

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

Monday, July 26, 2004

7:00 P.M. Regular Session

ACTION MINUTES-DRAFT

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

Present: Chairman Ellen W. Reckhow, Vice-Chairman Joe W. Bowser, and Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D. Jacobs

Absent: None

Presider: Chairman Reckhow

Opening of Regular Session-Pledge of Allegiance

Agenda Adjustments

- Commissioner Jacobs added "Update on Durham Regional Hospital" to the agenda.
- Chairman Reckhow added "Work First Plan Update" to designate a commissioner to represent the Board on the planning committee.

Minutes

Commissioner Heron moved, seconded by Commissioner Jacobs, to approve the May 3, 2004 Worksession Minutes as corrected and the May 27, 2004 Budget Worksession Minutes and June 28, 2004 Regular Session Minutes as submitted.

The motion carried unanimously.

July Anchor Award Winner-Gary Meares

Gary Meares, DSS Operations Manager, was selected to receive the July Anchor Award. As support for her nominating Mr. Meares, Sharon Hirsch, Assistant Director, Customer Access and Program Support Services, DSS, remarked on Mr. Meares' accomplishments within the Department of Social Services. Mr. Meares is an outstanding employee who constantly searches for ways to improve facilities and save the County money by being efficient. As his supervisor, Ms. Hirsch stated that Mr. Meares has taken a strong leadership role to improve the appearance and safety of DSS buildings, which is a constant challenge, considering the state of the buildings. Mr. Meares also does an outstanding job keeping staff informed of impending changes related to facility and safety issues.

One of Mr. Meares' responsibilities is to monitor the telephone bills. His attention to detail in bill monitoring has helped reduce the tri-wide and long distance phone charges significantly by reducing the number of personal phone calls made by staff. He demonstrates the agency's core values of Respect, Integrity, and Partnership every day in his work with DSS staff and partners in other County agencies. He is a role model for the agency and the County.

Chairman Reckhow presented the July Anchor Award to Mr. Meares and expressed thanks for his contributions to the County.

Consent Agenda

Commissioner Cousin moved, seconded by Commissioner Jacobs, to approve the following consent agenda items:

- b. Appointment-NCACC Annual Conference Voting Delegate (appoint Commission Chairman Ellen W. Reckhow as the voting delegate to the annual conference);
- c. Street Annexation Petition-Chesley Lane (approve the addition of Chesley Lane to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- f. Rules of Procedure of the Durham Planning Commission (approve the Planning Commission Rules of Procedure);
- g. Budget Ordinance Amendment No. 05BCC0000002-Moving State Mental Health Revenues to Appropriate Revenue Categories (reallocate \$67,066 in revenue from Intergovernmental to Service Charges per changes in state funding); and
- h. Budget Ordinance Amendment No. 05BCC000003 and Capital Project

Ordinance Amendment No. 04CPA000001 for the Agriculture Building Renovations Project (DC068) (recognize \$3,000 in new revenue, and transfer to the county contribution fund; move \$2,000 of unspent county contribution funds in the existing Animal Shelter renovation project, which will increase the amount of the Agriculture Building Renovation project by \$5,000 to a total project budget of \$748,875; and decrease the Animal Shelter Renovation project budget by \$2,000 to a total project budget of \$1,626,402).

The motion carried unanimously.

Consent Agenda Items Removed for Discussion

Consent Agenda Item No. a. Property Tax Releases and Refunds for Fiscal Year 2003-04 (accept the property tax release and refund report for June 2004 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report).

Commissioner Heron moved, seconded by Commissioner Jacobs, to accept the property tax release and refund report for June 2004 and authorize the Tax Assessor to adjust the tax records as outlined by the report.

The motion carried unanimously.

Consent Agenda Item No. d. Annual Maintenance and Support Services Contract for the Security/Surveillance System-Durham County Detention Center (authorize the County Manager to enter into a contract with Applied Systems Technologies Inc. to perform factory support, planned maintenance, and video archiving at a cost not to exceed \$69,300 and the initial spare parts inventory of \$50,386 for a total of \$119,686).

Commissioner Heron moved, seconded by Commissioner Jacobs, to authorize the County Manager to enter into a contract with Applied Systems Technologies Inc. to perform factory support, planned maintenance, and video archiving at a cost not to exceed \$69,300 and the initial spare parts inventory of \$50,386 for a total of \$119,686.

The motion carried unanimously.

Consent Agenda Item No. e. Lease Renewal for 119 Orange Street (approve the lease extension for 119 Orange Street for the Probation and Parole division of the court system for an additional one-year term, and authorize the Manager to execute the lease extension).

Vice-Chairman Bowser moved, seconded by Commissioner Heron, to approve the lease extension for 119 Orange Street for the Probation and Parole division of the court system for an additional one-year term, and authorize the Manager to execute the lease extension.

The motion carried unanimously.

Public Hearings-Triangle Metro Center South-Rezoning Case P03-48 and Triangle Metro Center West-Rezoning Case P03-49

Craig Davis Properties presented to the Board of Commissioners requests to rezone a 107.79-acre site located at the northeast corner of the Davis Drive and Hopson Road intersection [PIN0747-01-15-6880 (partial) and 03-14-7865. Request: RSCH and RD to O&I-2CN(D)] and a 45.26-acre site located on the northwest corner of the Davis Drive and Hopson Road intersection [PIN 0747-01-05-2301 and 15-6880 (partial). Request: RSCH to SC(D) and RM-20(D)]. The proposals are in conformance with the small area plan. The Board of Commissioners approved a Plan Amendment in May. Staff recommended approval based on consistency with the adopted plan and conformity with technical requirements. The Zoning Committee of the Durham Planning Commission conducted a public hearing on April 13, 2004 and voted 6-0 to recommend denial, based on inconsistencies then existing with the County's Stormwater Ordinance and on a refusal to make all needed transportation improvements. Both issues have since been resolved.

The public hearings for these requests were advertised on July 9 and 16 in the Durham Herald-Sun.

Resource Person(s): Frank M. Duke, AICP, City-County Planning Director

County Manager's Recommendation: The County Manager recommended that the Board hold the public hearings, receive public comment, and if appropriate, approve the rezoning.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to approve the rezoning of a 107.79-acre site located at the northeast corner of the Davis Drive and Hopson Road intersection [PIN0747-01-15-6880 (partial) and 03-14-7865. Request: RSCH and RD to O&I-2CN(D)] and a 45.26-acre site located on the northwest corner of the Davis Drive and Hopson Road intersection [PIN 0747-01-05- 2301 and 15-6880 (partial). Request: RSCH to SC(D) and RM-20(D)].

The motion carried unanimously.

Public Health: Approval of Contract for Medical Services for the Durham County Detention Facility and the Youth Home

For the past three years, the Health Department has experienced growing difficulty in recruiting and maintaining adequate staffing for the Jail Health Program. Inmates have presented more complex health care needs; consequently, health care costs for this population have dramatically increased and become unpredictable.

In an effort to create a system to offer services in a more cost-effective manner, a request for proposals (RFP) was advertised on Sunday, March 28, 2004. Three proposals were received on April 29, 2004. The respondents were Correct Care Solutions, Prison Health Services (PHS), and Southeastern Services Group Inc. (SSG). On May 13, the proposals were evaluated by a selection committee comprised of representatives from the Sheriff's Department and the Health Department. SSG was eliminated due to the severe restrictions of service options and its history of working with facilities with much smaller populations (average daily populations ranging from 40-210).

CCS and PHS were interviewed on June 15 by representatives from the Sheriff's Department, Finance Department, Health Department, and Board of Health. During the interviews, each company presented more information regarding the proposals, the implementation process, and experiences with other facilities. After the presentations, it was the consensus of the committee to recommend negotiations with CCS. (Using a scoring process, CCS received 1,543 points and PHS received 1,347 points.)

Since the cost of this service continues to be unpredictable, it was recommended that the Board approve the following service provision option offered by CCS for this fiscal year:

- An aggregate cap of \$450,000 for all pharmaceuticals and off-site services;
- An insurance ceiling of \$20,000 per inmate;
- A sharing of costs over \$450,000 at a rate of 60% CCS and 40% County with the County having a ceiling of \$100,000 of "risk" over \$450,000; and
- An equal sharing in savings below \$450,000 cap.

This option is priced at \$2,079,981 for a full year, with an added per diem charge of \$2.97 per inmate, per day for any month with an average daily population greater than 500. The projected start date for this contract is September 1, 2004. The prorated amount for 10 months is priced at \$1,733,318, which would result in a prorated aggregate cap of \$375,000, an insurance ceiling of \$16,667, and a ceiling of \$83,333 of "risk".

During the first year of operation, services will be evaluated and future contracts and pricing re-negotiations are optional at that time.

The Board of Health has approved this recommendation.

Resource Person(s): Brian Letourneau, Health Director

County Manager's Recommendation: The County Manager recommended that the Board authorize the execution a 10-month contract for \$1,733,318 with Correct Care Solutions to provide comprehensive health care services for persons in the custody of the Sheriff and the youth detained at the Youth Home.

Commissioner Cousin moved, seconded by Commissioner Heron, to approve the contract in concept and direct staff to continue negotiation and bring back a final recommendation to the Board at the August 2 Worksession.

The motion carried unanimously.

Settlement of 2003 Property Taxes and the Charge of 2004 Property Taxes to the Tax Collector

As required by N.C.G.S. 105-373, the Tax Administrator submitted the settlement report of 2003 property taxes.

N.C.G.S. 105-373(h) further authorizes the Board of County Commissioners to relieve the Tax Collector

of the charges of taxes on classified motor vehicles that are one year or more past due. Additionally, the General Statutes bar use of any remedies for collection enforcement that is not instituted within ten years of said taxes becoming due. Furthermore, pursuant to G.S. 105-321(b), the Board of County Commissioners charges the Tax Collector with the 2004 Property Tax Receipts. The Tax Administrator requested authorization to relieve charges of taxes that are beyond the statute of limitation of ten years and those vehicles that are more than two years past due. This request is consistent with last year's settlement, which was authorized by the Board.

Resource Person(s): Kenneth L. Joyner, Tax Administrator

County Manager's Recommendation: The County Manager recommended that the Board receive and approve the 2003 Property Tax Settlement Report, charge the Tax Collector with 2004 Property Taxes, and authorize the relieving of taxes that are more than ten years past due and motor vehicles taxes that are more than 2 years past due.

Commissioner Heron moved, seconded by Vice-Chairman Bowser, to authorize Tax Administrator to relieve property taxes that are more than ten years past due and motor vehicles taxes that are more than 2 years past due; to approve the resolution approving the tax collector's annual settlement for FY 03-04 and prior years; and to approve the Order of the Board of County Commissioners in Accordance with G.S. 105-373, G.S. 105-321 and 105-330.3.

The motion carried unanimously.

Update on Durham Regional Hospital

On behalf of the Durham County Hospital Corporation Board of Trustees, Commissioner Jacobs issued an update on improvements and investments underway at Durham Regional Hospital. The initial concern about the unsatisfactory conditions of Durham Regional was raised by Mayor Bill Bell at the July 13, 2004 Joint City-County Committee meeting. Disturbed by the concerns, Chairman Reckhow wrote a letter to C. Edward McCauley, Chairman of the Hospital Corporation, requesting that the Hospital Corporation investigate the conditions and supply a copy of the investigation results to the Commissioners and members of the City-County Committee. She also requested a listing and schedule of capital improvement projects that are programmed and funded for FY 04-05, of which she and Commissioner Jacobs provided a copy for each commissioner at the meeting.

Work First Plan Update

Every two years, all counties must submit a county Work First Block Grant Plan to the Department of Health and Human Services for Work First biennial planning. In a memo to Chairman Reckhow, Charles Harris, Interim Director, Department of Social Services, requested that the Board appoint a designee to the biennial planning committee. Considering Vice-Chairman Bowser's representation on the committee in the past, Chairman Reckhow designated Vice-Chairman Bowser to represent the Board.

Closed Session

Commissioner Heron moved, seconded by Commissioner Jacobs, to adjourn to closed session to discuss matters relating to the location or expansion of business or industry pursuant to G. S. 143-318.11(a)(4).

The motion carried unanimously.

Reconvene to Open Session

The Board of County Commissioners returned to Open Session. Chairman Reckhow declared that directives were given to staff, and no action was taken by the Board in the Closed Session.

Adjournment

Chairman Reckhow adjourned the meeting at 9:40 p.m.

Respectfully submitted,
Vonda C. Sessoms
Deputy Clerk to the Board



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200 E Main Street, Durham, NC 27701

webmaster@durhamcountync.gov
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