

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

Monday, February 6, 2012

9:00 am Worksession

AGENDA

1. Citizen Comments

30 min.

The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Resource Person: Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

2. Removal of a Board Member Due to Poor Attendance

5 min.

On March 23, 2011, the Board of County Commissioners appointed Chandra Banner to serve a full term on the Durham County Transportation Advisory Board. Based on information from Margaret Scully, Liaison, Transportation Advisory Board, Ms. Banner has failed to comply with the Policy and Procedures for Appointments to the County Boards, Commissions, Committees or Authorities, set forth by the County Commissioners.

The Policy and Procedures for Appointments to the County Boards, Commissions, Committees or Authorities states, *"If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year, he or she is obligated to resign."*

The Clerk to the Board has attempted to contact Ms. Banner via telephone, courier mail, and email to request her resignation.

Resource Person: Michelle Parker-Evans, Clerk to the Board

County Manager's Recommendation: The Manager recommends that the Board suspend the rules and remove Ms. Banner from the Transportation Advisory Board.

3. Consent Agenda Items (these items are time sensitive and require approval before the February 13 Regular Session)

County Manager's Recommendation: The Manager recommends that the Board suspend the rules and approve the Consent Agenda items.

5 min.

- a. Authorize the County Manager to execute the Utility Contracts for these additions to the County sanitary sewer system;
- b. Amend the contract with Tax Management Associates, Inc. for property value discoveries and approve Budget Ordinance Amendment No. 12BCC000048 in the amount of \$60,000. Payment is made to TMA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- c. Approve the contract with Causeway Data Communication LTD, in the amount of \$75,150 to provide Spatialest software to aid in real property assessments;
- d. Amend the contract with Braken LLC for the Business Listing Project in the amount of \$68,400;
- e. Set the filing fee for Board of County Commissioners as recommended by Human Resources;
- f. Set the salary and filing fee for Register of Deeds as recommended by Human Resources.

4. NC 54/I-40 Corridor Study Presentation

30 min.

The Board is requested to receive a presentation on the NC 54/I-40 Corridor Study. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) in 2009 designated federal funds towards a study of the NC 54 corridor between Durham and Chapel Hill. The purpose of the study is to analyze land use and transportation issues, evaluate opportunities and challenges for future development in the corridor, and recommend short and long-range solutions and strategies.

August 2010 marked the beginning of a six-month public review process for the draft report and recommendations. The outcome of that public review process was a second phase of analysis to address key concerns. The draft report documenting the

revised recommendations is now available for public review and comment. The study effort was guided by a technical steering committee and public input. DCHC MPO staff is requesting time to make a presentation on the NC 54/I-40 Corridor Study. The executive summary of the study is Attachment A. The full report is available on the study website: <http://www.nc54-i40corridorstudy.com/>

Resource Persons: Leta Huntsinger, City of Durham/DCHC MPO; Meg Scully, Durham County Mobility Manager; Aaron Cain, Durham City/County Planning

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation on the NC 54/I-40 Corridor Study.

5. **Gang Reduction Strategy Update**

40 min.

The Board is requested to hear an update on the efforts of Durham's Gang Reduction Strategy (GRS). The GRS developed as a response to recommendations from the Comprehensive Gang Assessment jointly commissioned by the City and the County, and completed in November 2007. The Assessment highlighted the need for a coordinated approach that includes prevention, intervention and suppression strategies to reduce criminal activity committed by gang members. In 2011, a Steering Committee was established and a Gang Reduction Manager position was funded jointly by the City and the County in fiscal year 2012, to support the work of the committee and to facilitate the implementation of the recommendations from the assessment.

The Steering Committee has met throughout 2011 and discussed a range of activities and initiatives in the areas of prevention, intervention and suppression. Methods are in place to measure progress achieved by the various initiatives and to report this progress back to the community.

This update will also be presented to the members of the Durham City Council.

Resource Persons: Jim Stuit, Gang Reduction Manager, Criminal Justice Resource Center; Gudrun Parmer, Director, CJRC

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and provide further input.

6. **Falls Lake and Jordan Lake Rules Compliance Update**

30 min.

Both the Falls Lake Rules and Jordan Lake Rules are now fully transitioned into their respective compliance phases. Compliance with these two sets of rules is requiring additional work from a number of County departments, particularly Soil & Water

Conservation, Engineering, and the Environmental Health Division of the Public Health Department.

Staff wanted to update the Commissioners on:

- our efforts to ensure Durham County's compliance with the rules,
- what the future of compliance holds or may hold for Durham County and its residents, and
- what opportunities there may be for uniting our regulation of these two watersheds in ways that would simplify compliance for residents and businesses alike as well as increase the likelihood of our achieving the desired reductions in nutrient loading.

Resource Persons: Drew Cummings, Assistant County Manager; Glen Whisler, County Engineer; Eddie Culberson, Director of Soil & Water Conservation; and Robert Brown, Director, Div. of Environmental Health (Durham County Public Health Dept.)

County Manager's Recommendation: The County Manager recommends that the Board receive this report (in the form of a presented PowerPoint) and ask any follow-up questions it may wish.

7. **Request to Receive Update on Proposed Merger Agreement Between The Durham Center and Wake County LME**

60 min.

The Durham Center and the Wake County LME, with input from their governing bodies and other representatives of their respective County governments, are working to finalize a proposed Agreement for their merger addressing key provisions including:

- Separation of The Durham Center from Durham County Government and dissolution of the Wake County LME, allowing the formation of a new multi-county LME under the provisions of NC General Statute 122C.
- Start-up funds for facilities, IT systems, staffing, etc. based on the Seven-Year Pro Forma previously submitted, with funds totaling \$8,000,000 to be provided in equal parts – \$4,000,000 each by Durham and Wake County Governments. These funds would be repaid by the Managed Care Organization (MCO) created by the merged LME at an interest rate of 1% over a five-year period.
- A new MCO Board comprised of eight members initially appointed by the Durham Board of County Commissioners, six by the Wake Board and two by the MCO Board.

The Board is requested to receive an update in anticipation of approving a final Agreement at its February 13, 2012 Regular Session.

Resource Person: Ellen S. Holliman, Area Director, The Durham Center

County Manager's Recommendation: The County Manager recommends that the Board receive the update.

8. **Ban the Box Update**

20 min.

The Durham Second Chance Alliance is a coalition of advocacy organizations, service providers, faith-based organizations, and community leaders that have come together to promote the safe and successful reintegration of adults and juveniles returning from incarceration by promoting policies that remove barriers to productive citizenship. Its latest initiative is "Ban the Box," a movement to remove questions about criminal records from the initial employment application so that individuals with criminal records have more opportunities to be evaluated based upon all of their skills and qualifications, not just their criminal record.

The County agreed in 2010 to investigate the implementation of a "Ban the Box" initiative to encourage increased employment of ex-offenders. The County's employment application was amended, and a policy to further advance the initiative has been finalized.

Resource Persons: Daryl V. Atkinson, Attorney at Law, Durham Second Chance Alliance; Lowell Siler, County Attorney; Mike Ruffin, County Manager

County Manager's Recommendation: The Manager recommends the Board receive the update and advise the staff if any additional action is desired.

9. **Closed Session – Lunch**

30 min.

The Board is requested to adjourn to closed session pursuant to G.S. 143.318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege.

County Manager's Recommendation: The County Manager recommends that the Board adjourn to Closed Session and direct staff accordingly.

10. **Strategic Plan Update**

30 min.

The Board is requested to hear an update of the County's Strategic Planning Process. The County Manager's Office continues to seek the input of the Board of County Commissioners in helping craft a meaningful Strategic Plan. Here are key January developments:

- The BOCC was briefed on the draft of the plan through individual input sessions.
- Department heads met and provided suggestions and various input on the draft plan.
- The Plan Development Team met weekly throughout January to continue to refine the plan document.

After today's Worksession, the Strategic Plan will go before the Board on Consent Agenda on Feb. 13 for official adoption. Implementation of the plan officially begins in late February with a two-day session led by Zelos, Inc.

Resource Persons: Michael Davis, Assistant to the County Manager; Dr. Tyrone Baines, Consultant; Michael Palmer, Consultant

County Manager's Recommendation: The County Manager recommends that the Board hear the Strategic Plan update and ask staff and consultants questions as needed.

11. **Update on Opening Doors (formerly Ten Year Plan) and Activities of the Homeless Services Advisory Committee**

30 min.

The Board of County Commissioners has requested to receive an update on the new Opening Doors (formerly Ten Year Plan to End Chronic Homelessness) and the activities of Homeless Service Advisory Committee. The Ten Year Plan to End Chronic Homelessness was re-branded "Opening Doors" following the federal lead on this issue. Based on a proposal accepted by the City Council and County Commission in the spring of 2011, a 19 member Homeless Service Advisory Committee was formed over the summer of 2011 and has been meeting since early fall. The HSAC has not always been able to move forward by consensus, but is moving forward nevertheless on a number of important fronts. The Board is requested to review the attached memo and ask any questions and/or request any further information it may desire.

Resource Person: Drew Cummings, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the attached report and ask any questions if may wish on this matter.

12. **Durham County Courthouse and Parking Structure – Artwall Update**

30 min.

The Board is requested to receive an update on the art wall for the new Durham County Courthouse currently under construction and scheduled for completion in late 2012.

An important element of the building is the art wall in the main entrance lobby area that will contain historic photographs of Durham with an emphasis on those related to the courthouse and judicial system. The digital representation of the images will form a photo mosaic art piece for the atrium/lobby of the new Durham County Courthouse. The photo mosaic will be a large picture of the Historic Courthouse made up of a montage of smaller images of prominent and historically significant Durham events, people and places related to justice in Durham. This concept was previously shared with the Board of County Commissioners during the November 2, 2009 Worksession. (See Attachment 1)

In consultation with the Manager's Office, a committee was established for selecting the images received from various sources. This process has been completed and the architect will provide an update to the Board. (See Attachment 2, Committee members).

Resource Person(s): Glen Whisler, P.E., County Engineer, County Engineering Department; Kevin Montgomery, FAIA, O'Brien/Atkins Associates, P.A; Tim Hillhouse, AIA, O'Brien/Atkins Associates, P.A.; and Ademola Shobande, Assoc. AIA, Senior Project Manager, County Engineering Department

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

13. **Board Directives**

5 min.

The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers October, November and December of 2011 and January 2012.

Resource Person: Michael Davis, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommends that the Board review the January BOCC directives and make comments to staff as necessary.

5 hrs. 45 min.