

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

Monday, October 11, 1999

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

Absent: None

Presider: Chairman Black

**Opening of Regular Session**

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

**Agenda Adjustments**

Commissioner Bowser requested that an agenda item be added relative to the flood victims in eastern North Carolina.

Chairman Black said agenda item No. 15, "Janitorial Services," will be removed from the agenda. The item will be put on a subsequent agenda after review by the attorney.

**Minutes**

Chairman Black removed the August 4, 1999 Worksession Minutes from the agenda. More information was desired regarding the "Investment of Community Health Trust Funds" agenda item.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the August 9, 1999 and August 23, 1999 Regular Session Minutes of the Board as submitted. Approve the September 1, 1999 Worksession Minutes of the Board as corrected.

The motion carried with the following vote:

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

Absent: Bell (arrived late)

**Special Employee Recognition of Interdepartmental Assistance**

Deputy Donald Wadford, Deputy Thomas Mellown, and Mrs. Thomasena Wilson of the Sheriff's Department were recognized for the high level of service and interdepartmental assistance they provided to the Tax Collector's Office. Through their collaborative efforts, these three employees collected over 90 percent of the delinquent tax accounts that were submitted to the Sheriff's Office to be collected, which accounted for more than \$200,000 in total delinquent tax revenue.

County Manager's Recommendation: Recognize Deputy Wadford, Deputy Mellown, and Mrs. Wilson of the Sheriff's Department for their high level of service and interdepartmental assistance while collaborating with the Tax Collector's Office to collect delinquent tax revenue.

Chairman Black said two names should be added to the list. The employees are Herman Alston, Deputy Tax Collector, and Marvin Pope, Interim Tax Administrator. They assisted the deputies in collecting the delinquent taxes.

Mr. Marvin Pope expressed appreciation to Commissioner Heron for bringing this recognition forward for these individuals. On behalf of the Tax Administration Department, Mr. Pope expressed his appreciation to Sheriff Hill, Deputies Wadford and Mellown, and Ms. Wilson, all of the Sheriff's Department.

Deputies Wadford and Mellown and Ms. Wilson came forward for their congratulations and remarks.

Chief Deputy Wesley Crabtree said the Sheriff's Department appreciates the jobs these employees are doing. We are here tonight to support them.

Ms. Wilson made remarks of appreciation for the recognition of the three employees.

Chairman Black thanked the employees for all the hard work they do for the citizens of Durham County. She commended the other employees who came to support the three employees being honored. That shows good team spirit.

Chairman Black asked Herman Austin to come forward for his recognition and any remarks he would like to make.

Mr. Austin thanked the Commissioners for the recognition. The employees do a good job with the tax collection.

**Resolution of Thanks for Dr. Zbigniew J. Kabala**

A resolution honoring Dr. Zbigniew J. Kabala was prepared for the technical assistance he volunteered during the consideration of siting a landfill in Orange County. Dr. Zbigniew J. Kabala was present to receive this recognition.

County Manager's Recommendation: Approve the requested resolution and present to Dr. Kabala.

Commissioner Heron read the resolution into the record.

RESOLUTION

WHEREAS, the Orange County Board of Commissioners began a process to possibly site a construction and demolition landfill near the Durham County line and the Little River; and

WHEREAS, Durham County citizens most concerned about the effects of a possible landfill close to their homes contacted Dr. Zbigniew Kabala, a highly regarded professor in Duke University's Department of Civil and Environmental Engineering, to assist in the campaign to remove the site from consideration; and

WHEREAS, Dr. Kabala holds a Ph.D. and an MA degree in Civil Engineering, as well as Masters of Science degrees in Environmental Engineering and Mathematics, and has been an associate professor in Hydrology and Civil Engineering during his career; and

WHEREAS, he willingly and energetically volunteered his time conducting a thorough analysis of the engineering report prepared by a consultant retained by Orange County Commissioners; and

WHEREAS, Dr. Kabala appeared at the public hearing and provided an impressive presentation with detailed footnotes which completely discredited the previous engineering report; and

WHEREAS, his key arguments against the site included the fact that the site is only five miles from the source of drinking water for the City of Durham, and that it is bad hydrologic practice to place any landfill next to a river; and

WHEREAS, because of his compelling data, Orange County voted to drop consideration of the Guess Road site for the landfill:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby extend sincere appreciation to

Dr. Zbigniew J. Kabala

for the considerable time, expertise, and assistance rendered to the citizens of Durham County in defeating the construction and demolition landfill site under consideration by the Orange County Board of Commissioners.

This the 11<sup>th</sup> day of October, 1999.

/s/ Five Commissioners  
Durham County Commissioners

Mr. Rob Fletcher, 8602 Doughton Drive, Bahama, NC 27503, thanked the Commissioners for the recognition of Dr. Kabala. Dr. Kabala did what was right and he volunteered to review a 14-page report. His work helped to defeat the proposed landfill.

Dr. Kabala thanked the Commissioners for the recognition. Praises should go to the committee organized by Mr. Fletcher. It is time to review the siting criteria for landfill.

### **Resolution of Support for United States Flag Protection Amendment**

At the request of the County Commissioners, staff prepared a resolution of support for the United States Flag Protection Amendment currently being considered in Congress. If adopted, a copy will be forwarded to the members of Durham's congressional delegation.

Chairman Black read the resolution into the record.

#### RESOLUTION

WHEREAS, the United States flag is a symbol of the greatest, the freest, and the most powerful nation in recorded history; and

WHEREAS, no state did more to earn and gain independence for the United States of America than did North Carolina; and

WHEREAS, North Carolina is symbolically represented on the United States flag by one of the thirteen stripes and one of the fifty stars; and

WHEREAS, millions of Americans have willingly and courageously carried the United States flag into battle around the world; and

WHEREAS, countless Americans have sacrificed their lives in order that the United States flag might continue to fly in the "land of the free" and the "home of the brave;" and

WHEREAS, the United States flag represents freedom, independence, and hope to people throughout the world; and

WHEREAS, the United States flag, as a symbol of this great nation, should be honored, respected, and protected from physical desecration:

NOW, THEREFORE, BE IT RESOLVED by the Durham County Board of Commissioners

1. That the County of Durham supports the United States flag protection amendment;
2. That the County of Durham requests adoption of House Joint Resolution 33; and
3. That a copy of this resolution be dispatched to Senator Jesse Helms and Senator John Edwards.

This the 11<sup>th</sup> day of October, 1999.

/s/ Five Commissioners  
Durham County Commissioners

Chairman Black presented the resolution to Mr. Les Dash, Vice State Commander Deputy of the Department of North Carolina.

Mr. Dash announced that a ceremony would be held on November 11, 1999 at 11:00 a.m. on the Courthouse steps to recognize the signing of the armistice. The public is invited to attend.

#### **Introduction of New City/County Planning Director**

Norman R. Standerfer, AICP, was named Director of Durham City/County Planning. Mr. Standerfer has reported to work. The County Manager introduced Mr. Standerfer formally to the Board of County Commissioners and gave Mr. Standerfer an opportunity to address the Board.

Mr. Standerfer addressed the County Commissioners. He thanked the Commissioners for the opportunity to be in Durham.

The Commissioners made remarks to Mr. Standerfer relative to his appointment to the position.

#### **Introduction of the Animal Control Administrator**

Michael Turner, Director of General Services, introduced Ms. Cindy Bailey as the new Durham County Animal Control Administrator.

Mr. Turner said we are very fortunate to have someone that is known and consulted both locally and nationally in her profession.

Ms. Bailey made remarks about her position as Animal Control Administrator.

The Commissioners made remarks about the appointment of Ms. Bailey.

**Consent Agenda**

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

- \* (a) Amendment to Records Detention and Disposition Schedule (approve the schedule amendments in order to allow for the destruction of records which no longer have any utility within a reasonable time frame);
- \* (b) Purchase of Dental Equipment—Department of Public Health (authorize County Manager to enter into a contract with Thompson Dental in the amount of \$36,045 for the purchase of dental equipment);
- \* (c) Deferred Revenue for Welfare-to-Work Grant (approve FY 1999-2000 Budget Ordinance Amendment No. 00BCC000006 in the amount of \$662,752);
- \* (d) Office of the Sheriff—COPS Universal Hiring Supplemental Award #95CFWX1135 (approve budget amendment No. 00BCC000007);
- \* (e) Budget Amendment to Recognize DSS Deferred Revenue (approve budget amendment 00BCC000008 to recognize \$131,162 of deferred revenue in the current DSS budget);
- (f) Standard Non-Reimbursable Utility Contract for Extension or Upgrade of the County Sanitary Sewer System (authorize the County Manager to execute the above utility contracts [Springhill Suites at the Imperial and Silicon Flex Space] for these additions to the County sanitary sewer system);
- \* (g) Durham Community Shelter for HOPE Funding Request (approve Budget Ordinance Amendment No. 00BCC000009 in the amount of \$21,435); and
- (h) Schedule Public Hearing on the NCDOT Application for Rural Operating Assistance (schedule the public hearing on the NCDOT Rural Operations Assistance Program Application for the Board's October 25, 1999 meeting).

The motion carried unanimously.

\*Documents related to these items follow:

Consent Agenda 8(a). Amendment to Records Detention and Disposition Schedule (approve the schedule amendments in order to allow for the destruction of records which no longer have any utility within a reasonable time frame).

The amendment follows:

STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS. Official records pertaining to the authority, operating philosophy, purposes, methods, and primary functions of county officials.

1. ACCIDENT REPORTS FILE. File includes reports describing accidents involving county employees resulting in personal injury.

DISPOSITION INSTRUCTIONS: Destroy in office after 3 years.

2. AGENDA FILE. Agendas used for meetings.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year.

3. ASSOCIATIONS AND COMMITTEES FILE. Records concerning various associations and committees. File may include correspondence, listing of members, newsletters, and other related material.

DISPOSITION INSTRUCTIONS: Destroy in office after 2 years.

4. BLUEPRINTS FILE. Blueprints for county buildings and facilities. File may include specifications concerning plumbing, electrical, and constructural design.

DISPOSITION INSTRUCTIONS: Retain in office for life of structure.

5. BULLETINS FILE. Administrative notices issued by authorized agency officials.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year.

6. BUSINESS LICENSES FILE. Records consisting of applications and licenses to do business in the county. File may also include fee schedule.

DISPOSITION INSTRUCTIONS: Destroy in office 5 years after expiration.

- \*6a. CITIZEN COMPLAINTS FILE. Complaints received from citizens.

DISPOSITION INSTRUCTIONS: Destroy in office after settlement of complaint.

- \*6b. CLAIMS FILE. Records relating to claims for payment, damages, or other redress. File includes reports and recommendations from legal counsel, supporting documentation, and other related records. (Comply with applicable provisions of G.S. § 132-1.1 regarding confidentiality of records.

DISPOSITION INSTRUCTIONS: Destroy in office 10 years after settlement or denial of claim.

- \*7. CONFERENCES AND WORKSHOPS FILE. Records concerning conferences and workshops conducted by or attended by county employees. File may include correspondence, agendas, programs, reports, training materials, handouts, reservations, critiques, questionnaires, and other related records.

DISPOSITION INSTRUCTIONS: Destroy in office after 1 year.

\*Shown as amended October 1, 1999.

#### RECORDS RETENTION AND DISPOSITION SCHEDULE AMENDMENT

##### DURHAM COUNTY COUNTY ADMINISTRATIVE, FINANCIAL, LEGAL, AND PERSONNEL OFFICE STANDARD 1, ADMINISTRATION AND MANAGEMENT RECORDS

Amend the records retention and disposition schedule for Durham County, County Administrative, Financial, Legal, and Personnel Office, by adding Items 6a and 6b, and by changing the disposition instructions of Item 7 as shown on substitute page dated October 1, 1999.

#### APPROVAL RECOMMENDED

/s/ David F. Thompson  
County Manager

/s/ Jeffrey J. Crow, Director  
Division of Archives and History

#### APPROVED

/s/ MaryAnn E. Black, Chairman  
Durham County Board of Commissioners

/s/ Betty Ray McCain, Secretary  
Department of Cultural Resources

Consent Agenda 8(b). Purchase of Dental Equipment—Department of Public Health (authorize County Manager to enter into a contract with Thompson Dental in the amount of \$36,045 for the purchase of dental equipment).

The bid tabulation follows:



| BIDDER                       | TERMS & DELIVERY            | ITEM I Qty = 1              | ITEM II Qty = 1                                    | ITEM III Qty = 1                            | ITEM IV Qty = 1                        | ITEM V Qty = 1                           | ITEM VI Qty = 1   | ITEM VII Qty = 1                          | ITEM VIII Qty = 1                            | ITEM IX Qty = 4   | TOTAL BID AMOUNT |
|------------------------------|-----------------------------|-----------------------------|--|---|--|--|---|---|--|---|------------------|
| CAROLINA DENTAL SUPPLY, INC. |                             | #2230 Signet Chair or Equal | #9913 Royal 40 Light Post & Chair Adapter or Equal | #111E Proma Daray Light Post Mount Or Equal | Royal #1WR04 Operator's Stool Or Equal | Knight Deluxe Assistant's Stool Or Equal | Forest FX-101 Flexible Arm System #1110-076 w/ Tray #110-602 Or Equal | Promo #3530 Dual Operator's Cart Or Equal | Planmeca EC Proline Panoramic X-ray Or Equal | Gendex #GX-770 X-Ray Units w/ Lighted Remote Exposure Switches Or Equal | NO RESPONSE      |
| HENRY SCHEIN                 | Net 30 30-Day Delivery      | \$3,644.00                  | \$ 210.00  | \$ 1,198.00                                 | \$ 359.00                              | \$ 425.00 Alternate Submitted            | \$ 385.00   | \$ 2,669.00 Alternate Submitted           | \$20,999.00                                  | \$ 3,145.00<br>\$12,580.00  | \$ 42,489.00     |
| PATTERSON DENTAL             | Net 15/Days 30-Day Delivery | \$3,764.00                  | \$ 257.00  | \$ 1,209.00                                 | \$ 372.00                              | \$ 431.00                                | \$ 372.00   | \$ 2,736.00                               | \$15,735.00                                  | \$ 3,068.00<br>\$ 12,272.00   | \$ 37,148.00     |
| THOMPSON DENTAL              | 45-Day Delivery             | \$3,438.00                  | \$ 253.00  | \$ 1,193.00                                 | \$ 366.00                              | \$ 425.00                                | \$ 370.00   | \$ 2,700.00                               | \$15,060.00                                  | \$ 3,060.00<br>\$ 12,240.00   | \$ 36,045.00     |

Consent Agenda 8(c). Deferred Revenue for Welfare-to-Work Grant (approve FY 1999-2000 Budget Ordinance Amendment No. 00BCC000006 in the amount of \$662,752).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
 FY 1999-2000 Budget Ordinance  
 Amendment No. 00BCC000006

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 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>Revenues</u>     |                       |                 |                 |                       |
| Intergovernmental   | \$172,038,780         | \$662,752       |                 | \$172,701,532         |
| <u>Expenditures</u> |                       |                 |                 |                       |
| Human Services      | \$205,646,553         | \$662,752       |                 | \$206,972,057         |

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

This the 11<sup>th</sup> day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 8(d). Office of the Sheriff—COPS Universal Hiring Supplemental Award #95CFWX1135 (approve budget amendment No. 00BCC000007).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1999-2000 Budget Ordinance  
Amendment No. 00BCC000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for the Sheriff's Department.

GENERAL FUND

|                     | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u>     |                           |                 |                 |                           |
| Intergovernmental   | \$172,701,532             | \$50,000        |                 | \$172,751,532             |
| <u>Expenditures</u> |                           |                 |                 |                           |
| Public Safety       | \$ 29,329,808             | \$50,000        |                 | \$ 29,379,808             |

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

This the 11<sup>th</sup> day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 8(e). Budget Amendment to Recognize DSS Deferred Revenue (approve budget amendment 00BCC000008 to recognize \$131,162 of deferred revenue in the current DSS budget).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1999-00 Budget Ordinance  
Amendment No. 00BCC000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for the Department of Social Services.

GENERAL FUND

|                     | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u>     |                           |                 |                 |                           |
| Intergovernmental   | \$172,751,532             | \$131,162       |                 | \$172,882,694             |
| <u>Expenditures</u> |                           |                 |                 |                           |
| Human Services      | \$205,646,553             | \$131,162       |                 | \$205,777,715             |

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

This the 11<sup>th</sup> day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 8(g). Durham Community Shelter for HOPE Funding Request (approve Budget Ordinance Amendment No. 00BCC000009 in the amount of \$21,435).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
 FY 1999-2000 Budget Ordinance  
 Amendment No. 00BCC000009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for the Community Shelter for HOPE.

GENERAL FUND

|                     | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Expenditures</u> |                           |                 |                 |                           |
| Human Services      | \$205,777,715             | \$21,435        |                 | \$205,799,150             |
| Nondepartmental     | \$ 17,008,892             |                 | \$21,435        | \$ 16,987,457             |

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

This the 11<sup>th</sup> day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**Sheriff's Department--Four Agenda Items**

County Manager David F. Thompson suggested that the Board hear the presentations on all four agenda items and then make one motion for all items. The items all relate to one communications project.

**Capital Budget Amendment (00CPA000004) to Establish COPS MORE Technology Project**

The US Department of Justice's COPS (Community Oriented Policing Services) Office awarded the Durham County Sheriff's Office an award for equipment/technology of \$998,579. Total project funding of \$1,331,439 will be used to purchase and implement a Computer Aided Dispatch (CAD) and Wireless Mobile Data Network (MDN) System at the Sheriff's Office. Listed below is the total revenue stream dedicated to the project.

|   |                |
|---|----------------|
| COPS MORE '98 Grant (Pay-As-You-Go fund, CIP)         | \$ 998,579     |
| COPS MORE '98 Grant (Operating Budget)                | 46,840         |
| <u>Required Local Match (Pay-As-You-Go fund, CIP)</u> | <u>286,020</u> |
| Total Project Funding                                 | \$1,331,439    |

The award provides the Sheriff's Department a vital opportunity to consolidate all criminal, civil detention, and related information processes into an integrated, readily accessible, yet securely compartmentalized database. This central data pool would be immediately available as appropriate to patrol officers, crime analysts, juvenile officers, jailers, other local, state, and federal agencies, and the public as needed. The comprehensive system will vastly increase the department's efficiency and citizen interrelationships across the board. In addition, it will benefit the diverse staff of mobile officers including: Patrol, Detectives, Drug Investigators, School Resource Officers, Truancy, Probation, Civil Process, and Child Support deputies by placing an enormous amount of history and case information at their fingertips. The department will be able to replace all of disparate, obsolete, stand-alone applications with a state-of-the-art Criminal Justice Information Network pattern modeled directly after the State of North Carolina's Criminal Justice Integrated Network (CJIN).

Three subsequent agenda items will require Board action to approve procurement of project expenditures.

Resource Persons: Nancy Dellinger, Director of Planning & Development; John Hardy, IS Manager for the Sheriff's Office; and Claudia Odom, Budget and Management Services Director, were available to respond to any questions and discuss their recommendations to the Board.

County Manager's Recommendation: Congratulate the Sheriff on receiving the COPS More Technology grant. As discussed during the budget process, \$1,284,599 of the project expenses are budgeted in the County's Pay-As-You-Go Fund. Of the aforementioned amount, \$286,020 is the required local match. The County Manager

recommends the Board of County Commissioners make a motion to establish the COPS More Technology grant by approving budget amendment 00CPA000004.

**Sheriff's Office--Approve Sole Source Exemption and Execute Contract Amendment with Vision Software Inc.**

The Sheriff's Office requested the Board's approval of a sole source exemption to allow the County Manager to enter into an amended contract with Vision Software Inc. Justification for this sole source purchase is based on N.C.G.S. 143-129(f) which allows an exemption from formal bidding "when standardization or compatibility is the overriding consideration."

In conjunction, approval was requested also for the County Manager to execute a contract amendment with Vision Software Inc. for a total of **\$667,313.55**. The County's existing Software License Agreement with Vision will be amended to purchase their Computer Aided Dispatch (CAD) and Wireless Mobile Data Network (MDN) software products for the Sheriff's Office.

No new county funding is required in this fiscal year. The project is budgeted in the County's Pay-As-You-Go Fund. The project is being funded through a U.S. Department of Justice COPS (Community Oriented Policing Services) MORE '98 Grant and local dollars allocated in the Pay-As-You-Go Fund. The contract includes pricing for the first year software maintenance for the new software modules, totaling \$65,336.55. These services become effective starting from the first live date for the new systems. Subsequent year funding is anticipated when the maintenance agreements are re-negotiated, annually, for continual coverage. The additional net cost to the County for Vision's Total Software maintenance is estimated to be \$68,814.55.

As a condition of this Grant Award, simultaneous approval was sought from the COPS Office for this sole source contract with Vision Software Inc. via a formal written justification request. This will be obtained prior to obligation, expenditure, or draw down of grant funds. It is required for any non-competitive procurement. The Sheriff's Office anticipates approval from the COPS Office by early or mid October.

Resource Persons: John Hardy, IS Manager, and Nancy Dellinger, Director of Planning & Development from the Sheriff's Office. In addition, Vision Software representatives were available to respond to any questions.

**County Manager's Recommendation:** The County Manager recommends the Board make a motion to approve the sole source exemption, and execute the amended contract with Vision Software Inc. for \$667,313.55 to furnish CAD and Wireless Mobile Software licenses and services to the Sheriff's Office, subject to the pending approval from the COPS office.

**Sheriff's Office--Portable Computers for Wireless Mobile Data COPS MORE '98 Grant Award**

The Sheriff's Office requested the Board's approval to authorize the County Manager to enter into a contract with Dell Computer for the purchase of 30 portable computers. This purchase is needed to implement the Sheriff's Wireless Mobile Data Network. These new units are needed to replace older models out in Patrol, which are not powerful enough to run wireless Mobile Data Network (MDN) technology, and also to equip new deputies or newer special squads. The contract amount based on pricing as of August 31, 1999 will not exceed **\$64,350.00**.

Funding for these acquisitions is budgeted in the County's CIP Budget. As a condition of this grant award, simultaneous approval is being sought from the COPS (Community Oriented Policing Services) Office for this non-competitive procurement. Their approval is being obtained by sending a formal written request, prior to obligation, expenditure, or draw down of grant funds. These computers will be purchased through the North Carolina State Convenience Contract for Microcomputers and Peripherals (Contract #204A, Bid #800871). It is effective from July 1, 1998 through October 31, 1999.

The Dell Latitude CCPiA notebook model chosen is very competitively priced with comparable units and includes a three-year manufacture's warranty. This model performed the best overall in independent "torture tests," which is a specification that is very important to the Sheriff's Mobile Data needs.

Resource Persons: Nancy Dellinger, Director of Planning & Development; John Hardy, IS Manager for the Sheriff's Office; and Sandra Phillips, Director of Purchasing, were available to respond to any questions and discuss their recommendations to the Board.

County Manager's Recommendation: The County Manager recommends the Board make a motion to enter into a contract with Dell Computer through the North Carolina State Convenience Contract (Contract #204A, Bid #800871) for the acquisition of 30 portable computers for an amount not to exceed \$64,350.00. Execution of this contract will remain pending until approval is received from the COPS Office for this non-competitive procurement.

**Sheriff's Office--Vehicle Radio Modems for Wireless Mobile Data--COPS MORE '98 Grant Award**

The Sheriff's Office requested the Board's approval to authorize the County Manager to enter into a contract with Motorola for the purchase of the following items:

|   |                  |
|---|------------------|
| 50 VRM650 RF Modems (35 watt) @ \$2,484.00 each =         | \$ 124,200       |
| 50 VRM660 Portable RF Modems @ \$1,668.00 each =          | \$ 83,400        |
| <u>Installation/Setup for 100 units @ \$295.00 each =</u> | <u>\$ 29,500</u> |
| Total Purchase  | \$ 237,100       |

The contract amount is based on current Motorola pricing through the North Carolina State Convenience Contract for Microcomputers and Peripherals (Contract #250-20; Bid #603569) effective as of May 13, 1999. This purchase is needed to implement the Sheriff's Wireless Mobile Data technology that is compliant and compatible with the State's Criminal Justice Integrated Network (CJIN) Mobile Data Network (MDN). These one hundred (100) modems will equip all Sheriff's Patrol Deputies, Detectives, DARE, SCOPE, SRO, TRIAD, Truancy, Probation, Child Support, and Civil Officers with 24-hour access to the Sheriff's RMS (Records Management System) network.

Funding for these acquisitions is appropriated in the County's CIP Budget. The project is being funded through a U.S. Department of Justice COPS (Community Oriented Policing Services) MORE '98 Grant and local dollars allocated in the Pay-As-You-Go fund. As a condition of this grant award, simultaneous approval is being sought from the COPS (Community Oriented Policing Services) Office for this non-competitive procurement. Their approval is being obtained by sending a formal written request, prior to obligation, expenditure, or draw down of grant funds.

This State Convenience Contract was bid for the specific purpose of implementing statewide mobile communications for law enforcement agencies. The CJIN, MDN services 2,400 law enforcement units statewide. It would allow the Sheriff's field units continuous access to its' new RMS, and pending CAD (Computer Aided Dispatch) system; and to state and federal criminal and DMV records (via the DCI/NCIC network).

Resource Persons: Nancy Dellinger, Director of Planning and Development; John Hardy, IS Manager for the Sheriff's Office; and Sandra Phillips, Director of Purchasing, were available to respond to any questions and discuss their recommendations to the Board.

County Manager's Recommendation: The County Manager recommends the Board make a motion to enter into a contract with Motorola through the North Carolina State Convenience Contract (Contract #250-20, Bid #603569) for the purchase and installation of 100 RF modems, in an amount not to exceed \$237,100. Execution of this contract will remain pending until approval is received from the COPS Office for this non-competitive procurement.

The Commissioners asked several questions and made comments to which the presenting staff responded.

Commissioner Bell asked the County Manager to bring to the Commissioners an overall plan as to how the project is progressing.

Commissioner Bowser asked the staff to determine the cost to maintain the mounted laptop computers versus the portable laptop computers.

Commissioner Bell stated this project would provide a good service to the community through the Sheriff's Department. However, he expressed his reservations about this

comprehensive project and whether the County has the necessary resources for such a project. The project's success depends on many factors. Have we defined them?

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, that the Board approve the budget amendment appropriating project expenses of \$1,284,599 in the County's Pay-As-You-Go Fund. (It should be noted that most of the money is grant money and \$286,020 is the required local match.) Approve sole source exemption with Vision Software Inc. to purchase the CAD and wireless mobile software and services for an amount of \$667,313.55. Move a motion to enter into a contract with Dell Computer for the purchase of 30 portable computers for an amount not to exceed \$64,350 and enter into a contract with Motorola for the purchase and installation of 100 vehicle radio modems for an amount not to exceed \$237,100.

The motion carried unanimously.

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 1999-2000 Capital Projects Budget Ordinance  
Amendment No. 00CPA000004

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 Sheriff's Department COPS Technology pay-as-you-go project.

PAYG FUND

|                            | <u>Current<br/>Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised<br/>Budget</u> |
|----------------------------|---------------------------|-----------------|-----------------|---------------------------|
| COPS Technology<br>Project | \$ -0-                    | \$1,284,599     |                 | \$1,284,599               |

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

This the 11<sup>th</sup> day of October, 1999.

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



**Application--Public School Building Capital Fund--Durham Public Schools**

On September 23, 1999, the Durham Public Schools Board of Education approved the applications for Public School Building Capital Funds. These funds are to be used to replace or renovate roofs in great need at the following schools:

|                           |   |                  |
|---------------------------|---|------------------|
| Chewing Middle School     | = | \$520,000        |
| Durham School of the Arts | = | \$150,000        |
| Shepard Middle School     | = | \$100,000        |
| Mangum Primary School     | = | <u>\$ 30,000</u> |
|                           |   | <u>\$800,000</u> |

This \$600,000 application requires \$200,000 matching funds (3:1); the Jordan High School Plumbing Settlement proceeds are being used for this purpose.

The Durham Public Schools Board of Education requests approval to release funds totaling \$600,000 from the Public School Capital Fund.

Resource Person: Michael Mulheirn, Assistant Superintendent for Operations Services, was present to discuss the request.

County Manager's Recommendation: Recommend the Board approve the release of \$600,000 from the Public School Capital Fund for the purpose of replacing or renovating roofs at the aforementioned schools. If approved, a Capital Budget Amendment will be placed on the next agenda.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the release of \$600,000 from the Public Schools Capital Funds for the purchase of replacing or renovating roofs at the aforementioned schools.

The motion carried unanimously.

**Resolution Supporting Hillandale Golf Course Constructed Wetlands Grant Application**

The Board was requested to adopt the NC Division of Water Resources (NCDWR) resolution in support of Cooperative Extension's Water Quality Improvement grant application. Durham County will serve as the fiscal agent through which the grant funds will be administered.

This NCDWR project will develop teaching and demonstration sites for how constructed wetlands can treat stormwater. It will be installed at the Hillandale Golf Course with the support of the agency and the assistance of the Ellerbee Creek Watershed Association in plant acquisition and planting. This application for Water Quality Improvement grant funds will support existing efforts to develop water quality educational sites in Durham

County. Cooperative Extension completed the Treyburn Riverbank Stabilization Project in FY1999 with NCDWR funding.

Cooperative Extension and Environmental Engineering staff will oversee the construction and implementation of this project.

\$16,333 in intergovernmental funds has been requested to support this project. Anticipated funding would be allocated to Cooperative Extension. No local funds are involved and no subsequent year impact on local funding is anticipated.

Resource Person: Cheryl L. Lloyd was available to present the item and answer any questions.

County Manager's Recommendation: Adopt the resolution authorizing the Durham Center, NC Cooperative Extension Service to submit the NCDWR application.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to adopt the resolution authorizing the Durham NC Cooperative Extension Service to submit the NCDWR application.

The motion carried unanimously.

The resolution follows:

RESOLUTION SUPPORTING HILLANDALE CONSTRUCTED WETLAND  
PROJECT TO TREAT STORMWATER

Whereas, the Durham County Board of Commissioners (hereinafter the County) desires to protect environmental quality and has taken measures to protect Falls Lake water quality, we hereby desire to serve as sponsor for the Durham County Constructed Wetlands Project for a feeder stream to Ellerbee Creek on Hillandale Golf Course property. This feeder stream currently clogs with sediment following large rainfall events. The Interstate 85 widening/upgrade project will directly impact this stream and Ellerbee Creek which is approximately 150 yards downstream from the proposed wetlands site. Any sediment deposited in Ellerbee Creek at this location likely ends up in Falls Lake through sediment transport processes. Hillandale Golf Course, with assistance from the NC Cooperative Extension Service, the City of Durham, and Durham County proposes to create a stilling basin and constructed wetlands to trap sediment, provide improved aquatic habitat and remove nutrients. A local neighborhood association has been growing wetland plants for this project. The site will be used by the North Carolina Cooperative Extension Service as a demonstration site for stormwater treatment techniques.

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The County requests the State of North Carolina to provide financial assistance to Durham County for the Durham County Constructed Wetlands Project in the amount of \$16,333 or 66 percent of construction costs, whichever is the lesser amount;
- 2) The County will disburse grant funds to project contractors after inspecting the work to ensure it meets all quality standards. Hillandale Golf Course will pay for 33 percent of the project plus work it provides in-kind;
- 3) The County has obtained all necessary State and Federal permits;
- 4) The County, through its Sedimentation and Erosion Control Division, will oversee construction of the project to assure compliance with permit conditions;
- 5) The County, through the NC Cooperative Extension Service, will use the project for teaching and demonstration purposes; and
- 6) The County will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project.

Adopted by the Durham County Board of County Commissioners this 27<sup>th</sup> day of September, 1999.

/s/ Garry E. Umstead  
Clerk to the Board

/s/ MaryAnn E. Black, Chairman  
Durham County Board of Commissioners

### **County Manager's Update/Request for Direction**

The County Manager will provide brief updates on the following:

- Fiscal year beginning July 1999 Board Directives
- Sheriff's Department Response to Comments Made at Worksession by John Jolly
- Census 2000 Commendation Letter
- Merger Task Force Subcommittee Meetings
- Y2K Town Meeting

County Manager David F. Thompson highlighted the five items on the County Manager's Update/Request for Direction.

The City of Durham, Durham County, and Durham Public Schools will sponsor the Y2K town meeting on Tuesday, October 26, 1999 at 7:00 p.m. at City Hall.

No official action was taken on this agenda item.

### **Flood in Eastern North Carolina**

Commissioner Bowser asked if Durham County had any surplus automobiles that could be given to the flood victims in eastern North Carolina.

County Manager Thompson said the gift cannot be conveyed if it is not for a public purpose. This suggestion is a great idea. If it is legal, it is something we would want to consider.

County Attorney Chuck Kitchen said there would be no problems if the vehicles were conveyed to the communities for governmental use.

Mr. Thompson said the County could give the vehicles to nonprofit agencies for public service use. We can check the state law to see if there is any way to do that. The only thing the County needs to do is to find out if it can be done legally under North Carolina law.

The Commissioners concurred to ask County Manager Thompson to find out if county-owned vehicles can be conveyed legally under state law to the flood victims.

Chairman Black said the Board would consider conveying the automobiles if the County can legally do that.

### **Board and Commission Appointments**

The following votes were cast to make appointments to the following boards and commissions. (Asterisks designate appointees.)

#### Adult Care Home Community Advisory Committee:

Twelve vacant positions (terms expire September 2000). Subsequent terms are for two or three years.

- \*Jacqueline H. Allen—Bell, Black, Bowser, Heron, and Reckhow
- \*Frank Arnot—Bell, Black, Bowser, Heron, and Reckhow
- \*Brenda Dorsey—Bell, Black, Bowser, Heron, and Reckhow
- \*Glenn A. Eason—Bell, Black, Bowser, Heron, and Reckhow
- \*Cindy Ferrell—Bell, Black, Bowser, Heron, and Reckhow
- \*Billy Eugene Griffin—Bell, Black, Bowser, Heron, and Reckhow
- \*Doreen L. Johnson—Bell, Black, Bowser, Heron, and Reckhow
- \*June Klyde—Bell, Black, Bowser, Heron, and Reckhow
- \*Sherry Lee—Bell, Black, Bowser, Heron, and Reckhow
- \*Mitzi D. McClammy—Bell, Black, Bowser, Heron, and Reckhow
- \*Mamie R. Parker—Bell, Black, Bowser, Heron, and Reckhow
- \*Larry Woodard—Bell, Black, Bowser, Heron, and Reckhow

#### Area Mental Health Board:

One position (term expires July 2003); family consumer representing the interests of individuals with developmental disabilities and one at-large position (term expires July 2003). The Area Mental Health Board recommends the two applicants.

- \*Iowana Hagler—Bell, Black, Heron, and Reckhow
- \*Colleen Kilsheimer—Bell, Black, Heron, and Reckhow

Board of Adjustment:

One expired alternate position (term expires June 30, 2002; must live outside City limits).

\*Kathy Wright Moore—Bell, Black, Bowser, Heron, and Reckhow

Community Child Protection Team/Child Fatality Prevention Team:

Three expired positions (terms expire September 30, 2001.).

\*Doreen L. Johnson—Black, Bowser, Heron, and Reckhow

\*Patrick W. Baker—Bell, Black, Bowser, Heron, and Reckhow

\*Ann Marie Tropiano—Bell, Black, Bowser, Heron, and Reckhow

Historic Preservation Commission:

One expired “representative of a lending institution or attorney” position (term expires September 1, 2002).

\*James C. Worthington—Bell, Black, Bowser, Heron, and Reckhow

Industrial Facilities and Pollution Control Financing Authority:

One term (expires September 2000).

\*Ronnie H. Wood—Bell, Black, Bowser, Heron, and Reckhow

Nursing Home Community Advisory Committee:

Two unexpired terms (expire February 2000).

\*Greta C. Brooks—Bell, Black, Bowser, Heron, and Reckhow

Althea Harman—no votes

Norma Harris—no votes

\*Mary E. Hawkins—Bell, Black, Bowser, Heron, and Reckhow

Note: Votes were not taken on the Environmental Affairs Board. Applicants were not qualified for vacant positions.

**Closed Session**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to adjourn to closed session to consult with an attorney and preserve the attorney-client privilege and to discuss *Gray v. County of Durham*, EEOC #141990330 and to establish and instruct the staff regarding the County’s position regarding the possible acquisition of real property pursuant to G.S. § 143-318.11(a)(3) & (5).

The motion carried unanimously.

**Reconvene into Open Session**

Chairman Black said the Commissioners gave direction to the Attorney on the Gray case and authorized the County Manager to negotiate a real estate matter for the court system facility.

**Adjournment**

Chairman Black adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board