

October 10, 2000

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

Tuesday, October 10, 2000

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Room, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser and Becky M. Heron

Absent: Commissioner William V. Bell

Presider: Chairman Black

Opening of Regular Session

Chairman Black called the Regular Session to order with the Pledge of Allegiance.

Agenda Adjustments

Vice-Chairman Reckhow said she had an announcement about a public workshop.

Vice-Chairman Reckhow requested time to ask questions about pretrial release.

Chairman Black added AW North Carolina Inc.'s presentation to Durham Public Schools. This item would follow agenda item No. 4.

Chairman Black said "Durham Public Schools Request for Capital Funds" would follow the consent agenda.

Anchor Award Winner

Deborah Craig-Ray, Director of Public Information and Intergovernmental Affairs, was the October Anchor Award winner.

Resource Person(s): Wendell Davis, Deputy County Manager

County Manager's Recommendation: Present the award along with a sincere congratulation to the County's October Anchor Award recipient.

October 10, 2000

Mr. Davis made remarks to the Commissioners about Ms. Craig-Ray being selected for the October Anchor Award.

Chairman Black presented the Anchor Award and a \$200 check to Ms. Craig-Ray.

Ms. Craig-Ray made remarks of thanks and appreciation for the honor.

Resolution in Support of Higher Education Bonds

The Board was requested to approve the resolution to seek support of the higher education bonds. Officials of Durham Technical Community College made the request.

County Manager's Recommendation: Approve the resolution and present to Dr. Phail Wynn, President of Durham Technical Community College.

Chairman Black read the following resolution into the record:

RESOLUTION IN SUPPORT OF HIGHER EDUCATION BONDS TO ASSIST
DURHAM TECHNICAL COMMUNITY COLLEGE IN MEETING FACILITIES
NEEDS AND BETTER SERVING DURHAM COUNTY RESIDENTS

WHEREAS, Durham Technical Community College has served Durham residents since 1961 with post-secondary educational opportunities at an affordable cost; and

WHEREAS, Durham Technical Community College continues to offer adults in the community the full range of educational programs and services that provide for basic skills improvement, high school completion, workplace entry and advancement, academic opportunities, knowledge for the global workplace, and personal growth; and

WHEREAS, Durham Technical Community College is in dire need of funds for the repair, renovation, and adaptive reuse of aging facilities as well as for upgrading and expanding classrooms and laboratories to meet the demands of area residents and the skill-level requirements of Triangle employers; and

WHEREAS, Durham Technical Community College's space constraints are now limiting enrollment, program development, and optimum student service; and

WHEREAS, the \$3.1 billion bond package approved by the General Assembly will assist Durham Technical Community College by providing \$13,275,320 for new construction and \$2,152,672 for renovations and repairs of the college's facilities; and

WHEREAS, the bonds are subject to voter approval on the November 2000 ballot and deserve rightful consideration by the citizens of Durham County:

October 10, 2000

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby strongly support the higher education bond proposal because it will enable Durham Technical Community College to better educate and serve Durham County residents and further contribute to the economic development of the county and the Triangle.

BE IT FURTHER RESOLVED that the Durham County Board of Commissioners pledges to support passage of the bond package and urges all Durham County voters to approve the bonds in November.

This the 10th day of October, 2000.

/s/ Five Commissioners
Durham County Commissioners

Dr. Wynn made remarks of appreciation for the endorsement of the bonds by the Commissioners. He accepted the resolution on behalf of the college.

The Commissioners spoke in strong support of the higher education bonds and urged all citizens to support the bond package in the November election.

Announcement of Public Workshop

Vice-Chairman Reckhow announced a workshop to be held on October 17, 2000 from 2:00-4:00 p.m. and 6:00-8:00 p.m. in the Durham City Council Chambers located at 101 City Hall Plaza. The workshop relates to Triangle Transit Authority's regional rail system plans.

AW North Carolina Inc. Presentation to Durham Public Schools

AW North Carolina Inc. (AW of NC) is the leading manufacturer of transmission parts for Toyotas in the United States. At its official grand opening ceremony in Treyburn Corporate Park on October 5, 2000, AW of NC presented Ms. MaryAnn E. Black, Chairman of the Durham County Board of Commissioners, with a \$10,000 gift for Durham Public Schools. The gift is designated for the "Schools to Career Program" which is part of the Durham Public Schools system. AW of NC President Tsutomu Ishikawa, along with Senior Manager Dick Ikuma, and Human Resources Director Will Collins Jr. were present to present the \$10,000 check to Durham Public Schools Board of Education Chairman Kathryn Meyers and Schools Superintendent Ann Denlinger.

Resource Person(s): MaryAnn E. Black, Chairman, Durham County Board of Commissioners

County Manager's Recommendation: Invite officials from AW of NC Inc. to make the presentation of the gift to Durham Public Schools officials and extend thanks and

October 10, 2000

appreciation to AW of NC for their excellent corporate citizenship and contributions to the Durham County community.

Chairman Black made remarks about AW of NC and its official grand opening ceremony in Treyburn Corporate Park on October 5, 2000.

Mr. Collins commented that on behalf of Mr. Ishikawa, Mr. Ikuma, and the AW of NC team, they are very excited about being a part of the Durham community and particularly Durham County. We have many things to offer to the community and wish to express that by making this contribution. We would like to become active in the community, as well. We extend our services toward helping our children through the "Schools to Career Program." We would like to get involved in the program.

Dr. Denlinger spoke on behalf of Durham Public Schools in accepting the financial gift. She thanked AW of NC for the gift.

Recognize General Services and Community Services for Participation in "Fresh Start"

In September, the Durham County Sheriff's Department established an operation known as "Fresh Start" in the Northeast Central Durham community that included two nights of aggressive law enforcement, followed by a full day of physically cleaning the area. At the September 11 BOCC meeting, law enforcement participants received recognition from this Board for their efforts. Commissioner Becky Heron requested that the efforts of the General Services Department and the Durham Community Services Program be recognized as well.

County Manager's Recommendation: Extend congratulations to Larry Dixon and General Services participants, and to Frances Battle of the Durham Community Services Program for their assistance in the "Fresh Start" operation.

Mr. Turner said that on September 9 and 30, 2000, Durham County General Services Solid Waste employees and Community Services workers supported the Durham County Sheriff's Department with "Operation Fresh Start." Under the supervision of Larry Dixon, Waste Reduction Supervisor, and Tom Bryant, Litter Control Investigator, Durham County employees and 25 Community Services workers collected 124 bags of litter from the streets, ditches, and yard areas in the Northeast Central Durham community. Three 40-cubic yard containers were filled with appliances, mattresses, and other bulky debris items to give the community a fresh look.

Mr. Turner said thanks to Mr. Dixon and his staff for making a difference in the Northeast Central Durham community.

Mr. Dixon thanked the Commissioners for their support of the Solid Waste Division in Durham County Government and for the recognition.

October 10, 2000

Commissioner Heron read the following letter for the record:

October 10, 2000

TO: Becky Heron
FROM: Sergeant Adam Clayton
RE: Letter of Appreciation
DATE: September 26, 2000

Ms. Heron,

On September 7 and 8, the Durham County Sheriff's Office S.C.O.P.E. Response Team set up an operation named "Fresh Start" that focused on Northeast Central Durham that included two nights of aggressive law enforcement, followed by a full day of physically cleaning up the area. The idea was to address not only the issue of criminal activity, but also to rid the area of trash and debris. This in turn gives the citizens in this area a starting point. If their community looks better, then they will feel better about themselves and their community. This part of the operation also put offenders sentenced to community service back into the neighborhoods to clean up the area. The operation was a tremendous success, drawing many praises from the citizens who live in that community.

Enough cannot be said about the assistance we received from Durham County General Services and the Durham Community Services Program. We called on Larry Dixon from General Services and Frances Battle from Durham Community Services to assist us with the community cleanup day. We feel that without their help the operation would not have been as effective as it was. Their commitment to the operation and to the community is exemplary. Both should be commended for a job well done.

Any further recognition you can extend to General Services, Community Services, and these two people would be greatly appreciated.

Should you have any questions, or if I can assist in any way, please let me know.

Sincerely,

/s/ Sgt. O. A. Clayton
Ph. 560-0658

Bill Fuller, Durham Community Services Program, speaking for Mr. Battle, told the Commissioners how unique this program is in Durham County. The community services program is set up statewide but the Durham County program is the only program that will accept lawbreakers to work in the program in lieu of sending them to jail. We are honored tonight for the recognition we have received.

October 10, 2000

The Commissioners made remarks of thanks and appreciation to the Sheriff's Department, General Services, and the Community Services Program for the job they did in Northeast Central Durham to help clean up the area.

Consent Agenda

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the following consent agenda items:

- * (a) Proclamation for Dr. Charles DeWitt Watts. Commissioner William V. Bell requested that a proclamation honoring Dr. Charles DeWitt Watts be prepared for an upcoming celebration honoring his professional achievements. The celebration will be held on October 22 at the North Carolina Mutual Life Insurance Company and Commissioner Bell will make the presentation at that time (approve the proclamation as requested by Commissioner Bell);
- * (b) Museum of Life Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000002 in the amount of \$150,000 to establish the Museum of Life pay-as-go project);
- * (c) Lebanon Building Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000003 in the amount of \$15,000 to establish the Lebanon building pay-as-you-go project);
- * (d) Eligibility Building Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000004 in the amount of \$20,000 to establish the eligibility building pay-as-you-go project);
- * (e) Justice Center Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000005 in the amount of \$50,000 to establish the Justice Center pay-as-you-go project);
- * (f) Budget Amendment No. 01BCC000008 (approve budget amendment in the amount of \$1,279,782 to accept new revenues for DSS programs);
- * (g) Library Budget Amendment No. 01BCC000009 to Recognize and Expend EZ-LSTA Basic Equipment Grant (accept the incorporation of the additional revenues [\$10,000] into the current operational budget of the Library);

October 10, 2000

- * (h) Library Budget Amendment No. 01BCC000010 to Recognize and Expend LSTA Powerful Partners Grant (accept the incorporation of the additional revenues in the amount of \$31,484 into the current operation budget of the Library);
- * (i) Library Budget Amendment No. 01BCC000011 to Recognize and Expend LSTA Enhanced Connectivity Grant (accept the incorporation of the additional revenues in the amount of \$13,036 into the current operation budget of the Library);
- * (j) Telemetered Sewer Flow Monitoring Services (authorize the County Manager to enter into a contract with ADS Environmental Services for the telemetered sewer flow monitoring services for one year at a cost of \$69,000 and amend the Enterprise Fund budget to cover expenses associated with the contract);
- * (k) Public Health Budget Amendment No. 01BCC000013 to Recognize CDC Grant Revenue for Childhood Lead Poisoning Prevention (approve budget amendment in the amount of \$51,000);
- * (l) Public Health Budget Amendment No. 01BCC000014 to Recognize Revenue for Health Education Division (approve budget amendment in the amount of \$10,225);
- * (m) Public Health Budget Amendment No. 01BCC000015 to Recognize Grant Revenue for The March Toward Tuberculosis Elimination II Program (approve budget amendment in the amount of \$3,987);
- * (n) Public Health Budget Amendment No. 01BCC000016 to Recognize Grant Revenue for Project Straight Talk (approve budget amendment in the amount of \$6,487);
- (p) Reinstate Substance Abuse Counselor II Position, No. 4058-040 (authorize the County Manager to reinstate the 100 percent FTE Substance Abuse Counselor II position for the Durham Center, as no additional local dollars are necessary. There are sufficient funds totaling \$37,737 available to support the request);
- (q) Lincoln Community Health Center Board of Directors Appointment (appoint Commissioner Bowser to serve

October 10, 2000

- on the Lincoln Community Health Center Board of Directors); and
- (r) Durham County Memorial Stadium Authority Appointment (appoint Commissioner Heron to serve on the Memorial Stadium Authority. The term of office expires May 2002).

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
Noes: None
Absent: Bell

*Documents related to these items follow:

Consent Agenda 6(a). Proclamation for Dr. Charles DeWitt Watts. Commissioner William V. Bell requested that a proclamation honoring Dr. Charles DeWitt Watts be prepared for an upcoming celebration honoring his professional achievements. The celebration will be held on October 22 at the North Carolina Mutual Life Insurance Company and Commissioner Bell will make the presentation at that time (approve the proclamation as requested by Commissioner Bell).

The proclamation follows:

PROCLAMATION

WHEREAS, Dr. Charles DeWitt Watts was born in Atlanta, GA, received a BS degree in Mathematics from Morehouse College in 1938, and graduated from Howard University's Medical School in 1943; and

WHEREAS, Dr. Watts and his family moved to Durham in 1950 where he opened a private surgical practice; and

WHEREAS, in 1952 he was named Director of Student Health Services at North Carolina Central University, a position he held for seven years; and

WHEREAS, Dr. Watts served North Carolina Mutual Life Insurance for 28 years where he held positions as medical director, vice president, and later senior vice president; and

WHEREAS, he served as Chief of Surgery at Lincoln Hospital from 1965-1976, as an adjunct professor of surgery at Duke University Medical School beginning in 1969, and as an attending surgeon at Durham Regional Hospital from 1976-1987; and

WHEREAS, Dr. Watts distinguished himself by successfully leading many organizations including President of the Durham-Orange Medical Society, President of the Old North State Medical Society, and Director of the State Cancer Society, to name a few; and

October 10, 2000

WHEREAS, during his stellar medical career Dr. Watts trained some of the country's most qualified physicians and healthcare professionals who are using the skills and compassion passed on by their mentor to meet the medical needs of patients throughout the nation:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby proclaim October 22, 2000 as

Dr. Charles DeWitt Watts

day in Durham County and urge all citizens to recognize the many contributions he has made towards improving the quality of healthcare in Durham County, the State of North Carolina, and beyond.

This the 10th day of October, 2000.

/s/ Five Commissioners
Durham County Commissioners

Consent Agenda 6(b). Museum of Life Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000002 in the amount of \$150,000 to establish the Museum of Life pay-as-go-project).

The capital projects ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Capital Projects Budget Ordinance
Amendment No. 01CPA000002

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-00 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the Museum of Life and Science pay-as-you-go project.

PAYG FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Museum of Life & Science	\$ -0-	\$150,000		\$150,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

October 10, 2000

(Capital Projects Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(c). Lebanon Building Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000003 in the amount of \$15,000 to establish the Lebanon building pay-as-you-go project).

The capital projects ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Capital Projects Budget Ordinance
Amendment No. 01CPA000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-00 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the Lebanon Building pay-as-you-go project.

PAYG FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Lebanon Building	\$ -0-	\$15,000		\$15,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Capital Projects Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(d). Eligibility Building Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000004 in the amount of \$20,000 to establish the eligibility building pay-as-you-go project).

The capital projects ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Capital Projects Budget Ordinance
Amendment No. 01CPA000004

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-00 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the Eligibility Building pay-as-you-go project.

PAYG FUND

	<u>Current</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u>
--	----------------	-----------------	-----------------	----------------

October 10, 2000

	<u>Budget</u>		<u>Budget</u>
Eligibility Building	\$ -0-	\$20,000	\$20,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Capital Projects Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(e). Justice Center Pay-As-You-Go Project Allocation (approve capital budget amendment No. 01CPA000005 in the amount of \$50,000 to establish the Justice Center pay-as-you-go project).

The capital projects ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Capital Projects Budget Ordinance
Amendment No. 01CPA000005

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-00 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the Justice Center pay-as-you-go project.

PAYG FUND

	<u>Current</u> <u>Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised</u> <u>Budget</u>
Justice Center	\$ -0-	\$50,000		\$50,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Capital Projects Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(f). Budget Amendment No. 01BCC000008 (approve budget amendment in the amount of \$1,279,782 to accept new revenues for DSS programs) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC00008

October 10, 2000

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Department of Social Services.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$232,777,753	\$1,279,782		\$234,057,535
<u>Revenues</u>				
Intergovernmental	\$195,329,314	\$1,279,782		\$196,609,096

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(g). Library Budget Amendment No. 01BCC000009 to Recognize and Expend EZ-LSTA Basic Equipment Grant (accept the incorporation of the additional revenues [\$10,000] into the current operational budget of the Library) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC00009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Cultural & Recreation	\$ 7,104,023	\$10,000		\$ 7,114,023
<u>Revenues</u>				
Intergovernmental	\$196,609,096	\$10,000		\$196,619,096

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

October 10, 2000

Consent Agenda 6(h). Library Budget Amendment No. 01BCC000010 to Recognize and Expend LSTA Powerful Partners Grant (accept the incorporation of the additional revenues in the amount of \$31,484 into the current operation budget of the Library) follows:

October 10, 2000

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000010

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Cultural & Recreation	\$ 7,114,023	\$31,484		\$ 7,145,507
<u>Revenues</u>				
Intergovernmental	\$196,619,096	\$28,622		\$196,647,718
Misc. Income	\$ 6,712,263	\$ 2,862		\$ 6,715,125

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(i). Library Budget Amendment No. 01BCC000011 to Recognize and Expend LSTA Enhanced Connectivity Grant (accept the incorporation of the additional revenues in the amount of \$13,036 into the current operation budget of the Library) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000011

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Library.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Cultural & Recreation	\$ 7,145,507	\$13,036		\$ 7,158,543
<u>Revenues</u>				
Intergovernmental	\$196,647,718	\$13,036		\$196,660,754

October 10, 2000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(j). Telemetered Sewer Flow Monitoring Services (authorize the County Manager to enter into a contract with ADS Environmental Services for the telemetered sewer flow monitoring services for one year at a cost of \$69,000 and amend the Enterprise Fund budget to cover expenses associated with the contract).

The bid tabulation follows:

October 10, 2000

<u>Names</u>	<u>Bid Prices</u>
ADS Environmental Services Charlotte, NC	\$69,000.00
Scientific Technologies Inc. Logan, UT	No response
UCS Environmental Services Monroe, NC	\$87,600.00
America Sigma Inc. Medina, NY	No response
Instrulogic Corporation Round Hill, VA	No response
Earth Tech Inc. Greensboro, NC	No response
Acoustic Technologies Inc. E Falmouth, MA	No response
B W Allen Company Charlotte, NC	No response

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000012

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Enterprise Fund.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Enterprise Fund	\$6,120,674	\$69,000		\$6,189,674
<u>Revenues</u>				
Fund Balance	\$1,217,174	\$69,000		\$1,286,174

October 10, 2000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(k). Public Health Budget Amendment No. 01BCC000013 to Recognize CDC Grant Revenue for Childhood Lead Poisoning Prevention (approve budget amendment in the amount of \$51,000).

The budget ordinance amendment follows:

October 10, 2000

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000013

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$234,057,535	\$51,000		\$234,108,535
<u>Revenues</u>				
Intergovernmental	\$196,660,754	\$51,000		\$196,711,754

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(l). Public Health Budget Amendment No. 01BCC000014 to Recognize Revenue for Health Education Division (approve budget amendment in the amount of \$10,225) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000014

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$234,108,535	\$10,225		\$234,118,760
<u>Revenues</u>				
Intergovernmental	\$196,711,754	\$10,225		\$196,721,979

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

October 10, 2000

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(m). Public Health Budget Amendment No. 01BCC000015 to Recognize Grant Revenue for The March Toward Tuberculosis Elimination II Program (approve budget amendment in the amount of \$3,987) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000015

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$234,118,760	\$3,987		\$234,122,747
<u>Revenues</u>				
Intergovernmental	\$196,721,979	\$3,987		\$196,725,966

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(n). Public Health Budget Amendment No. 01BCC000016 to Recognize Grant Revenue for Project Straight Talk (approve budget amendment in the amount of \$6,487) follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2000-01 Budget Ordinance
Amendment No. 01BCC000016

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2000-01 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

October 10, 2000

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$234,122,747	\$6,487		\$234,129,234
<u>Revenues</u>				
Intergovernmental	\$196,725,966	\$6,487		\$196,732,453

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 10th day of October, 2000.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda Items Removed for Separate Action

Consent Agenda 6(o). Final Offer to Purchase County Property—600 E. Cornwallis Road (approve the offer of \$470.75 submitted for 600 E. Cornwallis Road by Ms. Kelly Aguilar-Aleman and prepare a non-warranty deed for the Chairman's signature).

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to ask staff to revisit this item to determine the potential use of this property and to consider obstacles to the development of this property.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
Noes: None
Absent: Bell

Consent Agenda Items Removed for Discussion

Commissioner Heron removed consent agenda item Nos. 6(f) and 6(h) to ask questions and make comments.

Daniel C. Hudgins, Director of Social Services, explained in detail consent agenda item No. 6(f) for the Commissioners.

Durham Public Schools Request for Capital Funds

On September 28, 2000, the Board of Education adopted a special funding request to address critical capital needs in the Durham Public Schools. The \$3,098,800 request comprises roofing and driveway repairs, safety and security improvements, technology infrastructure upgrades, purchase and relocation of mobile classrooms, purchase of operational equipment, and support for the preparation of Long-Range Facilities Plan implementation. Five hundred thousand (\$500,000) of the request would leverage an additional \$1.5 million in capital funds from the state of North Carolina. If a local match of \$500,000 were available, it could become \$2 million towards school facility improvements to be used to fund 11 projects in nine schools. Those nine schools-- Fayetteville Street Elementary, R.N. Harris Elementary, Morehead Elementary, Oak Grove Elementary, W.G. Pearson Elementary, E.K. Powe Elementary, C.C. Spaulding Elementary, George Watts Elementary, and Lowe's Grove Middle School are in need of roofing repairs, driveway repairs, and painting.

Resource Person(s): Chairman MaryAnn E. Black, Durham Public Schools Board of Education Chair Kathryn Meyers, and Schools Superintendent Ann Denlinger

County Manager's Recommendation: The Manager recommends that the Board allocate \$500,000 to supply the match to leverage an additional \$1.5 million in State of North Carolina funds to meet critical capital needs of the Durham Public Schools. If approved, a budget transfer from the County's human services function to Durham Public Schools, in the amount of \$500,000, will be brought before the Board for approval at the next Board meeting. The County Manager and Schools Superintendent have committed to continue working on a viable funding proposal for the remainder of the \$3,098,800 capital request to be brought before the Board at a later date.

Special Funding Request
To Address Critical Needs

I. Capital Requests

A. Public School Building Capital Fund Match	\$ 500,000
1. Fayetteville St. Driveway	\$ 200,000
2. Harris Driveway	\$ 265,000
3. Morehead Roofing	\$ 400,000
4. Oak Grove Roofing	\$ 60,000

October 10, 2000

5. Pearson	Roofing	\$ 300,000
6. Powe	Roofing	\$ 380,000
7. Spaulding	Roofing	\$ 105,000
8. Watts	Roofing	\$ 140,000
9. Lowe's Grove	Painting	\$ 40,000
10. Harris	Painting	\$ 50,000
11. Pearson	Painting	\$ 60,000
Total Project Value		\$2,000,000

B. Safety and Security Improvements \$ 515,000

1. Environmental Remediation	\$ 100,000
2. Flooring Replacement	\$ 200,000
3. Playground Safety	\$ 100,000
4. Gym Floor Sanding	\$ 30,000
5. Jordan High Light Poles	\$ 20,000
6. Roger-Herr Sidewalk	\$ 15,000
7. HVAC Equipment	\$ 30,000
8. Security Upgrades	\$ 20,000

C. Upgrade of Technology Infrastructure \$ 958,800

1. Rewiring Riverside and Southern	\$ 395,000
2. Replace System Hubs with Switches	\$ 529,000
3. T1s to High Schools, Middle Schools, and Central Services	\$ 34,800

D. Purchase and Relocations of Mobile Classrooms \$ 565,000

1. Purchase Fifteen Mobile Classrooms	\$ 525,000
2. Mobile Classroom Relocations	\$ 40,000

E. Operational Equipment \$ 405,000

1. Fleet Replacement	\$ 250,000
2. Maintenance Equipment	\$ 45,000
3. Activity Buses	\$ 110,000

F. Preparation for Long-Range Facilities Plan \$ 100,000

1. Development of Educational and Construction Specifications	\$ 50,000
2. Development and Update of Property Accounts	\$ 50,000

Total Capital Request \$3,043,800

II. Operational Request:

Preparation for Long Range Facilities Plan \$ 55,000

Construction Coordinator Position

Total Operational Request \$ 55,000

October 10, 2000

TOTAL SPECIAL FUNDING REQUEST

\$3,098,800

Chairman Black introduced the agenda item. She made remarks about the schools system request for capital funds.

Dr. Denlinger talked about how the \$2,000,000 would be spent on the nine schools. There are 11 projects to be completed. The projects will be completed by the summer of 2001. The roofing projects will be bid as one project so the bid price may be cheaper due to the single bid. There are also painting and driveway projects to be done.

The Commissioners asked questions and made comments about the capital request.

Dr. Denlinger responded to the questions and comments.

Chairman Black asked Interim County Manager Titus and Dr. Denlinger to work on a capital schedule for the projects such as a pay-as-you-go plan.

Commissioner Heron moved, seconded by Commissioner Bowser and Vice-Chairman Reckhow, to approve the \$500,000 payment to the schools system to be used as leverage to obtain \$1.5 million in capital from the state of North Carolina.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow

Noes: None

Absent: Bell

October 10, 2000

Public Hearing on Proposed Stormwater Management Program Ordinance

Durham County is required to establish a stormwater program as part of the Neuse River Nutrient Sensitive Waters Stormwater Management Strategy. Per the guidance provided during the Board's October 2, 2000 Worksession, the draft ordinance has been revised as to its jurisdictional reach 14-153 and 14-154, to reference the joint Zoning Ordinance 14-153, and to include a performance/penalty bond 14-155.

Resource Person(s): Glen Whisler, County Engineer, and Curtis Massey, Assistant County Attorney

County Manager's Recommendation: The Board should review the proposed ordinance, receive public comments and, subject to any amendments, approve the ordinance.

Mr. Davis stated that at the last Board meeting, the Commissioners asked that Lisa Martin, Executive Director, Upper Neuse River Basin Association, come and talk about management planning efforts relative to the Neuse River Basin area.

Ms. Martin made her presentation to the Board of County Commissioners.

The Commissioners asked questions and made comments to which Ms. Martin responded.

Chairman Black opened the public hearing that was properly advertised.

Edward Harrison, representing the Soil and Water Conservation District Board, talked about some of the ordinance provisions and text changes. He said the ordinance needs clarification regarding jurisdictions, how it will be applied, etc. The purposes of the ordinance need to be stated in the ordinance.

Mr. Massey commented on the ordinance modifications resulting from the presentation at last week's worksession.

County Attorney Chuck Kitchen and Vice-Chairman Reckhow added remarks and suggestions about the ordinance.

Wendell Davis, Deputy County Manager, said the County's ordinance is in draft form. The City has not completed its ordinance. When the City's ordinance is complete, we will spend time with the City going through these two documents for consistency.

Commissioner Bowser had two questions regarding section 14-158 and identification/naming of illegal substances and enforcement to which Attorney Massey responded. Mr. Whisler also assisted with answers to Commissioner Bowser's questions.

Chairman Black opened the public hearing that was properly advertised.

October 10, 2000

As no one signed to speak at this public hearing, Chairman Black closed the public hearing and referred the item back to the Commissioners.

Chairman Black commented there would be no action taken on this item at tonight's meeting. The ordinance will come back at a future meeting for final approval.

Amendments to the Sedimentation and Erosion Control Ordinance

The Sedimentation Pollution Control Act enacted by the North Carolina General Assembly authorized local governments to establish local programs which meet or exceed the requirements of the Act. The City and County established a joint local program in 1984 which is administered by Durham County. The local ordinance was last amended in 1996 (Article III of Chapter 14). Several amendments are proposed to reflect changes in the General Statutes and to improve administration of the ordinance.

Many of these are technical amendments to reflect the current organizational structure with the sedimentation and erosion control office or to correct punctuation and capitalization. Substantive amendments include shortening the time allowed for disturbed land to be stabilized and procedural changes intended to enhance the efficiency of enforcement actions. The maximum civil penalty has also been increased to conform to the General Statutes.

Resource Person(s): Glen E. Whisler, P.E., County Engineer; Leon Beddingfield, Erosion Control Officer; and Curtis Massey, Assistant County Attorney

County Manager's Recommendation: Review and approve the proposed ordinance, subject to corrections and modifications.

County Attorney Chuck Kitchen said the Sedimentation and Erosion Control Ordinance and the Animal Control Ordinance would have to be voted on at the next meeting since the full Board is not present tonight.

Mr. Beddingfield presented the Commissioners an overview of the amendment revisions to the ordinance.

The Commissioners asked several questions about the amendments to which Mr. Beddingfield and Mr. Massey responded.

Commissioner Heron asked Mr. Beddingfield about the time frame for enforcing penalties for violation of land-disturbing permits. Mr. Beddingfield referenced a penalty increase from \$500 to \$5,000 as reflected in NC General Statutes.

Vice-Chairman Reckhow addressed the issue of heavy construction materials (brick) being placed too near trees. She asked that her concern regarding a possible requirement

October 10, 2000

to place orange netting around trees on single-family lots be sent to the Planning Department. The requirement applies to larger sites.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the item with the addition of the amendment to 1456 regarding the buffer zones.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
Noes: None
Absent: Bell

The final vote would be taken at the October 23, 2000 Regular Session.

Durham County Ordinance Amendment to the Animal Control Ordinance

The City of Durham Parks and Recreation Department is in the process of opening several dog parks. The dog parks will be secured, fenced-in areas. The purpose of the parks is to allow dogs to run around, get exercise, and socialize. The City Parks and Recreation Department will have very specific rules and regulations for the dogs that attend the dog parks.

As the Durham County Animal Control Ordinance is now written, dogs that are legally in the dog parks will be in violation of Article IV, Section 4-86, which is the "leash law." Two simple amendments to the definition section of the ordinance, Article I, Section 4-13 will eliminate the conflict between the purpose of the dog parks (allowing dogs to run around without a leash in a secured area) and the wording of the Durham County Animal Control Ordinance.

Article IV, Section 4-86 of the Durham County Animal Control Ordinance is the "leash law." That section provides that it is unlawful to allow a dog to run at large. Article I, Section 4-13(4) defines "at large." The first of two proposed changes to the ordinance involves a change to Article I, Section 4-13(4), and would add the following sentence to the end of Article I, Section 4-13(4): "This definition shall not apply to dogs which are in a dog park." The second proposed change would define "dog park" by adding a subsection to Article I, Section 4-13. The proposed definition of "dog park" is as follows: *Dog Park* means an area or tract designated by the owner of the property to be a place in which a dog or dogs are not required to be under restraint. The area or tract designated by the owner of the property must be a secured enclosure. The owner of the property shall post, in a conspicuous place and manner, a sign on the outside of the enclosure which designates the area or tract as a dog park.

October 10, 2000

Resource Person(s): Mike Turner, Director, General Services Department; Cindy Bailey, Administrator, Animal Control Division; and Angela Geadelmann, Assistant County Attorney

County Manager's Recommendation: The Manager recommends that the Board approve the amendment to the Animal Control Ordinance to eliminate the conflict between the purpose of a dog park (allowing dogs to run around without a leash in a secured area) and the wording of the Durham County Animal Control Ordinance.

Mr. Turner presented the ordinance amendment to the Animal Control Ordinance.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the amendment to the Animal Control Ordinance.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow

Noes: None

Absent: Bell

The final vote on this amendment would be taken at the October 23, 2000 Regular Session.

Thank You and Farewell to the County's Animal Control Officer

Ms. Cindy Bailey of Animal Control and Animal Protection has been employed with Durham County for 11 years and will end her employment with the County on Friday, October 13, 2000.

Resource Person(s): Mike Turner, Director of General Services, and Commissioner Becky Heron

County Manager's Recommendation: The Manager's recommendation is that the Board extend a sincere thanks to Ms. Bailey for her years of service to Durham County.

Mr. Turner made remarks about Ms. Bailey's service to Durham County. He thanked her for the work she has done in the Animal Control Program.

Commissioner Heron made the following remarks:

"Since July 1990 when Cindy Bailey came to work for the Animal Protection Society, she has strived to turn the "county pound" into a humane animal shelter. In the past 10 years, Cindy has developed a progressive adoption program at the shelter and has tried to educate our community on the benefits of spaying, neutering, and proper animal care.

October 10, 2000

Cindy has helped update our ordinance and has been instrumental in helping Animal Control with its court cases. But more importantly, she has made sure the animals that came under her supervision at the shelter were well cared for and treated with respect. The APS, the shelter staff, and the County's animals will sorely miss Cindy Bailey, but she leaves the program with an impressive reputation, sound credibility, and a strong program that the APS intends to continue. Cindy deserves our thanks and highest praise for making the Durham County Animal Control Department and the shelter one of the best in the state."

Ms. Bailey thanked Commissioner Heron and Mr. Turner for the kind words they expressed. She made remarks of appreciation and thanks for her years with Durham County.

Request to Use Court-Ordered Care Funds to Create Local Services for Children-at-Risk

As the 1998/99 Fiscal Year progressed, former County Manager David F. Thompson was informed that the need for residential treatment for children in the court system was exploding. The County was in receipt of numerous consent court orders to pay for the treatment at an alarming cost. Upon further inspection, it became apparent that this trend of increasing demands for services and related costs was occurring in other County agencies as well. Leaders from DSS, Mental Health, Durham Public Schools, Office of Juvenile Justice, Youth Coordinating Board, Youth Home, Criminal Justice Resource Center, and District Court Judges were convened in December of 1998 to develop a clearer understanding of:

- 1998/99 FISCAL YEAR BUDGET IMPACT DUE TO COURT-ORDERED/CONSENT CARE
- SCOPE OF THE PROBLEM
- NEED FOR A STRATEGIC RESPONSE
- PROPOSED PROCESS TO ASSESS SYSTEM, DETERMINE LOCAL CAPACITY, AND DEVELOP NEW RESOURCE CAPACITY TO MEET IDENTIFIED NEEDS

The first presentation was made to the BOCC in May 1999. After a clinical review of 90 percent of the court-ordered care cases (some clients refused to sign consent forms), a 2nd presentation was made to the BOCC in November 1999. The Continuum of Care Committee provided information about what kinds of services were needed for Durham to be more effective in its use of court-ordered care resources and keeping children in the community with their families when appropriate. The Board of County Commissioners charged the committee with the task of defining and quantifying the specific services needed along with associated cost and revenue projections. The goal of the Children-at-Risk Initiative is to ensure that we maintain stability in the lives of Durham's children who are most at risk of needing intensive mental health treatment. Given the significant resources being allocated to treatment providers outside of Durham County, a primary committee recommendation was to transition children back to Durham to: 1) decrease treatment costs; 2) shorten lengths of stay; and 3) increase family involvement in the

October 10, 2000

treatment process, thereby having a more positive, long-term impact on the child, the family, and the Durham community.

The Mental Health system across the country is shifting towards strategies that keep children in their local communities and whenever possible, in their homes, so parents and siblings can benefit from the treatment process. The report contains the Committee's recommendations to provide comprehensive services for high-risk children, associated costs, and revenue projections. The Committee recommends that the Board consider allocating a portion of the budgeted court-ordered care funds to develop additional services in Durham. These additional services will enhance our ability to serve children locally, which will further reduce the number of court orders and improve the success rates of our highest risk children.

The Committee has developed proposals for funding a Continuum of Care at three levels. These proposals include Minimum Priority Needs, Expanded Services Needs, and a Comprehensive Continuum of Services. If the Board will consider allocating a portion of the aforementioned funds, the Continuum of Care Committee is prepared to take the following next steps: 1) Conduct cost/benefit and risk analysis of using court-ordered care funds to establish local services; 2) Devise FY 2000-01 budget projections for use of court-ordered care funds; 3) Determine impact of service options on children who are currently court ordered for care; and 4) Determine how proposed services will keep children from entering the court system to receive the treatment they need.

County Manager's Recommendation: Anita Daniels-Kenney, MSW, Youth Coordinating Board Director

County Manager's Recommendation: The Manager recommends that the Board receive the report for informational purposes and direct staff to proceed with the cost/benefit and risk analysis, budget projections, and impact studies to be brought back before the Board within 60 days.

Ms. Daniels-Kenney made a presentation to the Commissioners about the continuum of care for our at-risk children in Durham.

Ms. Daniels-Kenney reviewed the following needs:

- a. Minimum Priority Needs—Option I
- b. Expanded Services Needs—Option II
- c. Comprehensive Continuum of Services—Option III

Accomplishments since last update:

- Refined and quantified needed services for high-risk children based on clinical reviews of children who were court-ordered for treatment.
- Designed a continuum of high priority treatment services specific to the needs of Durham's at-risk children to intervene with them before they enter the court system.
- Committed to coordinate new services with existing services which include:

October 10, 2000

- ❑ Majors
- ❑ Parenting of Adolescents
- ❑ Safe Schools/Healthy Students
- ❑ Multi-Systemic Therapy
- ❑ Lakeview School
- ❑ Durham Youth Services Collaborative
- ❑ Juvenile and Family Treatment Courts
- 17 of 20 children recommended for transition back to Durham have returned to Durham or within a 60-mile radius.
- Three of the children have had to remain in placements that exceed 60 miles because of treatment needs.
- Approximately \$902,000 was spent on court-ordered care for FY 2000, which is a significant decrease from FY 1999.

Benefit to current children at-risk:

- Projected revenue from IV-E, Medicaid, and Healthchoice will remain in the community instead of transferring with the children to other counties.
- 50 of 59 cases clinically reviewed can be served locally if these services were available.
- Wrap-around services provided to children at home or in the independent living group home will increase support to parents and other siblings who often become involved in delinquent behavior.
- Children who are experiencing problems can be assessed and referred to local services before they end up in the court system, which is a primary goal of this initiative.
- Resources that are spent for staff/family travel to out-of-town facilities can be redirected to expand new local services.

Next steps:

- Cost/benefit and risk analysis of using Court-ordered funds to establish local services.
- FY 2001 budget projections for use of Court-ordered care funds.
- Impact of service options on children who are currently Court-ordered for care.
- Determine how proposed services will keep children from entering the Court system to receive the treatment they need.

Continuum of mental health services for children at-risk in Durham:

- Inpatient/residential (90 days) mental health treatment (Durham needs 2 beds—8 children served annually; includes sexual offender services)
- Intensive (3-5 days per week) outpatient mental health treatment (Durham needs 15-20 slots; includes sexual offender services)
- In-home family therapy mental health treatment (Durham needs 20 slots)

Continuum of substance abuse services for children at-risk in Durham:

October 10, 2000

- Inpatient or detox (up to 8 days) substance abuse treatment (Durham needs 2 beds to serve 24 children annually)
- Residential (90-180 days) substance abuse home (Durham needs 6 beds for boys—up to 24 served annually)
- Intensive (5 days per week) outpatient substance abuse treatment (Durham needs 25 slots for non court-ordered children)
- Regular (1 day per week) outpatient substance abuse treatment (Durham needs 20-25 slots for court-ordered/non court-ordered children)

The County Commissioners asked questions and made remarks about the presentation to which the staff responded.

Chairman Black recommended that the Board receive the report for informational purposes and direct staff to proceed with the cost/benefit and risk analysis budget projections and impact studies to be brought back before the Board within 60 days.

Amy D. Baronosky, 301 Weslyn Trace Drive, spoke about her son who is in the Court system on a felony charge. She has been seeking help for him but he has not received the help he needs. He is in the Durham County Youth Detention Home. He has received no schooling.

Chairman Black said the Mental Health providers and the Department of Social Services have heard the concern and will be working on the case.

Chairman Black asked staff to look into the education issue for Ms. Baronosky's son to determine whether he is getting schooling. If not, schooling arrangements should be made.

The Commissioners asked several questions about Ms. Baronosky's son to which staff responded.

County of Durham Health Benefits

New rates have been received for January 2001 from our healthcare vendors. In order to keep costs down, it was necessary to negotiate some plan design changes. The HR Director will discuss the recommended plan changes in preparation for the anticipated enrollment period. Our dental, life insurance, and short and long-term disability premiums remain stable. Healthcare costs have escalated over the years. The national average increases for health benefits have been cited to be between 19 to 23 percent.

Resource Person(s): Jackye Knight, Director of Human Resources

County Manager's Recommendation: The Manager recommends that the Board accept the proposed health benefit package and commend the HR Department for working to

October 10, 2000

keep the plan affordable. There is no recommendation for an increase in the \$150 spending credit.

Ms. Knight said it is a pleasure to stand before the Board and not ask for any money. Wellpath was not able to offer us a rate on our current plan. Wellpath is being purchased and the company will have a new name as well as a new, improved plan starting January 1, 2001. Wellpath does have a two-tier plan it could have offered to us at a much higher cost.

The three-tier plan we are recommending, in addition to some enhancements particularly in the area of out-of-network, goes to 20/80 rate. This will be to the employees' advantage. We do have a very few people going out of network. Another benefit the companies are adding is the prescription drug increase from 30 to 34 pills per month. Wellpath is making some good improvements due to their buyout.

Ms. Knight explained the plan changes on the following chart:

	Current	Renewal	Current	Renewal	Current	Renewal
	Doctors		CIGNA		Wellpath	
Drug Copay						
Generic	5	5	3	5	5	5
Brand	10	10	10	15	10	15
Non-Preferred		25		25		25
Urgent Care	25	25	25	25	15	35
Emergency Room Copay	50	75	75	75	50	75
Vision Copay	5	10	20	20	10	10

The Doctors plan submitted a new rate this afternoon. The new offering has a 3 percent increase across the board. Instead of having a \$5 copay for an office visit, it would be a \$10 copay. That is the only additional change that is not on the page.

Ms. Knight reviewed the new rates as shown on the following chart:

DOCTORS					
	Enrolled	Current Rate	Renewal Rate	% Increase	Actual Increase
Employee Only	230	\$ 94.00	\$ 98.00	4%	\$ 4.00
Employee/Children	44	\$177.00	\$186.00	5%	\$ 9.00
Employee/Spouse	22	\$205.00	\$215.00	5%	\$10.00
Family	65	\$270.00	\$284.00	5%	\$14.00
Total	361			5%	
CIGNA					
	Enrolled	Current Rate	Renewal Rate	% Increase	Actual Increase

October 10, 2000

Employee Only	530	\$ 88.00	\$ 98.00	11%	\$10.00
Employee/Children	226	\$142.00	\$159.00	12%	\$17.00
Employee/Spouse	62	\$193.00	\$215.00	11%	\$22.00
Family	48	\$282.00	\$316.00	12%	\$34.00
Total	866			12%	
WELLPATH					
	Enrolled	Current Rate	Renewal Rate	% Increase	Actual Increase
Employee Only	190	\$ 87.00	\$ 96.00	10%	\$ 9.00
Employee/Children	19	\$140.00	\$155.00	11%	\$15.00
Employee/Spouse	127	\$194.00	\$215.00	11%	\$21.00
Family	13	\$271.00	\$301.00	11%	\$30.00
Total	349			11%	
TOTAL EMPLOYEES ENROLLED = 1576					

Original Rate Proposal Increases

Doctors	12%
Cigna	16%
Wellpath	Did not offer rates. Plan no longer available

The new renewal rates for the Doctors plan follow:

Employee only -	\$ 96 in lieu of \$ 98
Employee/Children -	\$103 in lieu of \$186
Employee/Spouse -	\$211 in lieu of \$215
Family -	\$278 in lieu of \$284

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the health benefits plan.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
 Noes: None
 Absent: Bell

Discussion Regarding the Current Vacancy on the Fourth Circuit Court of Appeals

Chairman MaryAnn E. Black led the Board in a discussion regarding the current vacancy on the Fourth Circuit Court of Appeals. Staff provided a draft of a letter which the Board

October 10, 2000

may want forwarded to Senate Judiciary Committee Chairman Orrin Hatch, expressing its views on the long-standing vacancy.

County Manager's Recommendation: The Manager recommends that the Board discuss and direct staff regarding this issue.

Chairman Black and Public Information Officer Deborah Craig-Ray addressed the item.

President Clinton nominated Roger Gregory of Richmond, Virginia for a seat on the Fourth Circuit Court of Appeals.

The 4th Circuit is the only one of the country's nine federal courts that has never had a black judge. This district which includes North Carolina, South Carolina, Virginia, West Virginia, and Maryland has a larger share of African-Americans than any other district.

4th Circuit:

15 seats, 4 vacancies

1 vacancy since 1990 and a second vacancy since 1994

Chief Justice J. Harvey Wilkinson says "no new judges are needed."

Failed NC nominees:

James Wynn of the NC Court of Appeals in Raleigh

James Becton, a Raleigh lawyer

U.S. District Judge James Beatty of Winston Salem

Commissioner Bowser preferred supporting a judge from North Carolina.

Chairman Black said Senator Chuck Robb has supported Mr. Gregory's nomination.

"Roger Gregory is a highly visible member of the legal community in Richmond and beyond," Senator Robb said. "Mr. Gregory has a proven commitment to the judicial process, in addition to having a strong background as a community leader in both education and civic organizations." Senator Robb continued, "Roger Gregory will make a great addition to the United States judicial system and the U.S. Court of Appeals for the Fourth Circuit."

Chairman Black commented that Mr. Gregory is not likely to be appointed due to his being African American. One Senator from North Carolina will not support Mr. Gregory for the Fourth Circuit Court of Appeals.

After a lengthy discussion by the Commissioners, the following motion was approved:

Vice-Chairman Reckhow moved, seconded by
Commissioner Bowser, to allow the Chairman to send a

October 10, 2000

letter of support of Mr. Gregory to President Clinton and Senate Judiciary Committee Chairman Orrin Hatch.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
Noes: None
Absent: Bell

Duke University Health System Board of Directors Nominations

Article 10 of the Operating Agreement among Duke, Durham County, and Durham County Hospital Corporation relating to the lease of Durham Regional Hospital to Duke, sets forth that two seats on the Duke University Health System Board of Directors are reserved for the Durham County Hospital Corporation Board of Trustees.

The County Commissioners were requested to make two nominations of DCHC Trustees to the Duke University Health System Board of Directors to fill one seat.

Charles Blackmon presently serves on the Duke University Health System Board of Directors.

Resource Person(s): Chairman MaryAnn E. Black

County Manager's Recommendation: Nominate two members of the Durham County Hospital Corporation Board of Trustees to serve on the Duke University Health System Board of Directors. One person will be appointed.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to nominate MaryAnn E. Black and Caroline H. Dixon to serve on the Duke University Health System Board of Directors. One person will be appointed.

The motion carried with the following vote:

Ayes: Black, Bowser, Heron, and Reckhow
Noes: None
Absent: Bell

Pretrial Release

Vice-Chairman Reckhow commented that she read the newspaper article about the Durham Sentencing Services Board. The board developed ways to enhance the Pretrial Release Program. In the early 1990, the County funded four new positions to deal with

October 10, 2000

pretrial release. Two positions were in the Sheriff's office, one in the Public Defender's office, and one in the District Attorney's office. Now we have a whole new program.

Vice-Chairman Reckhow asked that this Board formally request an accounting of what those four positions are doing now relative to pretrial release and how it relates to the initiative of the new program.

The Commissioners also wrote a memorandum to Interim County Manager Carolyn P. Titus and the Sheriff raising questions on electronic monitoring.

The Sheriff's staff is compiling the information now. It should be ready by next week. The information on the four positions should be completed in three to four weeks.

Adjournment

Chairman Black adjourned the meeting at 10:52 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board