project Amendment No. 06CPA000006—Durham Public Schools 2001 & 2003 General Obligation Bond Project Adjustments

On October 27, 2005 and December 15, 2005, Durham Public Schools Board of Education approved several changes to the project funding levels in the 2001 and 2003 school bond referenda. Approval of four actions was required: for the 2003 General Obligation Bond funds—1) redistribute Phase I funds due to completed work (\$367,129) to two existing projects; 2) approve the initial distribution of Phase II funds; 3) approve several adjustments to overall planning budgets; and for the 2001 General Obligation Bond funds—4) close four complete projects and reallocate funds to four new projects (\$583,455).

Capital Project Ordinance Amendment No. 06CPA000006 will transfer \$367,129 in unused 2003 General Obligation Bond funding from several completed school capital projects to two uncompleted school capital projects, and transfer \$583,455 in unused 2001 General Obligation Bond funding from four completed projects to four new school capital projects. The four new capital projects being created are: Durham School of the Arts—gym roof & windows project (\$125,000); Jordan High—Auditorium project (\$225,000); Northern High—HVAC upgrades project (\$177,830); and Jordan High—HVAC upgrades project (\$55,625).

#### Capital Project Amendment No. 06CPA000007—Durham Public Schools (DPS) Applications to the Public School Building Capital Fund

On October 27, 2005, Durham Public Schools Board of Education approved two applications to the Public School Building Capital Fund. Each project uses local capital funds to match state funds to finance these crucial projects. The projects are Durham School of the Arts gym roof & windows project and Northern High School chiller replacement project.

Capital Project Amendment No. 06CPA000007 will appropriate Public School Building Capital Fund funds to the Durham School of the Arts Gym roof & windows project (\$375,000) and a new project—Northern High School chiller replacement project (\$270,000).

Vice-Chairman Heron complimented Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools, for the projects being completed on time and within/under budget.

In response to questions by Commissioner Cheek, Mr. Osteen stated that the project scope must be met, because the voters of Durham approve the bond projects. Minor changes to the scope may occur if the program has changed or if a climate has changed. Most of the

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changes in budget (over or below) are based on either a more competitive-bid project (more bids result in lower costs) or a less competitive-bid project (fewer bids result in higher costs).

Chairman Reckhow expressed pleasure that additional projects were funded with 2001 Bond savings.

Chairman Reckhow stated that Capital Project Amendment No. 06CPA000006 and Capital Project Amendment No. 06CPA000007 will be placed on the January 9, 2006 consent agenda.

### New Voting System for Durham County Board of Elections

Mike Ashe, Director of Elections, asked the County Commissioners to approve the Board of Elections' recommendation for purchase of the M100 optical scan voting system AND the iVotronic touch screen voting system from Elections Systems and Software. The M100 optical scan system will be the primary system in the precincts and will present very little change to the voters. The iVotronic touch screen, the secondary system, will meet the Federal requirement to allow a blind voter to cast a secret ballot and will allow Elections to meet the State requirement to report absentee (one-stop) votes by home precinct.

Due to a concern expressed by Commissioner Cheek, Mr. Ashe stated that the purchase is contingent upon receipt of grant funding from the State Board of Elections. The Commissioners have no funding requirements for this project. The primary may be delayed or the old equipment may be re-certified for one election; however, this purchase must go forward regardless. Mr. Ashe expressed confidence that Durham County can meet the May 2 time schedule for a successful election. Changes in the voting systems are being made by every county in North Carolina and virtually every county and state in the country.

Vice-Chairman Heron requested information about the grant funding and maintenance and operation costs.

Mr. Ashe informed her that the State Board of Elections has the funding. Durham County Elections should receive a check in about two weeks after the State Board receives the grant request. Mr. Ashe explained why maintenance costs will increase by \$5,000 to \$10,000; the financial impact will not be major.

Chairman Reckhow stated that this item will be placed on the January 9, 2006 consent agenda. She thanked Mr. Ashe and the Elections Board for their work in researching the options and giving the matter serious consideration.

### School Capacity Numbers for 2005/06

Mr. Frank Duke, Planning Director, reported that with the 2005/06 school year, Durham Public Schools reported a greater increase in school enrollment than has been experienced in recent years, with the equivalent of nearly a full school's capacity having been added to the system in one year after several years of virtually flat growth. The enrollment figures continue to indicate that capacity is available at all levels, though capacity in the middle schools continues to be the area of greatest concern, with capacity in high schools rapidly becoming a concern as well. Based upon published reports from this fall, the Board of Commissioners requested an update on the status of school capacity using the new 20<sup>th</sup>-day enrollment figures.

On February 28, 2005, the Board of Commissioners and City Council revised the adequate public school facilities policy through the adoption of the Comprehensive Plan. The level of service for schools was retained at 120% of capacity for the immediate future, but the revised policy establishes that "within four years, the City and County shall **change the level of service standard from 120 to 110 percent of the system's maximum permanent building capacity** [measured on a system-wide basis for each type of facility]" (Comprehensive Plan Policy 11.1.1a). That means that, unless the Board of Commissioners and Council act more quickly, the level of service shall rise from 120% of capacity to 110% of capacity no later than March 1, 2009.

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In determining the availability of capacity, the adequate school facilities policy provides that “the Planning Department shall utilize the most recent student generation multipliers developed by Durham Public Schools” and the information on capacity and 20<sup>th</sup>-day enrollment provided by Durham Public Schools. The policy also requires that the Planning Department track approved zoning map changes for a three-year period, considering the student generation rate associated with individual approved zoning map changes committed for that period even if the project has not been built.

**Issues and Analysis:** The increased enrollment experienced by Durham Public Schools in the current school year does not dramatically change the capacity of the system. While some individual schools (notably Parkwood, Southwest, Y.E. Smith, Glenn, and Oak Grove Elementary Schools and Neal, Lowe’s Grove, and Carrington Middle Schools) remain over capacity, on a system-wide basis, there is capacity at all school types.

Applying the standards established by the adequate school facilities policy, the current utilization of capacity at each type of school is shown below.

School Type	Capacity	Utilization	Available Capacity
Elementary	16,508	93.2%	4,421
Middle	6,850	105.2%	1,005
High	9,174	104.6%	1,364

Mr. Duke concluded by stating that the enrollment figures for Durham Public Schools on the 20<sup>th</sup> day of the 2005/06 school year continue to indicate that capacity is available at all levels. Capacity in the middle schools continues to be the area of greatest concern, with capacity in high schools rapidly becoming a concern as well. **It is important to acknowledge that the level of service will be increased by 2009.** That change in the level of service suggests that there is approximately three years of growth in the system based on past growth trends. It should also be acknowledged that one or two large residential zoning map changes could utilize all of the capacity in much less time.

Chairman Reckhow conveyed that the capacity issue is not just with middle schools, but with high schools as well.

Chairman Reckhow mentioned her suggestion at the May 9 Special Session that Durham Public Schools update its CIP on a cycle similar to that of the County so it could feed into the County’s CIP process (odd years, every other year). She asked Mr. Osteen the status of the Schools’ CIP.

Mr. Osteen responded that the updated Schools’ CIP should be completed before the Commissioners update their CIP (by Fall 2006). He clarified that all of the school building capacities are at 100- 105%. Mr. Osteen reaffirmed moving from 120 to 110 percent of capacity no later than March 1, 2009 (in accordance with the Comprehensive Plan).

The Commissioners and Mr. Osteen held discussions regarding the amount of time and costs for new school construction, projections for financing new schools, and the process for evaluating donated sites for new schools.

Chairman Reckhow stated that the Commissioners look forward to working with the School System and Planning Department regarding the issues discussed at today’s meeting.

**Capital Project Amendment No. 06CPA000008—Upgrade of Durham Public Library’s Automated Library Systems**

County Manager Ruffin introduced the item. The Durham County Library has used an automated library system provided and supported by the Dynix Corporation since May 1987. Dynix merged with Sirsi library systems in 2005. SirsiDynix has continued to support the Durham County Library and offer solutions that are among the best in the market. Its software is currently used in Wake, Greensboro, Asheville-Buncombe, High Point, and Charlotte-Mecklenburg library systems.

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The current version of Durham County's Dynix Automated Library System software was installed in 1999. Both the computer equipment and the software are past their useful life and are increasingly at risk. In addition, an upgrade to the core system is required to support the new capabilities planned at the Regional Libraries opening in 2006. Those capabilities include RFID (Radio Frequency IDentification) collection management, self-checkout, and theft control.

The library technology and automation team has evaluated alternatives and, in partnership with Durham County's Information Technology staff, has developed a plan to complete a timely implementation of the new system to support the opening of the East Regional Library this spring.

Due to compatibility with the current system and to minimize training costs, installation, data conversion, and taking into account the available timeframe, the Library Department requested that the Board's approval to sole-source the purchase of the SirsiDynix Horizon Public Library Suite allowed under the provisions of NCGS 143-129(e)(6). The cost of this project will be \$274,500, including computer hardware, software, and installation. An additional need exists for \$12,000 to complete computer upgrading in the Northern and Eastern regional libraries in order to use the new program.

**Deleted:** Funding for this project ins already appropriated in the ..... budget. (see Pam Meyer for where)

The money for the library equipment and furnishings for the new Northern and Eastern regional libraries, as well as the money to build the Northern Library, was included in the 2002A \$11,050,000 two-thirds General Obligation Bonds. The amount included for the libraries was \$5,140,000. The remainder of the monies in the bond was for other public buildings. Approximately \$300,000 is left over from completed projects in the other public buildings portion of the two-thirds bonds; therefore, it is requested that \$286,500 be re-designated in 2002A two-thirds bonds from the other Public Buildings to Library Facilities. The transfer of these funds is effectuated by the budget amendments. (This agenda item was reviewed and approved by the Purchasing Division.)

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

The motion carried unanimously.

Vice-Chairman Heron stated, for the record, that the County Manager assured her that if the Board approves Animal Shelter renovations, the funding will be available.

Commissioner Cousin moved, seconded by Commissioner Page, to re-designate \$286,500 in the 2002A two-thirds bonds from Public Buildings to Library Facilities, approve Capital Project Amendment No. 06CPA000008, and authorize the County Manager to enter into a contract to sole source the SirsiDynix Horizon Automated Library System.

The motion carried unanimously.

### Document Management/Imaging Vendor Contract

Sammy Haithcock, Director, DSS, presented the item. The Board of Commissioners approved the Department of Social Services' contract award to OneSource for the Document Management/Imaging project in May 2005. Staff has updated and scaled-back the project to allow for a more controlled rollout that will not be as quick or as big in scope as originally planned. This will allow the department to pilot new technology gradually so it will not experience one big system change with wide impact. It is hopeful that this approach will result in a smooth transition, allowing staff to develop a comfort level and expertise in the technology.

The focus of the initial pilots will be:

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1. Scanning and indexing current and historical HIPAA Notices of Privacy Practices, including the use of electronic signatures on HIPAA Notices. This process will be similar to signing electronic notices for HIPAA at local pharmacies.
2. Scanning and indexing "loose filing" in the Document Processing Center. This will allow staff to look up loose filing that has been indexed to an individual client record, rather than searching through piles of paper.
3. Scanning and indexing vendor contracts in Accounting.
4. Scanning and indexing DACCA Day Care Provider Contracts maintained by DACCA.
5. Scanning common client documents at Reception, including Social Security Cards, picture IDs, and birth certificates. These documents will be available on the computer for any staff member who interacts with the client and the physical paper record will no longer be needed.

Staff anticipates that the rollout of these projects will begin after January 1, with full implementation by June 30. This project will improve the way DSS manages, stores, and retrieves paper information; will result in steps toward space efficiencies and work force effectiveness planned in the new Human Services Complex; and improve customer service.

The total cost for the scaled-back contract is for an amount not to exceed \$67,040. Funding for this project totaling \$125,000 was approved in the FY06 DSS Budget to include hardware purchases. This item has been reviewed as to form and approved by Purchasing and Legal Departments. No additional County funding is required.

At the request of Vice-Chairman Heron, Mr. Haithcock described advantages and efficiencies of the new technology.

Chairman Reckhow requested that the item be moved to the January 9 consent agenda.

### Legislative Agenda of Federal Programs

Deborah Craig-Ray, Assistant County Manager, remarked that a request was sent to all Durham County Department Heads in early October seeking possible projects for federal earmarks in the upcoming federal budget cycle. The eligible projects are short-term in nature and require \$500,000 or less to be completed. Ms. Craig-Ray stated a March 1 deadline for submission of items.

Ms. Craig-Ray referenced a communication received from the City about County support for a conference and resource center in the West Point on the Eno Park. The center would enhance and expand the current programs run out of the park. The center envisions a joint-use portion of the building where other environmental agencies or nonprofits can share computers with GIS, a library, tapes, and other valuable environmental resources. The estimated cost for design and construction is \$2 million.

Ms. Craig-Ray spoke briefly about the three programs submitted in 2005—Career Launch, Behind Closed Doors, and Project Going Home. She also mentioned two new requests from Lincoln Community Health Center and The Senior Center.

Commissioner Page voiced fervent support for programs involving the Criminal Justice Resource Center and the homeless.

Vice-Chairman Heron asked Ms. Craig-Ray to relay to the Durham Parks and Recreation Department that a conversation should be held with the Eno River Association about its support for a conference and resource center.

Chairman Reckhow brought up an additional project for the list. Child Care Services Association, Partnership for Children, and Durham Alliance for Child Care Access are building a Child Resource Center on Briggs Avenue. A meeting has been held with Congressman David Price to discuss a federal earmark for the project. Chairman Reckhow suggested that the Commissioners support the initiative to the degree possible to reduce the rent so DSS can spend the saved money on childcare subsidies.

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Commissioner Page called attention to the fact that the childcare subsidy for the working poor needs special funding.

Chairman Reckhow recommended that the childcare subsidy be highlighted as a need in terms of appropriation.

Chairman Reckhow directed that the County Manager add a discussion about the conference and resource center to the January 10 Joint City-County Committee meeting agenda.

**Closed Session**

Commissioner Cousin moved, seconded by Commissioner Page, to adjourn to closed session to instruct staff concerning the position to be taken in negotiating the material terms for the acquisition of two real properties pursuant to G.S. § 143-318.11(a)(5). The two properties are: 247 S. Mangum owned by AREC 3, LLC (U-Haul Real Estate Company) and 306 S. Roxboro Street owned by Scarborough and Hargett Funeral Home.

The motion carried unanimously.

Chairman Reckhow announced that the Board gave direction to staff in closed session; no action was taken.

**Adjournment**

There being no further business, Chairman Reckhow adjourned the meeting at 4:59 p.m.

Respectfully submitted,

Vonda C. Sessoms  
Clerk to the Board