

**REVISED**

Item added to the Closed Session (to begin at 5:00)  
and consent agenda item No. 6(c) removed.

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

Monday, January 12, 2004

**AGENDA**

5:00 P.M.

**Closed Session**

The Board of Commissioners is requested to adjourn to closed session to consider the performance of a public officer, **to preserve the attorney-client privilege, and to consult with an attorney regarding *Durham Land Owners Association, et al. v. County of Durham, 03 CVS 5500***, pursuant to G.S. § 143-318.11(a)(3) & (6).

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7:00 P.M. Regular Session

1. **Opening of Regular Session**?Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Minutes** 5 min.
  - a. November 10, 2003 BOCC Training (LME)
  - b. November 24, 2003 BOCC/DPS
  - c. December 1, 2003 Worksession
  - d. December 8, 2003 Regular Session
4. Left blank intentionally
5. **DSS Best Practice Award and Presentation of DSS Annual Report** 10 min.

On November 20, 2003, the NC Association of County Directors of Social Services presented the Durham County Department of Social Services the ***Best Practice Award for Cost Savings Measures and/or Improvements in Efficiency***. Among 98 nominations, Durham's *Information Management (IM) Plan Implementation* was among five initiatives that received awards. In partnership with the County IT Department, the IM Plan is a blueprint for systems development in DSS. The IM Plan is based on the agency's outcome goals, particularly in helping the agency increase its capacity to share information across programs in support of family-centered outcomes. The guiding principles of the IM Plan are to eliminate duplication, simplify work processes, build technology infrastructure to support new systems, and build staff capacity to utilize new technology. To date, successes in implementation are:

- first county to interface the day-sheet time reporting process with the State, eliminating duplicate data entry;
- development of an electronic notification and scheduling system for appointments, which reduces wait times;
- automated Trust Account System;
- Day Care Subsidy Direct Deposit;
- Adoption Subsidy Payment Cards; and
- Technology Trainer hired from position reallocation made possible by new systems developed in the accounting area.

NCACDSS President Larry Johnson will present the award to the County.

In addition, the Department will share copies of its 2003 Annual Report to the Board of Commissioners. This report is in a calendar format and shares achievements and challenges.

**RESOURCE PERSON(S)**: Dan Hudgins, Director, DSS; Sharon Hirsch, Director, Customer Access and Program Support Services, DSS; Perry Dixon, IT Director; Joe Whittemore, Systems Manager, IT; and Larry Johnson, President, NC Association of County Directors of Social Services

**COUNTY MANAGER'S RECOMMENDATION**: The County Manager recommends that the Board accept the award, receive the annual report, and congratulate DSS on this honor.

6. **Consent Agenda** 20 min.
  - a. Budget Ordinance Amendment No. 04BCC000039?Public Health?Recognize Additional New Revenue for the Nutrition Division in the Amount of \$28,323 to Establish a Full-Time Nutritionist

- II Position and Operational Expenses for Six Months (approve the budget ordinance amendment to recognize funds for \$28,323 from the Durham's Partnership for Children for the Nutritionist position, continuation of which is contingent upon continued grant funding);
- b. Budget Ordinance Amendment No. 04BCC000040?Additional Revenue for Social Services From the Federal Adoption Incentive Program (approve the budget ordinance amendment as presented);
  - d. Ten-Year Plan to End Homelessness (take action to participate in a joint press conference with the City, appoint representatives to serve on the Steering Committee, and appoint staff members from DSS and The Durham Center to participate in the planning process);
  - e. Adequate Public Schools Facilities Policy (adopt the Adequate Public Schools Facilities Policy);
  - f. Resolution Opposing Location of Outlying Landing Field in Washington and Beaufort Counties (approve the requested resolution); and
  - g. Capital Project Ordinance Amendment No. 04CPA000006?Head Start/YMCA Building Purchase & Renovation (approve the capital project ordinance amendment (\$568,500) for FY 2003-04 purchase and renovation of the former YMCA Childcare Center).

**7. Public Hearing?Living Wage 60 min.**

At the December 1, 2003 Board of County Commissioners' Worksession, staff presented a review of the livable wage ordinance proposed by DurhamCAN, which set a living wage at \$9.85 to be applied to all businesses with County service contracts. An internal taskforce met several times to discuss the impact of such an ordinance, developing a Living Wage Policy that the Board of County Commissioners adopted at the December 8, 2003 Regular Session. The adopted recommendation includes the following:

1. Set a livable wage based on the federal poverty guidelines plus 7.5 percent: \$9.51 (adjusted annually).
2. The living wage will apply to all full-time County employees, at no additional cost to the County for the first year of implementation.
3. The living wage will also apply to all full-time, temporary employees. The hourly rate will be negotiated on an as-needed basis between the County department and the individual temporary agency.
4. Further study must be undertaken to determine the fiscal impact of the living wage on service contracts, part-time employees, and nonprofits.
5. Adopt the policy for living wage for all full-time County employees, effective July 1, 2004.

According to the County Purchasing Department, the County has approximately 545 service contracts. Given the large number of service contracts, the taskforce recommended hiring an outside consultant to determine the fiscal impact of applying a living wage policy to all for-profit service contractors. The Board of Commissioners set this public hearing at the December Worksession to allow for-profit vendors to speak on the potential impact of a living wage on their business. The Board also directed staff to send out notices to all service contractors to be affected by this Living Wage Policy, inviting them to the public hearing. Letters were mailed on December 8, 2003.

**RESOURCE PERSON(S):** Heidi Duer, Assistant to the County Manager, and Chuck Kitchen, County Attorney

**COUNTY MANAGER'S RECOMMENDATION:** The recommendation of the County Manager is to hold the public hearing and provide staff direction on further implementation of the Living Wage Policy.

**8. Amendments to the 2000-2005 Durham Consolidated Plan and the FY 2001-2002, 2002-2003, and 2003-2004 Consolidated Action Plans**

15 min.

The City of Durham Department of Housing and Community Development requests that the Board of County Commissioners, having held a public hearing regarding an amendment to the 2003-2004 Consolidated Action Plan on December 8, 2003, and having received citizen comment on how City-County HOME Consortium funds can be used to address housing needs in Durham, adopt Amendments to the 2000-2005 Durham Consolidated Plan and the FY 2001-2002, 2002-2003, and 2003-2004 Consolidated Action Plans.

Staff from the City of Durham Department of Housing and Community Development has reviewed this request and recommends adoption.

RESOURCE PERSON(S): Katherine Simmons, Associate Director, City of Durham Housing and Community Development, and Vickie Miller, Planning and Development Officer

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board adopt Amendments to the 2000-2005 Durham Consolidated Plan and the FY 2001-2002, 2002-2003, and 2003-2004 Consolidated Action Plans.

**9. Durham Open Space Commission Matching Grants Recommendation 15 min.**

The Durham Open Space and Trails Commission (DOST) received five applications for Matching Grants Program funds to assist nonprofit community organizations with recreational and open space projects. The following financial summary shows the Commission's recommendation to the Board for funding the four applications for a total of \$66,890, using part of the \$95,000 of contractual funds requested and recommended under the General Fund, "Open Space Matching Grants" Organization of the County's FY 03-04 Budget.

Applicant / Project	Request	Cost	Grant
Central Park School/Playground & Garden	\$ 24,750.00	\$ 49,500.00	\$ 24,750.00
Forest View Elem. School PTA/Playground	31,543.00	63,543.00	31,543.00
Historic Preservation Society-Northgate Park NA/Landscaping Round About	1,298.00	2,784.00	-0-
Parkwood Elementary School PTA/Playground	6,252.00	12,504.00	6,252.00
Saint Philip's Episcopal Church/Garden Park	4,345.00	12,825.00	4,345.00

RESOURCE PERSON(S): Tom Stark, DOST Chairman, and Bill Renfrow, Matching Grants Administrator

COUNTY MANAGER'S RECOMMENDATION: Members of the Durham Open Space and Trails Commission evaluated and revised this year's applications for matching funds to assist nonprofits with providing recreational opportunities and preserving open space for Durham County citizens. This recommendation to allocate \$66,890 of grant funds represents a gain to the County of \$71,482 in matching funds as more than half the projects' proposed value of \$138,372.

The County Manager recommends approval for funding four projects and the allocation of the \$66,890 of the budgeted Matching Grants Funds.

**10. Major Site Plan/Ample Storage (D03-267) 15 min.**

Duane K. Stewart Associates, on behalf of Lampe Management Company, has submitted a site plan for a 47-unit, indoor mini-storage warehouse with three parking spaces on a 0.471-acre site. The proposed project will be located on the north side of Wolfpack Lane, west of Old Oxford Highway, and will be accessed by a driveway entrance off Wolfpack Lane. Street Atlas Page 42, Block D-2. PIN 0833-02-79-7150 (Tax reference 783-01-004G).

RESOURCE PERSON(S): Frank M. Duke, AICP, Planning Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends approval of the site plan for a 47-unit mini-storage warehouse on 0.471 acres located on the north side of Wolfpack Lane west of Old Oxford Highway.

**11. Resolution Authorizing Two-Third's Bonds 10 min.**

The Board is requested to adopt a preliminary resolution on the issuance of two-thirds general obligation bonds and to pass on first reading a Bond Order. A public hearing is further proposed to be set for February 9, 2004 on the Bond Order.

The amount of the proposed two-thirds bonds is \$10,600,000. \$7,628,000 of the funds would be used for planning and architectural services related to the new courthouse, as well as for the acquisition of an interest in the property of the courthouse. This interest will take the form of an option or earnest money for the property. The remaining amount to purchase the property would be accomplished through certificate of participation financing, as was done on the jail.

The remaining \$2,972,000 of the funds would be used for the second phase (Public Health and Mental Health building) of architectural services, geotechnical investigation, and environmental testing for the human services complex, together with some demolition work for the new buildings. In addition, approximately \$381,000 of this amount will be used for renovating the YMCA building for Head Start.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney; George Quick, Finance Officer; and Glen Whisler, County Engineer

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends approval of the preliminary resolution so staff can start the approval process with the Local Government Commission and

approve on first reading the Bond Order setting the public hearing for February 9, 2004. Separate votes should be held on the resolution and the bond order.

12. **Authorization of Service Contract for Program Administrator of the Community Development Block Grant Scattered Site Housing Program**

10 min.

On December 9, 2002, the County received a Community Development Block Grant (CDBG) for \$400,000 to be used for a Scattered Site Housing Program in Durham County. On January 28, 2002, the Board awarded a consulting contract to Benchmark, LLC for the purpose of administering the CDBG Scattered Site Housing Program through December 30, 2003. The primary objective of the CDBG Scattered Site Housing Program is to improve the housing conditions of very low-income households with incomes at or below 50% of area median income. Eligible counties receive these funds every three years on a noncompetitive basis. The funds can only be used in unincorporated areas of Durham County.

On December 8, 2003, the County declared Benchmark, LLC in default and terminated the contract. At the December 8, 2003 meeting, the Board further authorized staff to exercise the State's Small Procurement Purchasing Procedures in order to hire expeditiously a new administrator for the CDBG Scattered Site Housing Program. On December 22 and 23, 2003 and January 7, 2004, the review committee began the Informal Bidding Process, utilizing the standard evaluation criteria. Telephone interviews were conducted with Neighborhood Solutions, Wooten Company, Durham Regional Community Development Group, and LEAH Consulting Group Inc.

After careful consideration of all respondents and a general analysis of the needs of the program, staff is recommending LEAH Consulting Group Inc., a local minority vendor in Durham, as the Administrator for the Community Development Block Grant Scattered Site Housing Program.

**RESOURCE PERSON(S):** Finance Department?Yolanda Moore-Gaddy, Business Development Manager/MWBE Coordinator; Jacqueline Boyce, Purchasing Manager; and Catherine Davis, Compliance Officer

**COUNTY MANAGER'S RECOMMENDATION:** The Manager's recommendation is that the Board authorize the Manager to enter into a service contract with the LEAH Consulting Group Inc. to provide grant administration services for the CDBG Scattered Site Housing Program not to exceed the amount of \$20,580.00.

13. **Board and Commission Appointments** 10 min.

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

- Adult Care Home Community Advisory Committee
- Animal Control Advisory Board
- Board of Adjustment
- Boxing and Wrestling Commission
- Citizens Advisory Committee
- City/County Planning Commission
- Community Child Protection Team/Child Fatality Prevention Team
- Criminal Justice Partnership Act Advisory Board
- Durham Convention and Visitor Bureau
- Environmental Affairs Board
- Farmland Board
- Juvenile Crime Prevention Council
- Public Health Board
- Transportation Advisory Board
- Women's Commission

**RESOURCE PERSON(S):** Garry E. Umstead

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

3 hrs.

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**Last updated: July 23, 2006**

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