

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

Monday, March 12, 2001

AGENDA

5:00 - 6:00 P.M.

Joint Meeting--Board of County Commissioners and Social Services Board

The Board of Social Services has requested a joint meeting with the Board of County Commissioners from 5:00 p.m. to 6:00 p.m. in the County Commissioners Meeting Room. The DSS Board's accomplishments and challenges will be discussed, including facility needs.

7:00 P.M.

1. **Opening of Regular Session** Pledge of Allegiance
2. **Agenda Adjustments**
3. **Minutes**

January 16, 2001 BOCC/Senior Management Staff Retreat

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the January 16, 2001 BOCC/Senior Management Staff Retreat Minutes as submitted.

The motion carried unanimously.

4. **Consent Agenda**
 - a. a. Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
 - b. b. Budget Ordinance Amendment No. 01CPA00007--Application to the Public School Building Capital Fund--Durham Public Schools (approve to release \$1,500,000 from the State Public School Capital Fund and to establish the projects as a capital project; roof replacement and renovation projects require no local dollars);
 - c. c. **Budget Ordinance Amendment No. 01BCC000052--Cooperative Extension--AT&T Family Care Development Fund Grant (approve to accept the \$11,000 in AT&T Family Care Development Funds on behalf of CES for youth leadership development activities);**
 - d. d. **Office of the Sheriff--Destruction of Records (approve the schedule and the amendment to the Sheriff's Retention and Disposition Schedule); and**

- e. Office of the Sheriff--Portable Computers for Wireless Mobile Data (authorize approval of the purchase of additional laptop computers for Wireless Mobile Data as a part of the previously budgeted COPS MORE 98 technology grant capital project).

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the consent agenda items.

The motion carried unanimously.

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

5. **5. Public Meeting to Receive Comments on the NC 54/I-40 Corridor Study**

Development proposals in the NC 54/I-40 Corridor have driven the review of adopted land use plans for the area. The study area covers portions of three Small Area Plans (South Durham, Southwest Durham, and Triangle Township). The study is divided into three subareas. City Council and the County Commissioners adopted the interim plan for Subarea A last year.

The Corridor Study [Consisting of Subareas A, B, and C] concentrates non-residential land uses along NC 54 and I-40. It also tapers residential density to one unit per acre at the Urban Growth Boundary. Closing Fayetteville Road at its intersection with Scott King Road is proposed, in addition to other transportation improvements. The plan provides for development in the area while protecting existing neighborhoods and the environment.

The Planning Committee reviewed the plan at three meetings and recommended approval of the study with a change in land use on one parcel. The staff recommendation is that the Board listen to public testimony and adopt the corridor study.

Resource Person(s): T.E. Austin, Planning Supervisor

County Manager's Recommendation: The Manager's recommendation is that the Board accept public comment and, if appropriate, adopt the corridor study.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, that the Board receive the report and accept the public comments. County Manager Ruffin and the administration was directed to address citizens' comments along with the concerns voiced by the Board regarding transportation, community facilities, agricultural uses, historic and scenic value of Ferrington Road, and other environmental issues and incorporate the revisions to the draft.

The motion carried unanimously.

6. **Durham County Privilege License Ordinance**

For the past few years, the North Carolina Legislature has reduced the categories under Schedule B which counties are allowed to tax. Schedule B includes fortunetellers, loan agencies, peddlers, pawnbrokers etc. During the March 27, 2000 Board of Commissioners meeting, the Board requested that staff contact the City to see if it would be interested in collecting the license fees for the County. The City was not in the position to do so because of staffing issues, and the funds to be collected were not a substantial amount.

How businesses such as pawnbrokers would be tracked was also discussed. Pawnbrokers that sell guns or knives require a state license and a permit from the federal government because of the sale of firearms. If the County needs information pertaining to businesses, presently the best source is the Business Personal Property Listings. The cost for the County to collect Schedule B taxes is greater than the amount of revenue generated. This is a request that the Board amend the Durham County Privilege License Ordinance to discontinue the levy against Schedule B Privilege License.

During an October 1999 conference pertaining to privilege license, Bill Campbell of the Institute of Government made a recommendation that counties discontinue taxing on the Schedule B because of the limitations imposed by the State. The total amount collected for 1999 Schedule B taxes was \$20,285. Staff and resources to facilitate this activity are in an excess of \$30,000. The Tax Department must prioritize activities to revenue collection efforts on the following: real property, personal property, motor vehicle taxes, solid waste fees, animal fees, local hotel/motel occupancy taxes, demolition fees, and street, sewer and water assessments. This amendment does not include the enforcement of Beer and Wine License.

Resource Person(s): W. Steven Crysel, Tax Administrator

County Manager's Recommendation: The Manager's recommendation is that the Board amend the Privilege License Ordinance to discontinue the levy of Schedule B Privilege License inasmuch as the cost for enforcement and collections exceeds the amount of revenue collected.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve this item.

The motion carried unanimously.

7. **Recommendation on Electing Status for the Durham County Work First Plan**

NC Law (NCGS 108A-27) requires each county's board of county commissioners to appoint a committee of local leaders to assist in the development of its Work First Block Grant plan. A critical part of each county's plan development is a decision as to whether the county will seek Electing County or Standard County status.

On August 28, 2000, Durham County's BOCC approved a local planning committee to be responsible for recommending to the Board whether Durham County should request Electing or Standard County status to implement its Work First Block Grant funds. This committee would also recommend to the Board a Work First plan to implement Durham County's Work First program.

On September 25, 2000, Durham County's Board of Commissioners voted to recommend to the NC Department of Health and Human Services (DHHS) that Durham County be given Electing status to implement its Work First Block Grant.

During the months of October 2000 and November 2000, the committee developed a Work First Block Grant Plan aimed at moving poor families to self-sufficiency. It identified the needs of the population served, discussed current economic conditions in Durham County, identified goals to be attained, and the strategies to be carried out to meet these goals. The plan was made available for public comment during November 2000. The Board of County Commissioners approved the plan on November 27, 2000 and submitted it to the state on December 1, 2000.

At both the September 25 and November 27 meetings, it was agreed that the Director of the Department of Social Services, after reviewing Durham County's allocation for its Work First Block Grant for FY 2001-2002, would discuss with the BOCC whether it is in the County's best interest to be an Electing County or return to being a Standard County.

The State Department of Health and Human Services has reviewed Durham's Work First Plan and is recommending that Durham be selected by the N. C. General Assembly as an Electing County. A final decision by the N. C. General Assembly is not expected until April or May 2001.

The Social Services Board met on February 28, 2001 to discuss the issue of Electing County status. The state budget estimates received on February 15, 2001 were a major consideration in determining the advantages, disadvantages, and risks connected with being an Electing County. Following discussion, the Social Services Board moved that the County return to being a Standard County. This decision will be discussed with the Board of County Commissioners during the joint meeting with the Social Services Board at 5:00 p.m. on March 12, 2001.

Resource Person(s): Haywood Holderness, DSS Board Chair; Dan Hudgins, DSS Director; and Micheline Malson, Chair of the Work First Planning Committee

County Manager's Recommendation: The Manager recommends that, given the state budget estimates received on February 15, 2001 and the Social Services Board decision on February 28, 2001, Durham County return to being a Standard County for the purposes of implementing its Work First Plan.

This item was added to the consent agenda and the recommendation of the County Manager was approved.

8. Board and Commission Appointments

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

- •Area Mental Health Board
- •Nursing Home Community Advisory Committee
- •Women's Commission

The following citizens were appointed:

Area Mental Health Board
Nancye Bryan

Nursing Home Community Advisory Committee

Theodora Brinkley

Regina Daniels

Althea A. Harman

Lois Murphy

Douglas J. Register

Ruth W. Wallace

Frances (Robbie) Willmarth

Women's Commission

Alice Baldwin

Rhonda M. Turner