

Committee on Government Structure Proposed Agenda

1. Should the city be abolished and replaced by an urban service district, or should the city continue in existence? In either case there would be a single governing board and a single administrative structure for the merged governments.

If the city is abolished and replaced by an urban service district, it will almost certainly be necessary to deannex those parts of the city in other counties. Should the charter make special provision for continued municipal services to those areas?

If the city is not abolished, should the charter transfer the water and sewer system to the county, or require a single rate structure for the entire government?

2. Should the merged government use the manager system or some other administrative system? If the manager system is used, there are minor differences between the powers of a county or city manager that must be reconciled. In addition, the Durham city charter protects the manager against removal for the first 12 months of his or her term and sets out some special powers of the manager.

If the manager system is adopted, what positions should be appointed by the governing board?

3. Should governmental powers that are available only to cities be extended to the county as well? This could be done as a general statement that the merged government may exercise the powers of cities throughout its jurisdiction or specific city powers could be extended county wide. These possible specific powers include: (1) privilege license taxation, (2) motor vehicle privilege taxation, (3) street maintenance, (4) taxicab regulation, (5) disposition of community development property, and (6) operation of cemeteries.

[Some of these powers may not be appropriate in other cities, such as Chapel Hill or Raleigh, that extend into Durham county.]

4. There are differences between the city and county zoning enabling statutes. Should a single enabling statute be selected for the merged government, and which features should it include?

5. The Merger Steering Committee recommended that the merged government be authorized to levy a tax on prepared food and an additional real estate transfer tax. Should the charter include authorizations for such taxes?

Committee on Governing Board Structure Proposed Agenda

Governing board

1. How many members should the governing board include?
2. Should they be elected from districts, at large, or some combination?
3. If districts are used, should they be residence districts (that is, voting is still at large as is done in Durham) or full-scale voting districts?
4. Should elections be partisan or nonpartisan (or both)?
5. Which election cycle should be used, even-year or odd-year (or both)?
6. What terms should board members serve?
7. What name should be given to the governing board?

Chief Elected Official

1. Should the chief elected official be elected by the voters or by and from the board?
2. What term of office should this official serve?
3. Should this official preside at board meetings, and if so, what voting powers should this official have?
4. Should this official be given other powers not inherent in the office in North Carolina (such as, a veto)?
5. What should this official be called?

Other

1. How should the vice chair/pro tem be selected and for what term?
2. Should the charter include a method by which the governing board structure can be changed locally, without General Assembly action?
3. Should the governing board and chief elected official be subject to recall and removal as provided in the Durham charter?
4. May governing board members be appointed to other offices or positions in the merged government?

Committee on Board Procedures and Law Enforcement Proposed Agenda

Board Procedures

1. What should the quorum of the board be? What effect should attach if a board member leaves a meeting without being excused?
2. What voting rules should be adopted: city, county, or some third way?
3. How should unexcused abstentions be counted?
4. What rules and procedures should govern conflicts of interest among board members?
5. What procedures should be used for filling board vacancies?
6. What should the charter say about board compensation?
7. When should the organizational meeting take place after each election?
8. How might the governing board call special meetings? [City and county rules differ, and Durham has additional powers by charter provision.]
9. What rules should be followed for extraterritorial meetings of the governing board? [No limit on cities; there are limits on counties.]
10. Should the government be required to adopt a code of ordinance?
11. Should the board have subpoena power?
12. Should all government contracts be required to be in writing?

Law enforcement

Should the Commission propose some change in the pattern of providing law enforcement or should that be left to the merged government? If the charter is to include a structure for law enforcement, what should that structure be?

Committee on Continuation and Transition Proposed Agenda

1. What rights under the new government should be given to employees of the existing governments? This includes possible guarantees against discharge because of merger, and provisions about equalizing employee pay. [Other continuation provisions – ordinances, contracts, proceedings, boards and commissions, etc. – are largely boilerplate.]

2. Should existing local acts applicable to the city or county be brought forward, and should they be applied to the entire government? [The city's charter is full of special provisions that apply only to the city of Durham and not to the county or to other cities in North Carolina; there are also other local acts of the General Assembly applicable to the city or county.]

3. How should the transition between the existing governments and the merged governments be structured?

4. Should the charter include provisions concerning annexation into Durham county by other cities? Should the charter include provisions concerning possible incorporation of new towns within Durham county? Should the charter limit the activities of other cities within any urban service districts? [Merger proposals in other North Carolina counties have required approval by the merged governing board of new annexations or incorporations within the county and have restricted the ability of other cities and towns to act within urban service districts.]

5. If an urban service district is established, should the existing exclusion from city annexation enjoyed by the Research Triangle Park be extended to annexation by a service district as well?

6. The Merger Steering Committee recommended that the merged government absorb the job training activities of Durham Technical College. Should legislation to that end be part of the Charter Commission's recommendations?