

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

Monday, November 1, 1999

9:00 A.M. Worksession

**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 William V. Bell, Joe W. Bowser, and Becky M. Heron

Absent: None

Presider: Chairman Black

Chairman Black said that Commissioner Heron wishes to be excused from the meeting at 11:30 a.m. Commissioner Heron commented she has been put on a long-term care committee established by Governor Hunt with the first meeting to begin at 11:30 a.m.

**Citizen Comment—Ralph McKinney**

Mr. Ralph McKinney requested time on the agenda to make comments to the Commissioners.

Mr. McKinney, 500 Fairfield Street, talked about health care, food, and shelter. He also discussed women and minorities having to work for less. He wanted to put black bags over the war memorials and to discontinue the Pledge of Allegiance to the flag until the Commissioners' Oath of Office is upheld. He commented on racism and business abuse of our citizens rather than the Commissioners having the courage to protect the citizens.

Mr. McKinney asked the Commissioners to respond to questions he had prepared.

No official action was taken on this agenda item.

**Presentation by Attorney from the Durham County Bar Regarding the Construction of a New Courthouse**

Attorneys from the Durham County Bar Association made a presentation to the Board of Commissioners regarding the need for a new courthouse in Durham County.

Resource Persons: Attorney Joe Poe and Jim Maxwell

Mr. Poe and Mr. Maxwell made comments on behalf of the Durham County Bar Association.

Mr. Poe said he is a steering committee member appointed by the Durham County Bar to promote the necessity for a new courthouse in Durham County. It is a privilege to be here today on behalf of the Durham County Bar to give our opinions about the need for a new courthouse. The purpose is to share with you the necessity and to help start the process toward the construction of a new courthouse. Mr. Poe talked about the history of courthouses during the past years and the courthouse as a symbol. He said there are space and efficiency problems, elevator and security problems, and a problem with maintaining dignity and respect for the judicial system. The problems need to be addressed now; we need to start the process that will lead to a new courthouse in our county.

Mr. Maxwell made comments about courthouses throughout the centuries on national and state levels. The Durham County Courthouse has a severe space problem. Space is needed for dispute resolutions and for family court. A new court facility is needed in Durham County.

The County Commissioners made comments about the present conditions of the courthouse. Each Commissioner stated an awareness of the needs of the existing facility including an additional space need.

The Commissioners talked about the concept of night court.

Attorney Lowell Siler, President of the Durham Bar, said the attorneys would provide the Commissioners information about the night court concept. I hope you will support the concept of the steering committee.

### **Comment—Promising Practices**

Dr. Jean Spaulding requested time on the agenda to discuss collaboration between the Durham Health Network and Duke University Health System. The purpose of this health initiative is to provide a new model for increasing the level of health care services for specific individuals with chronic illnesses.

Receive for informational purposes.

Dr. Spaulding introduced the collaborators working on the Promising Practices program.

Dr. Spaulding presented the Commissioners an overview of the Promising Practices program.

Promising Practices is a joint effort between the Durham County Health Department, Lincoln Community Health Center, Durham County Department of Social Services, Duke Hospital, Durham Regional Hospital, and the Durham County Asthma Coalition. The purpose of this health initiative is to provide a new model for increasing the level of health care services for specific individuals with chronic illnesses.

The Commissioners asked questions and made comments about the program to which the collaborators responded.

The Commissioners received the information from the presenters.

Dr. Spaulding asked Chairman Black for a resolution from Durham County Government stating that Durham County supports this program. The resolution will help us when we attempt to secure financial funding. We wanted the Commissioners to know about the program since it involves the citizens of Durham County.

Chairman Black stated that the resolution would include that all of Durham County's Human Services Departments are participating in this program; there is collaboration among the County Departments and with Duke Medical Center and Lincoln Community Health Center.

Chairman Black said the resolution would be prepared.

### **Request to Negotiate and Award Contracted Cleaning Services to Four Janitorial Firms**

The Board was requested to authorize the County Manager to negotiate and enter into several contracts to provide janitorial services for 23 Durham County facilities. The initial term of these contracts shall be from date of award through June 30, 2000, with the option to renew by the County for four additional one-year periods. Funds to support this request were appropriated in the General Services FY'99-00 budget.

Request for Proposal #99-043 was publicly advertised and mailed to 37 companies on July 1, 1999. A pre-proposal conference was held on July 16, 1999. Proposals were received on August 11, 1999.

The Evaluation Committee comprised of David Sprague, Department of General Services; Bahaa Jizi, Purchasing Department; Priscilla Lewis, Main Library; Joycelyn Dennis, Engineering; Anita Parker, Mental Health; Ian Worthington, County Manager's Office; Janet Birenbaum, Office of the Sheriff; and Jackie Clay, Main Library. They carefully reviewed the responses to:

- ensure compliance with the specification requirements;
- ensure appropriate level of service;

- analyze cost proposals; and
- determine the feasibility of awarding a contract to one firm that would be consistent in providing the same level of service throughout the County and provide consolidated accountability.

It was determined to be in the best financial interest of the County to award the contracts to the lowest bidder for each individual facility and not to award one contract for the 23 facilities. The chart below rates cumulative award to the contractors based on low bid by facility with the exception of Staunton Sales Inc. Although low bidder on several facilities, Mr. Staunton stated he did not desire to participate in a portion of the facilities; therefore, his offer was withdrawn from consideration. By awarding multiple contracts rather than a single award, the County will realize savings of approximately \$26k annually, or \$130k over a five-year contract period. Compared to actual FY'98-'99 expenditures, the County will realize savings of approximately \$35k annually, or \$175k over a five-year contract period.

It is recommended that the following contracts be awarded:

Vendor	Not to Exceed	Facility
Madison Cleaning Svc.	\$ 39,999.00	Public Health Building.
McCullers Maintenance	\$ 58,057.92	Administrative Complex, Substance Abuse
SSC Service Solutions	\$184,085.16	Judicial Building, Main Library, Criminal Justice Ctr., Cooperative Extension, Parkwood Library, Social Services, Adult Probation, Child & Family Services, Animal Control, North/South/Eastern Satellite Station, Bragtown Library
Beyah's Cleaning Svc.	\$ 47,820.00	Carmichael Building, North Durham Library, Southwest Library, Warren Library, General Services Complex, Law Building, Jail Annex
Total Amount	<u>\$329,962.08</u>	

Two of these firms are located in Durham and one in Chapel Hill. The fourth, SSC Service Solutions, maintains an office in Durham employing 130 people in the Triangle area and 450 people in NC; however, its home office is located in Knoxville, TN.

Reference checks conducted on these firms were positive providing the County with sufficient confidence that work will be performed appropriately.

Resource Persons: Mike Turner, General Services Director; Sandra W. Phillips, Director of Purchasing; and Bahaa Jizi, Buyer, presented this recommendation.

County Manager's Recommendation: Authorize staff to prepare final awards of the recommended contracts and bring forward for Board action on the next consent agenda.

Mr. Turner stated that he will talk about the current status of the janitorial contracts and Ms. Phillips will talk about the request for proposals (RFP) and the recommendations to the Board.

On June 24, 1999, the Department of General Services gave written notice of our intent to terminate janitorial services for 21 county facilities. The previous contracts were awarded in 1996 to four janitorial companies. The actual cost of these services in FY 98-99 was \$364,947. In anticipation of an RFP, a 3 percent consumer price index was included in the FY 1999-2000 Budget request to cover any increase in costs. Since the expiration of the existing contracts, the cleaning services for the buildings have continued by the current contractors on a month by month basis until a new contract could be awarded. In preparation of the specifications, representatives from each facility were asked to review the existing scopes of work for any adjustments or additions that were needed. The representatives were invited to serve on the evaluation committee.

Ms. Phillips said a proposal conference was held on July 16, 1999. Proposals were received from six of these firms on August 11, 1999. She ended the presentation by asking the Commissioners if there were any questions or comments.

The County Commissioners asked several questions and made comments to which Ms. Phillips and Mr. Turner responded.

Commissioner Bowser expressed concern that SSC Service Solutions' home office is in Knoxville, TN. He wants the money to stay in Durham County. Commissioner Bowser stated he would like for the contract to be awarded to a Durham company since it is basic housekeeping. In fact, I probably will not support the bid unless it goes to a Durham contractor. County employees should do "spot" checks behind the cleaning crew to see if a good cleaning job is being done.

Commissioner Bell said he has a problem with McCullers maintenance receiving the contract again based on their performance record.

Chairman Black stated the contract approval could be moved to the November 8, 1999 Regular Session, but considerations should be given to the comments made by the Commissioners.

Commissioner Heron stated she does not have a problem with SSC Service Solutions having its home office outside of Durham County.

Vice-Chairman Reckhow expressed concern about the cleaning job being done in the old courthouse.

County Manager David F. Thompson asked the Commissioners for a consensus on this matter so staff will know what to present at the November 8, 1999 Regular Session.

Chairman Black wants as many firms as possible to participate in doing business with Durham County.

Commissioner Bell recommended that Beyah's Cleaning Service be given the contract to clean the Carmichael Building, Administrative Complex, and Day Reporting Building.

Chairman Black said Beyah's Cleaning Service should be given more buildings to clean.

After considerable discussion, the Commissioners gave staff directions to give the following cleaning jobs to the following:

<u>Contractor</u>	<u>County Facility</u>
BEYAH (9)	Administrative Complex Carmichael North Durham Library Southwest Library Stanford L. Warren General Services Law Building Jail Annex Public Health
SSC SERVICE SOLUTIONS (14)	Judicial Main Library Social Services Adult Probation Child & Family Services Criminal Justice Resource Center Cooperative Extension Services Parkwood Branch Library Substance Abuse Animal Control North Satellite Station East Satellite Station South Satellite Station Bragtown Branch Library

Chairman Black said the contracts would come back to the Commissioners with evaluations in six months (June 2000). The Commissioners will decide if the companies will continue with the contracts.

### **Space Needs Analysis and Facility Master Plan for Durham County**

This item is an update on the Durham County Space Needs Analysis and Facility Master Plan project and presentation of four scenarios to address facility needs.

The purpose of the Facility Master Plan project is to identify the space needs of Durham County Government for the next 20 years and develop an implementation plan to meet the needs of the involved departments and agencies. On September 1, 1999, the project consultant, O'Brien/Atkins Associates, PA in conjunction with GSA, Ltd., provided an update to the BOCC prior to development of the facility plan component. The update reviewed the data collection, interviews, projections, and determination of future needs. This update focused on four facility configuration concepts which have been developed to meet Durham County's facility needs. Following input and direction from the BOCC, a final plan will be prepared for adoption by the BOCC.

Resource Persons: Glen Whisler, County Engineer  
Sandra Phillips, Director of Purchasing  
Kevin Montgomery and John Atkins, O'Brien/Atkins Associates, PA  
Howard Geisler, GSA, Ltd.

County Manager's Recommendation: The County Manager's recommendation is that the BOCC receive the project update and provide comments and direction to the staff and consultant regarding the four scenarios for facility configurations. Staff understands that adoption of a plan will be a major policy statement by this Board of County Commissioners and will attempt to finalize the plan quickly after Board deliberations are finished. This will allow needed facility projects identified in the Master Plan to be incorporated into the Durham County Capital Improvement Plan that is also being discussed at this meeting.

Mr. Whisler made opening remarks about the agenda item. In September 1999, we gave the Commissioners an update on the space needs analysis and facility master plan project for the County. We went through a notebook in September discussing the first five chapters which consisted of data collection phases of the project. We are here today to review very briefly what has been done to this point, but concentrate most of the time on the options for facility plans and various configurations that address the County's space needs over the next 20 years.

Mr. Whisler introduced the presenters.

Mr. Montgomery began the presentation by requesting that Mr. Geisler give a brief summary of what has been done to date and to set the stage for how we developed the scenarios. The information being discussed today concerns the four scenarios.

The Commissioners asked several questions and made comments about the working draft of the space needs analysis and master plan to which Mr. Geisler responded.

Mr. Geisler began his presentation with a review of the scope and the study the firm was directed to do.

### Objectives of the Facility Master Plan

This Facility Master Plan is intended to achieve the following objectives:

- To identify the organizational structure and service responsibilities of all included departments and agencies of Durham County Government and their effects on facility needs.
- To identify any possible changes in policies, procedures, service areas, and equipment and their effect on County Government facility needs.
- To project the space needs of the included County Government departments and agencies.
- To recommend a building location plan for the included departments and agencies.
- To describe a recommended space occupancy plan for meeting the projected needs of the included departments and agencies.
- To define a long-range implementation plan.

The approach to the study included the following:

- a) Performed an inventory of all space occupied by the County
- b) Projected future personnel and space needs of all departments
- c) Developed space guidelines
- d) Developed a concept of how the physical location of all departments could be organized for the best approach to service delivery
- e) Developed a concept of how to achieve the master plan up through the capital improvement program and budget.

Essentially, the plan has been completed.

Mr. Geisler discussed the existing situation that included discussion of the following:

- County Government organization
- Existing County Government staffing
- Existing facility portfolio



- Current visitor patterns
- Parking availability

Mr. Geisler commented on the guidelines that were developed to generate the four scenarios for the space needs analysis.

#### **Excuse of Commissioner Heron**

Vice-Chairman Reckhow moved, seconded by Commissioner Bell, to excuse Commissioner Heron from the November 1, 1999 Worksession at 11:30 a.m. so she could attend the long-term care committee meeting.

The motion carried unanimously.

#### **Space Needs Analysis (continued)**

Mr. Montgomery described the four scenarios for the Commissioners' information.

The Commissioners asked questions and made comments about the four scenarios to which Mr. Montgomery responded.

Vice-Chairman Reckhow said she was impressed with the four scenarios; however, she liked scenario No. 4 the best.

Chairman Black said the City, County, and Durham Public Schools need to have a retreat to discuss the facility master plan since we will have to sell bonds to get proper financing.

Commissioner Bowser liked the four scenarios, but he was disappointed that he did not see a plan to combine the three human service agencies (Public Health, Mental Health, and Social Services).

Commissioner Bell said he liked the idea of putting the proposed Judicial Building near the Detention Center. I was hoping to see a plan to combine all three human service agencies. I would like to see a plan that would provide for openness.

Chairman Black supported a human services building to house the three departments that would provide for a lot of open space.

Commissioner Bowser liked the idea relocating the Youth Home on Broad Street to the existing Judicial Building. The Broad Street property could then be sold.

### **CIP Process, Criteria and Timeline**

Budget Director Claudia Odom discussed the Capital Improvement Plan process. The FY 2000-2005 Capital Improvement Plan (CIP) process focused on ensuring requests are consistent with Board of Commissioners' goals, County's Comprehensive 20/20 Plan, and County Facilities Plan.

Ms. Odom asked for Board deliberation and input on the following CIP issues:

- Proposed Rating and Ranking System
- Definition of Absolute and Evaluative Criteria
- Examples and Request for Individual Board Member's Work Towards Development of Criteria
- Possible Utilization of Facilitator for Rating and Ranking Session
- Partnership with Other Government Entities
- Tentative Timeline

Deborah Craig-Ray, Public Information and Governmental Affairs Manager, presented ideas for Board deliberation on how the community outreach process will support the development of the CIP. Some tools that will be used again are the Community Conversations and larger public forums.

County Manager's Recommendation: This presentation is the beginning of the process for Board input into the creation of the Capital Improvement Plan. Staff has worked diligently behind the scenes to complete summaries of projects that will be brought forward to the Board for deliberations. The County Facilities Plan, which you will hear about at this meeting, will be completed rapidly after today's session. This plan will then be formatted into the CIP. The Durham Public School's Board is also finishing up their CIP which will also be placed in our format. The NC Museum of Life and Sciences and Durham Technical College's requests will also be brought forward. In summary, final preparations are being made to provide the Board with the information that is needed to make solid decisions. It is now time to work on the Board's review and outreach processes.

Ms. Odom presented the next several months of the CIP process to the Commissioners for their information. She presented the process overview with the following power point presentation.

#### Presentation Summary

- Proposed Rating and Ranking System
- Definition of Absolute and Evaluative Criteria
- Outline Framework for Individual Board Member's Work Towards Development of Criteria
- Discuss use of Facilitator for Rating and Ranking Session

- Tentative Timeline
- Partnerships with Other Governmental Entities

#### Proposed Rating and Ranking System Rating

Each project will receive a raw score which will be translated into a rating of:

- High
- Medium-High
- Medium
- Not-to-be Funded

#### Ranking

Final Stage in the process in which projects will be given a ranking of:

- H1 (High Priority to be funded in the first year)
- H2 (High Priority to be funded in the second year)
- MH2 (Medium High Priority to be funded in the second year)
- MH3 (Medium High Priority to be funded in the third year)
- M4 (Medium Priority to be funded in the fourth year)
- M5 (Medium Priority to be funded in the fifth year)
- AF (Medium Priority to be funded after five years)
- NF (Low Priority not to be funded)
- QP (Questionable Projects)
- NA (Valid but not assessed in this CIP)

#### Absolute Criteria

These are criteria that the project must meet prior to including in the Capital Improvements Program. These criteria should always be phrased in terms of “shall (not)” or “must (not)” in their definitions. It is recommended that these criteria be reached by full consensus of all Board members.

#### Absolute Criteria

Which criteria is so important that no project is acceptable unless it meets all of them?

#### Absolute Criteria (Examples)

- The total capital and operating costs must exceed \$100,000 over the life of the project.
- The project must be one for which General Obligations Bonds would be authorized under N.C.G.S. 159-48.

- The project, organization, and process must be legally permissible, both administratively and financially.

#### Evaluative Criteria

These criteria state the desirable objectives that the Board is trying to accomplish by undertaking a capital project. They will be used also in the evaluation of proposed projects as the Board establishes its project priorities.

#### Evaluative Criteria (Examples)

- Project is a remedy for safety and health code violations and/or meets federal or state mandates.
- Project received prior appropriations, requires additional funding for completion, and continues to be justified.
- The project represents a systematic replacement or major maintenance schedule.
- The project preserves an existing public facility, significantly reducing expenses in future years.
- The project is consistent with BOCC strategic goals, needs identified in the County's Comprehensive 20/20 Plan, County Facilities Plan, or any other previously adopted goals and policies.
- The project results in more economical efficient or effective service delivery (e.g. accessibility, customer services). The project results in increased productivity.
- The project serves a special community need.
- The project results in an enhanced working or public environment.
- The project can be financed with non-general fund revenue sources.
- Operating Budget Impact. Projects that lower operating expense will get a positive score, from zero to ten. Projects that have no effect on operating expense will score zero. Projects that increase operating expenses will score anywhere from zero to ten. (Maximum of 10 points)

Should a facilitator be used in ranking and rating projects?

#### CIP Timeline

- Departmental Submittal
- Board Consensus on Timeline, CIP Process, and Review Criteria (November 1999)
- Information Gathering, Staff Recommendations (November 1 – December 15, 1999)
- CIP Working Document provided to Board (December 20, 1999)
- County Departments, Durham Public Schools, Durham Technical Community College Board of Trustees, and Museum present to BOCC (January 3 – 14, 2000)
- Public Input (January 18, 2000)
- Board Deliberations, Priority Setting (January 31 – February 11, 2000)
- Manager Recommendations (March 1, 2000)

- Board Deliberations (March 6 – 20, 2000)
- CIP Approval (March 27, 2000)

#### Partnerships with other governmental entities

- Durham Public Schools
- Durham Technical Community College
- Durham City Government

#### Board Meetings

- Establish Ranking, Rating, Absolute and Evaluative Criteria (November – December)
- County departments, Durham Public Schools, Durham Technical Community College Board of Trustees, and Museum of Life and Science present capital project request to BOCC (January)
- BOCC Worksessions to rank projects (March)

#### Durham County Government CIP Timeline

Department Submittal	Spring, Fall 1999
Board Consensus on Timeline, CIP Process, and Review Criteria	November 1999
Information Gathering, Staff Recommendations	November 1 – December 15, 1999
CIP Working Document provided to BOCC	December 20, 1999
County Departments, Durham Public Schools, Durham Technical Community College, and Museum present to the BOCC	January 3 – 14, 2000
Public Input	January 18, 2000
Board Deliberations, Priority Setting	January 31 – February 11, 2000
Manager Recommendations	March 1, 2000
Board Deliberations	March 6 – 20, 2000
CIP Approval	March 27, 2000

Chairman Black said the CIP discussion could be held at the December 6, 1999 Worksession.

Commissioner Bell said the Durham Legislative Delegation should be included in the process.

Chairman Black suggested the Durham delegation members be invited to the County Commissioners' January 2000 retreat to learn about the CIP and related financing.

Vice-Chairman Reckhow suggested the Durham Public Schools Board and the Judicial System be included in the Commissioners' retreat as well as the Legislative Delegation.

County Manager David F. Thompson said representatives from Durham Technical Community College should also attend the retreat.

### **Benefits Renewal Rates**

In an effort to offset the out-of-pocket benefit costs for employees, it is the recommendation of the HR department that \$233,136 from the cafeteria benefits line item (Fund 150) be dedicated to increase the \$138 credit to \$150. A projected cost and expense analysis is included to explain how Fund 150 will generate enough reserves to continue to fund this increase for future budget years beginning January 1, 2000.

Durham County Government has received its renewal rates for calendar year 2000. Increases for health benefits range from 6 percent to 48 percent. Even with anticipated migration from one health plan to another in search of the lowest rates, most employees will experience an average increase of 11 percent. Dental rates will also increase an average of 31 percent (actual increases fall between \$2.21 and \$8.71).

The County has held steady with its flexible spending amount of \$138 per pay period for seven years. Although 700 employees do not spend the entire \$138 credit, the remaining 977 employees will see a significant erosion in their benefits buying power. Fund 150 has a cash reserve which is fed by the reversion of unused benefit dollars. This fund is designed to provide for the continued payment of retiree benefits without any annual budgetary allocations and to provide a revenue source for any increases in the benefit credit (currently \$138).

Resource Person(s): Jackye Knight

County Manager's Recommendation: Durham County Government is considered to have one of the best benefit packages in the state of North Carolina. To my knowledge, no other local municipality has a true cafeteria plan. This plan has been virtually inflation proof for the past seven years; however, this year's double digit inflation in the health arena has been felt by the entire nation. The recommended move from \$138 to \$150 reflects a 10 percent increase. This increase, in addition to the automatic pre-tax status of health premiums, will ensure the minimum impact to the take home pay for the majority of our employees. It is my recommendation that this item be moved to the consent agenda of the next regular meeting of the Board (November 8, 1999).

Ms. Knight, Human Resources Director, introduced Ms. Debbie Davidson, the new Fringe Benefits Manager for Durham County.

Ms. Knight discussed the proposed employee fringe benefits package. She presented schedules to show the benefits premium increases by percentage and actual increases. Attachments were presented to show migration.

Vice-Chairman Reckhow wanted information comparing our fringe benefits package with other counties.

The Commissioners asked questions and made comments about the benefits renewal rates to which Ms. Knight and County Manager Thompson responded.

Chairman Black asked the Human Resources staff to provide the requested information and bring the agenda item back to the November 8, 1999 Regular Session for final consideration.

### **Closed Session**

The Board was requested to adjourn to closed session pursuant to N.C.G.S. § 143-318.11(a)(5) in order to instruct the staff regarding the potential purchase of real estate.

Commissioner Bowser moved, seconded by Commissioner Bell, to adjourn into Closed Session pursuant to N.C.G.S. § 143-318.11(a)(5) to instruct the staff regarding the potential purchase of real estate.

The motion carried unanimously.

### **Reconvene Into Public Session**

Chairman Black stated the Commissioners gave direction to the County Manager on a real estate matter.

### **Adjournment**

Chairman Black adjourned the meeting at 11:50 a.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board