

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

Monday, November 2, 2009

9:00 A.M. Worksession

MINUTES

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

Present: Chairman Michael D. Page, Vice-Chairman Ellen W. Reckhow, and Commissioners Becky M. Heron, Brenda A. Howerton, and Joe Bowser.

Absent: None

Presider: Chairman Page

Community Based Corrections Plan Update, Presentation by the Criminal Justice Partnership Advisory Board

The Honorable Ann McKown, District Court Judge, CJPP Board Chair, introduced this item. She stated that pursuant to NCGS Section 143B-273, et seq., the Criminal Justice Partnership Advisory Board (CJPP) was charged with devising a County community-based corrections plan. The current plan, which was approved by the Board of County Commissioners in 1995, revised in 2001, and again updated this year to more accurately reflect current issues facing Durham's criminal justice system.

Judge McKown emphasized that the statute requires that members of the CJPP Board participate in a planning process that includes examining the local criminal justice system, identifying problem areas, improving coordination, devising necessary programming, and proposing strategies for improving the local criminal justice system.

Judge McKown led a subcommittee and the CJPP Board through an intensive process to consider the latest update. Board members worked with service providers, community representatives, and members of local law enforcement to obtain input in the process. The updated Community Based Corrections Plan represented the culmination of the CJPP Board members' collective efforts to address various issues facing the local criminal justice system today.

In response to Commissioner Heron's question regarding mentally ill offenders continuing to struggle to maneuver the mental health system in search of appropriate services, Judge McKown stated that a recommendation had been made to conduct a formal assessment to identify what measurements can be taken to ease those struggles.

Gudrun Parmer, Director, Criminal Justice Resource Center, added that services are available to mentally ill individuals in the community; however, services exclude offenders.

Judge McKown responded to Commissioner Howerton's inquiry in terms of trained staff having the ability to determine whether a person has a mental illness. She explained that trained

individuals are available to provide triage if needed. She addressed concerns about individuals being incarcerated longer than needed due to medical therapy. She stated that judges are very cognizant of the issue. She informed the Board about the jail diversion team that is set up for aftercare programs to provide services.

Vice-Chairman Reckhow spoke about the issues of gang involvement. She expressed hope that providing services to mentally ill individuals would remain a priority.

Ms. Parmer informed Vice-Chairman Reckhow that her concerns were based on issues identified by the evaluators. She also clarified that Tim Henderson, Anti-Gang Program Coordinator, is the administrator for the Comprehensive Anti-Gang Initiative (CAGI) grant, not the coordinator for all grant efforts.

Commissioner Heron requested to receive a job description for Mr. Henderson.

Commissioner Howerton asked for clarification regarding grant collaborations between Durham and Wake Counties through an Interlocal Agreement. She expressed interest with how the program is being evaluated and what has been produced.

Judge McKown indicated that the Criminal Justice Partnership Act Advisory Board (CJPAAB) does not assess the gang grant; however, their duties are to assess the State of Community Penalties based on community-based corrections in Durham.

Vice-Chairman Reckhow acknowledged that CJRC receives a small portion of funds that are distributed and that the County has no oversight or administrative authority over the gang grant.

County Manager Ruffin addressed Commissioner Howerton's concerns. He indicated that at the last steering committee meeting, the United States Department of Justice performed evaluations for the Durham and Wake County efforts. He stated that concerns were raised that Durham County was at the forefront. Therefore, he was asked to communicate with the County Manager in Wake County about collaborating and ensuring that evaluations go forward in a constructive manner; however, no response was received. He also noted that since Durham and Wake Counties are one grantee recipient, the entire effort would be judged as one effort.

Ms. Parmer described the work being done with the program. She highlighted that the three-year grant was split between Durham and Wake Counties. She categorized how the money was distributed as follows: Two-fifths of the money went towards suppression—law enforcement; two-fifths went towards prevention/intervention; and one-fifth went towards reentry. She clarified reentry for the Board and stated that it was decided that Durham would receive and coordinate the reentry piece. She emphasized that North Carolina Central Juvenile Justice Institute was selected to be the evaluator of the project. She stated that performance indicators and performance measures must be reported to the Governor's Crime Commission and the Federal Government on a quarterly basis. She stated that the document presented to the Board provided a brief synopsis of different offender populations that continue to require special attention.

Commissioner Bowser expressed appreciation to Judge McKown and other judges that show compassion and concerns for the mentally ill population. He wished that other leaders across the State of North Carolina would model those sentiments since individuals are not receiving the treatments needed.

Judge McKown thanked the Board for their continued support.

Directives

1. Staff to consider rewording the language as it relates to the steering committee.
2. Consider discussing the CAGI grant at a future Joint City-County Committee meeting.

Budget Ordinance Amendment No. 10BCC000031 and Capital Project Amendment No. 10CPA000009—Official Closing of General Ledger Capital Project Fund Public Improvement Bonds, Series 2002B (Fund #4004500000) and Transferring the Balance of Funds to the Debt Service Fund to Service the Debt

George K. Quick, Finance Director, reported that Durham County had issued a refunding for the Public Improvement Bonds, Series 2000, and the Public Improvement Bonds, Series 2002B, in the amount of \$4,605,000 and \$42,490,000, respectively, on November 3, 2009. In connection with the refunding of the 2002B Bonds, it came to staff's attention that not all of the proceeds had been expended. He explained that in order to maintain the tax exemption of the interest on the 2002B bonds, it is important that the County spend the unexpended proceeds as soon as possible. All proceeds from the 2000 Bonds have been expended; however, of the 2002B bonds, a balance of slightly over \$128K remains in the fund to date.

Mr. Quick requested that the Board approve closing of the Public Improvement Bonds, Series 2002B Fund with the net equity (\$130,000) to be transferred to the Debt Service Fund (Budget Ordinance Amendment No. 10BCC000031) for funding of the retirement of debt. The amount would be estimated as additional interest allocations would not be significant but would slightly change the final transfer amount. In addition, to eliminate budget availability for phases of projects that were funded with proceeds from this general ledger fund, several projects' budgets need amending (e.g., to decrease budget availability to zero for these project phases) (Capital Project Amendment No. 10CPA000009).

Mr. Quick noted that the Public Improvement Bonds, Series 2000, Fund was closed in Fiscal Year 2007 at the June 25, 2007 Board meeting.

Commissioner Bowser moved, seconded by Commissioner Heron,
to suspend the rules.

Ayes: Bowser, Heron, Howerton, and Reckhow
Noes: None
Absent: Page (out of the room when vote was taken)

Commissioner Bowser moved, seconded by Commissioner Heron,
to approve the closing of Public Improvement Bonds, Series

2002B, Fund, Capital Project Amendment No. 10CPA000009 decreasing several project budgets' phases, and Budget Ordinance Amendment No. 10BCC000031 transferring the net equity to the Debt Service Fund for funding of the retirement of debt.

Ayes: Bowser, Heron, Howerton, and Reckhow
 Noes: None
 Absent: Page (out of the room when vote was taken)

Commissioner Heron expressed appreciation for Mr. Quick's hard work.

DURHAM COUNTY, NORTH CAROLINA
 FY 2009-10 Budget Ordinance
 Amendment No. 10BCC000031

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>DEBT SERVICE FUND</u>			
Other Financing Sources	\$47,185,638	\$130,000	\$47,315,638

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>DEBT SERVICE FUND</u>			
Other	\$47,456,677	\$130,000	\$47,586,677

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

This the 2nd day of November, 2009.

DURHAM COUNTY, NORTH CAROLINA
 FY 2008-09 Capital Project Ordinance
 Amendment No. 09CPA000001

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

<u>Expenditures</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Jordan High School Project (SH099)	\$225,000	(\$1,830)	\$223,170.00
South Regional Branch Library Project (DC076)	\$10,387,262	(\$12,026)	\$10,375,236.00

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

This the 2nd day of November, 2009.

Report from Urban Ministries of Durham

Susan Amey, Vice Chair of the Urban Ministries Board, introduced this item, stating that the Board of County Commissioners requested to receive a quarterly report from Urban Ministries of Durham Executive Director Patrice Nelson. Urban Ministries of Durham (UMD) received County funding for its facility which operates a homeless shelter, a food and clothing pantry, a community kitchen, and a recovery program for drug and alcohol addiction.

Ms. Nelson gave the following presentation:

Urban Ministries of Durham FY 08-09 in Review

Celebrations

- Recovery Graduations
- Veterans to Maple Court
- Guests Secured Jobs and Education
- Life Events
- 4100 Volunteers
- Children
- And Much More!

Recession

- Over 7625 people served July 08-June 09
- Café Meals: 197,000—10% Increase
- Shelter guests: 1956—32% Increase
- Homeless Children: 134—38% Increase
- Pounds of Food: 45,300—29% Increase
- Spring and Summer: “White Flag” occupancy

Financial Challenge

Source of Revenue

Total: \$1,235,616—Year Ending June 30, 2009

Expenses by Functional Area (Graph)

Total: \$1,356,491—Year Ending June 30, 2009

Charts do not reflect over \$860,000 of in-kind donations, depreciation, and amortization

\$120,000 loss, audit in November

Reduced reserves to \$73,000

Transition

- Management Staff
- Board Members
- College Interns

Current fiscal year – 1st Quarter
 Usually high demand continues

Shelter: July-September 2009

Single	Family	Total
451	64	515

Families and Total Guests
Family Groups—27
Total Guests--515

Adult Men (Veterans 89)	358
Adult Women (60 Over 55)	93
Children (under 18) (24 Under 5)	41
Total	515

Primary Reason for Homelessness	Number UMD Guests
Employment	173
Substance Abuse	88
Eviction	82
Health Related	67
Transient	38
Other	30
Prison Release	18
Family Violence	15
Runaway	4
Total	515

Current Fiscal Year—1st Quarter

- Enhanced data management and accountability
- (Carolina Homeless Information Network CHIN)
- Aggressive financial management and development efforts
- New in-house fiscal systems ready for November audit
- Over \$110,000 in private grants awarded, over \$75,000 pending, more in development
- Rebuilding Lives, Challenge, Empty bowls
- \$60,000 budget cuts (benefits, staff, mortgage, security)
- Expenses still exceeding revenues. Budget \$107,000/month (utilities, paper products, security, extra coverage)

Delaying Capital Improvements and Equipment Needs (Images)

New Strategies for New Times

Objective

- Sharpen UMD's focus on serving as the point of entry, triage and emergency services in the Durham homelessness continuum of care network

Strategies

- Enhance prevention services and facilities (74%)
- Provide more shelter guests with case management and connections to local partners for housing and supportive services in as short a length of stay as possible (26%)
- Collaborate with partners for longer term housing and supportive service needs (Ex. Stimulus funded Re-housing and Prevention program with Housing for New Hope and DSS)
- Even with enhanced focus on prevention and re-housing, reaffirm the agency's commitment to offer emergency services with dignity and compassion to all neighbors in need, regardless of their ability to leave homelessness at this time.

Opportunities for Enhanced UMD/County Partnership

Residents with Special Needs:

- 33%-40% (50-70 shelter guest per night) Taking narcotic prescription medications needing storage, redistribution and sometimes monitoring;
- Over 80% incarcerated during the past year;
- 75% Hospitalization or treated at Durham Access during the past year for mental health concerns;
- 49% Durham County residents; 34% other NC; 17% out-of-state.
- 911 calls average 3-5 per week
- Security Reduced to \$12,000 (10 hrs./week only)
- Medication Storage and Redistribution
- Bathrooms

Summary

- UMD is your partner agency for homeless prevention, emergency shelter, and support services for neighbors in need.
- UMD is growing stronger, for people growing stronger, for a growing Durham community.

The Board posed the following questions:

- Who provides security for UMD; has UMD considered using the same security company as the County?
- What is the current cost for security?

Ms. Nelson informed the Board that UMD is currently paying off-duty deputies from the Durham County Sheriff's Department to provide security at Urban Ministries. She stated that UMD is currently paying \$25 per hour for security to be provided. She continued to explain the need for security. She requested that the Sheriff's Department provide additional time for

security at UMD. She communicated to the Board that UMD's security problems had significantly decreased due to visible security in the area.

Vice-Chairman Reckhow raised issues about State institutions and prisons discharging people into Durham from other communities. She challenged UMD and County administration to think creatively with an approach that would attend to the issues. She referred to TROSA's business and entrepreneur-like approach in the community.

Commissioner Bowser interjected stating that the Board must quickly address the lavatory issues that Urban Ministries face. He reiterated Vice-Chairman Reckhow's comments about individuals being released into Durham for various reasons.

County Manager Ruffin pointed out that different options exist in terms of varying levels of security.

Commissioner Howerton expressed appreciation and compassion for people in the community who are disadvantaged.

Chairman Page raised a point of clarification regarding the entrepreneurial comment.

Ms. Nelson responded to Chairman Page's question regarding a van that was donated to Urban Ministries. She stated that the van is currently being utilized to pick up donations and food. She provided clarification regarding the usage of restrooms in the building.

Commissioner Bowser voiced his opinion about restrooms being sealed off from the public in Durham County's Administration Complex. He made a comment regarding a statement made by Vice-Chairman Reckhow pertaining to entrepreneurship.

Chairman Page noted that TROSA is a national model for taking residents and sustaining their businesses. He restated Vice-Chairman Reckhow's comment about having a creative approach.

Directives

1. County Manager to organize a work group to discuss the issues at Urban Ministries; bring ideas back to the Board at a future Worksession regarding how to address the matter.
2. Consider discussing the matter with State legislators.
3. County Manager to have a discussion with the Durham County Sheriff about temporary security until the problems are addressed.
4. Consider private security firms such as the ones the County uses.
5. Urban Ministries to review different models and consider ways to help individuals with employment skills.

Update on Progress with Ten-Year Plan to End Homelessness

The Board received a report on the progress of the Ten-Year Plan to End Homelessness. The request for an update occurred at the October 12 BOCC meeting during discussion of the stimulus-funded Homelessness Prevention and Rapid Re-Housing (HPRP) program.

Lloyd Schmeidler, Community Education Specialist for the Ten-Year Plan, highlighted the following outcomes in the report:

Outcome 1: Homeless people would have access to permanent housing.

Accomplished to Date:

- Ten Year Plan (TYP) partners have created 52 units of permanent supportive housing—35% of TYP target—since 2007, with 24 more to open in 2010. These 76 units represent 60% of 119 units of special needs housing built since 2007 or under construction.
- In 2008, Housing Support Teams assisted 64 homeless people access permanent housing
- The RBA Permanent Housing Committee and the TYP's Housing Committee merged to plan and host the Durham Affordable Housing Summit on October 16, 2009. Sixty-five attendees learned about the great need for more affordable housing in the City and the County. The planners are committed to increased collaboration to overcome obstacles to building more affordable housing.
- The TYP is the lead agency for the HUD Continuum of Care grant. This competitive grant annually provides \$700-800K to Durham in federal funds to support the development of transitional and permanent supportive housing for homeless people.

Outcome 2: Those who become homeless are able to access needed services so they can be re-housed in permanent housing as soon as possible.

Accomplished to Date:

- Vital TYP partners, The Durham Center and the Department of Social Services, created an Adult System of Care, with a special focus on homeless people. Care Reviews with homeless adults are occurring weekly at the Community Shelter of Urban Ministries.
- Improvements in discharge planning reduced by half—from 26 to 13—the number of people released into homelessness from Central Regional Hospital (the successor to John Umstead Hospital in Butner) between January-June 2008 and the same period in 2009.

Outcome 3: Homeless people will have the income necessary to obtain and sustain permanent housing.

Accomplished to Date:

- Durham Technical Community College is offering a nationally recognized Career Readiness Credential to the community; DCIA has offered to underwrite to the cost of the CRC for 60 homeless people in 2009-2010.

Outcome 4: Individuals and families the most at risk of homelessness maintain permanent housing through comprehensive prevention activities.

Accomplished to Date:

- Three Project Homeless Connect events have provided easy access to supportive and prevention services to over 700 households at risk of homelessness or already homeless. 295 households received services at PHC 2009 on October 8.

Results Based Accountability (RBA)/Evaluation

Accomplished to Date:

- Three agencies—Genesis Home, Housing for New Hope, and Urban Ministries—are entering data into the Carolina Homeless Information Network (CHIN). Urban Ministries operates 51% of emergency shelter capacity in the County. Of note: HUD

recently recognized CHIN nationally for its “Effective Project Management,” and the N.C. Greensboro HUD Field Office received a HUD “Field Office Award.”

- Point-in-Time Count numbers of Durham’s homeless people have remained relatively stable in the 500-600 range between 2004 and 2009.

Lanea Foster, Resource Specialist for the Ten-Year Plan, briefly highlighted the following initiatives:

2009- 2010 Initiatives

- A pilot of faith-based Circles of Support will be initiated in the first half of 2010.
- CHIN continues to work with TROSA and the Durham Rescue Mission to upload client information into CHIN. CHIN and the TYP office are continuing to encourage other emergency shelter and transitional shelter providers to adopt CHIN as their client database.
- Federal Homeless Prevention & Rapid Re-Housing funds (approximately \$780K) will be used between 2009 and 2011 to prevent homelessness and/or rapidly re-house at least 120 households. The TYP staff was intimately involved in planning for the use of HPRP funds and the TYP’s Executive Team approved the final plan. The Department of Social Services, Housing for New Hope and Urban Ministries of Durham are partners in this project. The three partners will enter all client data into CHIN.
- The 2010 Point-in-Point Count will include racial/ethnic identity, as recommended at a previous Board of County Commissioners meeting.

Commissioner Howerton concurred with Commissioner Heron regarding a report on the progress being made. She asked about accessibility in terms of navigating the system and how would individuals know about available resources.

Anita Oldham, Durham Affordable Housing Coalition, stated that the Department of Social Services (DSS) is the lead agency. DSS would be accepting applications, along with churches in the area that have been trained on how to make referrals relating to the program. The HPRP program is designed to prevent homelessness and/or get people rapidly re-housed once they become homeless.

Mr. Schmeidler added that staff is working with DSS on a press release that would inform citizens about the services that are offered.

Chairman Page discussed expectations from the Commissioners regarding what would be achieved in the future. He spoke about being able to respond to questions about what is being funded and achievements regarding the plan.

Commissioner Heron restated her position per Chairman Page’s request in terms of accountability.

The Board posed the following questions:

- What is going to be done to meet that 10-year threshold?
- Would stimulus funds be received for community development?
- What would be done in 10 years if the homeless population has increased?

- Are continuous reports received from various homeless agencies?
- Based on what is being done, is the program making headway?

Ms. Oldham addressed the Board's concerns regarding collaboration. She stated that the group would work with other agencies on a daily basis. She informed the Board that additional housing summits would be held to discuss the housing issues. She also stated that the program would assist and encourage other agencies to receive continuing care funds in the area to allow housing developers to build in order to reduce the amount of homelessness in the community. She announced that there would be a new initiative in the new continuing care application from the Durham Center that would increase the number of units to be leased for the homeless.

Vice-Chairman Reckhow felt as though a different approach was needed regarding the reports. She stated that the report should contain all elements included in the contracts in terms of the measurable outcomes. She suggested that future reports be more precise.

Ms. Oldham replied to Vice-Chairman Reckhow's comments regarding the measurables that were included in the contract. She addressed the Board's concerns about the significant progress that had been made. She stated that reports are being received from Durham Rescue Mission, TROSA, Urban Ministries, etc. She expressed that the plan would not end homelessness as it is stated but would reduce chronic homelessness.

Commissioner Bowser expressed concerns about being able to identify with the progress that the 10-year program has made. He spoke about individuals who are being sent to Durham from other communities and how it would impact what is being done with the plan.

Mr. Lloyd added that the documents given to the Board focused on specific outcomes of the plan, trying to identify the due diligence with the 10-year plan that implement the strategies that were identified in the 2006 plan and the progress with implementing the plan as it was given. He pointed out the specifics that surround the plan that was brought to communities across the nation which focused on reducing and ending chronic homelessness.

Chairman Page expressed the importance of knowing where the program is headed. He made comments about special efforts as it relates to this population. He referenced an outcome in the report and discussed the importance of moving individuals forward. He thanked staff for bringing the information to the Board.

Directives

1. Prepare a report for the Board, stating what would be accomplished in the next year.
2. Include an overview cover page for future reports that contains a summary of the contact agreement and the agreed-upon ongoing measures.
3. Provide a report to the Board that includes the deliverables for the current contract Board.
4. Ms. Oldham to determine what the plan is, where they are, and where they are going.
5. Bring a report to the Board on the progress being made relating to partnerships and meeting the needs that individuals may have.

Economic Development Update—The Durham Chamber of Commerce

The Board received an update on economic development from the Durham Chamber of Commerce.

Keith Burns, Chairman, Board of Directors, presented the following:

- Economic Development Contract Measurables
- Score Card –2008 Accomplishments
- Score Card—2004-2007 Accomplishments
- 2008 Announcement Activity
- 2007 Announcement Activity
- 2006 Announcement Activity
- 2005 Announcement Activity
- 2004 Announcement Activity

Make it Durham Campaign

- Outcomes
 - Packages Prepared—950
 - Presentations Made—52
 - Client Presentations Made—12
 - Realtor Van Tours—Monthly (October 8, November 12, December 3)
 - October Realtor Presentations—12

Power Point Presentation completed and customized for each client

Commissioner Heron made comments about Durham residents being considered to serve on the Durham Chamber Board of Directors.

Casey Steinbacher, President and CEO, Durham Chamber of Commerce, responded to Commissioner Heron's question about the addresses of current members. She stated that only business addresses are kept on file.

Mr. Burns acknowledged Commissioner Heron's comments; however he stated that if members of the Board of Directors are willing to make a commitment to make Durham a better place, they are welcomed to serve on the board. He agreed to make this information available to the Board.

Commissioner Bowser expressed that Durham jobs should be for Durham people. He discussed the issues regarding tax base since Durham residents are not being able to tap into better jobs in community. He asked that the Chamber assist individuals with obtaining better jobs that allow them to contribute to the community, as well as the tax base, and not pull from human services. He expressed appreciation about what is being done.

Vice-Chairman Reckhow thanked staff for the report. She suggested that an amendment be made pertaining to future contracts relating to job creation to get a handle on the number of jobs going to Durham residents.

Ms. Steinbacher spoke about the Durham Chamber being in the process of obtaining a report on the number of jobs going to Durham residents. She stated that NCCU is currently working on this project and are reviewing the number of companies that have been given incentives over the last five years.

Mr. Burns informed the Commissioners about a career fair that would be held on Thursday, November 5, at Northgate Mall starting at 5:00 p.m.

Ms. Steinbacher explained the career-expo proceedings to the Board. She stated that over 100 career professionals would be present to assist children with their career path.

Ms. Steinbacher enlightened the Board about a discussion that was held with County Manager Ruffin about assisting the Chamber of Commerce with regular communications that would be forwarded to the Board. She replied to Commissioner Howerton's question regarding companies in the Research Triangle Park that recruit internationally not locally. She stated that it is not a question of skill sets but a question of connection. She pointed out that one of goals is to communicate with companies and existing agencies that handle connections such as the Workforce Development Board, that incorporate how the Chamber could be the direct facilitator.

Directives

1. Consider Durham residents when making appointments to the Durham Chamber Board of Directors.
2. Durham Chamber to review what is happening at Lowes Grove Middle School to acquire business leadership into the schools that discuss career opportunities that inform students about job shadowing.
3. Durham Chamber to consider participating in conversations with universities as they begin to prepare students for jobs, based on what type of companies are coming into Durham.
4. Durham Chamber to talk with Deputy County Manager Carolyn Titus about engaging Duke University, North Carolina Central University, and business schools that pertain to trades that companies have to prepare and retain students in the community.
5. Consider training opportunities to maintain.

South Regional Library Art Project Presentation

Skip Auld, Durham County Library Director, introduced this item. He stated that in December 8, 2008, the BOCC approved Budget Ordinance Amendment No. 09BCC000035 to recognize \$50,000 in funding from the Herndon Foundation to enhance the South Regional Library with artwork that would honor the life of Mary Herndon. In January 2009, Durham County Library contracted the services of Janet Kagan, a public art consultant, to assist in the selection of a North Carolina artist to undertake creating the South Regional Library art project. A Technical Design Review Committee, consisting of County Engineering staff, project architects, and Durham County Library (DCL) staff, serve as the first reviewers; based on the responses and comments, the art proposal was considered by the Public Art Committee who serve in an aesthetic capacity.

Mr. Auld explained that the Public Art Committee, led by the chair of the Durham Library Trustees, was chosen from the Durham County community representing art gallery owners, North Carolina Central University Art Department, Durham Arts Council, the Durham Library Foundation, Friends of the Durham Library, and DCL staff. Both groups have approved the conceptual design of Thomas Sayre from both technical and aesthetic aspects. Construction on the South Regional Library is progressing as planned and is on schedule.

Gus Godwin, Trustee, C.M. Herndon Foundation, shared his interest regarding the art project in memory of Ms. Herndon.

Elsa Woods, Vice Chair, Library Board of Directors, discussed the exciting aspects of the art. She stated that the project was incredible. She gave credit to Ms. Kagan for the work that was done relating to establishing the criteria for the selection of the artist.

Thomas Sayre, Artist, explained the concept of the art. He stated that the proposal for the public art for the new South Regional Library in Durham consists of a single large, stacked form reminiscent of familiar log-built agricultural structures. At roughly 17 feet out of the ground and eight by nine feet in plan, the sculpture would be composed of stacked earth-cast "slabs", which would taper at the outside edges to create deep shadow lines and visually lighten the mass of the piece. The horizontal elements would be individually cast of steel reinforced concrete in North Carolina "red" clay molds and thereby would be visually connected to the land of Durham County, and Lowes Grove community in particular and its long agricultural history.

Staff responded to Commissioner Heron's question regarding the location of the sculpture. It was stated that the sculpture would be positioned at Highway 54 and Alston Avenue. Staff ensured the Board that the sculpture would be firm.

Mr. Sayre acknowledged the two groups that had endorsed the project, which are the Technical Review Team and Public Art Committee.

The Board posed the following questions:

- Would there be a plaque to address questions about the sculpture?
- Would the sculpture fade over time?
- Do the architects feel comfortable that the sculpture would not take away from the Library?

Vice-Chairman Reckhow expressed admiration about the sculpture harking back to the history.

Mr. Auld replied to Commissioner Heron's concerns regarding liability. He stated that the Library staff is presently in discussions with the County Attorney's office about legal responsibility.

Mr. Sayre pointed out that the concrete sculpture is tinted with iron oxide, which is considered permanent. It will not fade; however, it would give off dirt over time. The sculpture is approximately eight by nine feet.

Directives

Consider a plaque that would answer questions about the sculpture.

Durham County Human Services Complex Update

Glen Whisler, P.E., County Engineer, introduced this item. He stated that the Board would receive an update on the proposed Durham County Human Services Complex project located on 400 & 500 Blocks of East Main Street. The project is to build a new human services complex to house the Department of Social Services, Public Health Department, and The Durham Center (formerly Mental Health). On February 23, 2009, the BOCC awarded the construction contract for the DCHSC project to New Atlantic Contracting (NAC) Inc.; construction is currently underway.

Mr. Whisler explained that the project consolidates delivery of human services and improves service delivery by providing adequate facilities for each agency along East Main Street. This facility was included in the Durham County Facility Master Plan completed in 2000 and amended in 2003 to reflect the changes generated by the downsizing and reorganization of Mental Health.

Phil Freelon, discussed the following:

Durham County and DCHSC Department Mission Statements:

The County of Durham

- The Mission of Durham County government is to enhance the quality of life for its citizens, by providing education; safety and security; health and human services; economic development; and cultural and recreational resources.

Department:

- The Durham Health Department's mission is to preserve, protect and enhance the general health and environmental of the community

Department of Mental Health

- We pursue a community effort dedicated to supporting the lives of citizens affected by mental illness, developmental disabilities and substance abuse by assuring a collaborative, accessible, responsive and efficient system of services and supports.

Department of Social Services

Vision

- Our vision is a community where families achieve well-being

Mission

- Our mission is to partner with families and communities in achieving well-being through prosperity, permanence, safety, and support

Core Values

- The staff of the Durham County Department of Social Services makes this commitment to individuals, families, our community, and ourselves
- We will show RESPECT by recognizing the importance of each individual, treating everyone with kindness, dignity, and compassion

- We will demonstrate INTEGRITY by being honest, dependable, trustworthy, responsible, and accountable for performance and results
- We will cultivate PARTNERSHIP as the best way to help individuals and families develop their strengths and meet their needs, while working together to achieve more

Principles of Partnership

- Everyone desires respect
- Everyone needs to be heard
- Everyone has strengths
- Judgments can wait
- Partners share power
- Partnership is a process

Proposed Votive Wall Text:

Durham's vitality is built upon the health of our residents and the capacity of our community to foster and enhance the wellbeing of every citizen.

Chairman Page asked about different options as far as the name of the building.

Mr. Whisler recommended that "complex" be dropped from the name. He stated that discussions have been held with staff pertaining to the naming.

Mr. Freelon offered his opinion regarding the wording of the building.

The Board held a brief discussion in regards to the name of the building.

Mr. Whisler shared information about the impervious surface. He stated that the project has a system that would capture water from the side of the building to use for irrigation in the courtyard area for the landscaping. He replied to Commissioner Bowser's question regarding left over dirt. He stated that the dirt would be stockpiled and used for the backfield demolition of the Health Department Building to be cost effective. He stated that very little soil was contaminated; however, there was a lot of soil that was not structural or sufficient.

The Board thanked Mr. Freelon and staff for the update.

Durham County Justice Building and Parking Structure Update

The Board received an update on the proposed Durham County Justice Building and Parking Structure to be located on the site adjacent to the current Detention Facility. The award of the architectural design services contract to O'Brien/Atkins Associates (O/A), P.A. was approved by the Board of County Commissioners on July 24, 2006. The BOCC received similar presentations on the schematic design and design development phase of the project on December 3, 2007, June 2, 2008, and September 2, 2008. The construction documents are nearing completion and the project is scheduled to be advertised for bids on November 4, 2009. Also, 10 proposals have been received for the prequalification of contractors who would be invited to bid on the project.

Kevin Montgomery, FAIA, O'Brien/Atkins Associates, P.A, highlighted that drawings are prepared to be submitted to the pre-qualified selected bidders, done by the Durham County Purchasing Department, which produced 10 contractors who submitted their qualifications and were well vetted. He stated that nine had been selected to go forward to bid on the project.

Glen Whisler, P.E., County Engineer, replied to Commissioner Heron's suggestion about considering a place for children in the courthouse.

Travis Hicks, AIA, O'Brien/Atkins Associates, P.A. updated the Board on the following:

- Name Building
- Interior feature in the entrance of the building
- Brief overview of the materials

Vice-Chairman Reckhow was impressed by the ideas being presented to the Board. In terms of the wall, she stated that commemorating Durham's history was a great proposal. She was very pleased with the suggestions and the efforts that were discussed.

Chairman Page admired the name of the building and the signage leading to the Durham Government Services District. He asked about the precedence integrated into other courthouse structures.

County Manager Ruffin informed the Board that once the bidding process opens, the Board should assess whether a sculpture should be included.

Mr. Whisler noted that a process would occur to select an artist and to evaluate different concepts and proposals before a final selection is made.

County Manager Ruffin stated that he had been approached regarding available space for a law clinic in the facility. He stated that he had been working with Michael Goodman, Capital Broadcasting, about a space in the area where individuals could access clinical services in the vicinity of the courthouse. He would be willing to sit down and discuss it with the Board at a later time.

Directive

1. Seek a private match to determine if the bar association would step up and divide the budget in a public-private partnership.
2. Consider consulting with the NCCU Law School and capital broadcasting in terms of having a law clinic in the justice building that would provide assistance for those that need legal support.

The Board provided additional feedback regarding the name of the building

Presentation on NACo Prescription Drug Discount Card Program

Gayle B. Harris, Health Director, introduced this item, stating that The National Association of Counties (NACo) Prescription Drug Discount Card program is a discount card program that helps consumers cope with the high price of prescription drugs. Through a partnership with CVS

Caremark, the program allows participating counties to provide free cards for consumers who have no prescription drug insurance or need certain medications that are not covered by their insurance. Currently, 67 counties in North Carolina participate in the program. Best of all, there are no costs to Durham County or taxpayers to participate.

Ms. Harris shared a video with the Board about the prescription drug discount card program.

County Manager Ruffin and staff notified the Board that staff acted upon this program in the past; however, the County was not able to move forward at that time due to legal advice given by the County Attorney's office.

Staff provided a brief presentation on the proposal and discussed benefits of joining the program.

The Board posed the following questions:

- How would this program affect senior citizens?
- Can this program be discussed at the senior citizens' meeting to spread the word (information forums)?
- Are nonprofit organizations eligible for this program?
- Is there any cost to the County?
- Would instructions be provided?

Ms. Harris explained that any resident of Durham may utilize the card. However, the card cannot be used in conjunction with any insurance benefits; Medicaid/Medicare is considered insurance benefits. She added that the prescription card could be used for pet medications as well. She continued to explain that once the County Manager enters into the contract, it would take NACo eight weeks to process the information and turn it over to CVS Caremark. She stated that there would be no cost to the County; the cards would be replenished automatically by Caremark. She informed the Board that a booklet of information will be included with the cards. There would be a public relations campaign to educate the community on how to utilize the cards. The program would likely begin at the beginning of 2010. Lists of pharmacies are also included in the packet.

Vice-Chairman Reckhow alerted fellow Commissioners and staff that NACo is currently working on a plan that provides lower cost for dental services in the community. She hoped that the County considers the initiative.

Ms. Harris clarified using this program to purchase prescriptions per Chairman Page's request.

Vice-Chairman Reckhow suggested that the County begin to work with those that are uninsured.

Marqueta Welton, Human Resources Director, addressed Commissioner Heron inquiry regarding the Senior Pharmacist program.

Vice-Chairman Reckhow shared information from the NACO conference that involves innovative profile workshops that work with nursing homes and rest homes in the community.

Directives

1. Make certain that Commissioners are informed about future initiatives.
2. Gayle Harris to consider a drug recycling program to assist low-income citizens in the community.
3. Place on November 9 consent agenda.

Review of October BOCC Directives

It was requested that at each month's Worksession that the Board of County Commissioners have the opportunity to review the previous month's directives for staff and make comments as necessary.

County Manager Ruffin affirmed that a memorandum was prepared relating to the survey of airports regarding shared sales taxes. He stated that a report would be forwarded to the Board that contains information from Raleigh-Durham Airport Authority pertaining to how much each passenger spends. Also, staff prepared a report of the findings and recommendations that were requested by the Commissioners as it relates to M/WBE for a discussion in January.

County Manager Ruffin replied to Commissioner Howerton's question about the impact of receiving the report on recent school data due to Carl Harris's departure from Durham Public School's (DPS). He stated that the joint meeting with DPS is currently being scheduled. Dr. Harris does not plan to vacate his seat at DPS until the first of the year; therefore, there should not be a conflict with the meeting. He informed the Board that information was received from Tim Carr, Program Director for Durham Public Schools, per the Board's request. Also, he informed Commissioner Howerton that the property off Martin Luther King Jr. Parkway would be brought back to the Board for discussion pending the Planning Department's review.

Commissioner Bowser reiterated his directive from the October 5 Worksession about the failing septic tanks that impact Falls Lake. He voiced his concerns about DPS' willingness to establish a joint M/WBE office

Vice-Chairman Reckhow also noted that sand filter systems affect Falls Lake.

Regarding Commissioner Howerton's question about the cost, County Manager Ruffin stated that there were four options: 1) staying the way the County is; 2) expanding what is done with the additional resources necessary; 3) possibly merging with the City; and 4) going the route with DPS, either independently or as a joint effort, which is currently being evaluated, all of which would include cost.

Directives

1. Make certain that the Board receive a copy of letters that are sent out per a directive given by the Board; consider a policy directive.
2. Consider bringing a discussion to the Board about gang initiatives in Durham to explain the position.
3. Provide a copy of the report to Commissioner Howerton regarding the property of the school site.

Criminal Justice Partnership Act Advisory Board—Removal of Fredricka A. Carver as a Board Member Due to Poor Attendance

On September 22, 2008, the Board of County Commissioners appointed Fredricka A. Carver to serve a full term on the Criminal Justice Partnership Act Advisory Board (CJPAAB). Based on information from the CJPAAB chair, Ms. Carver has failed to comply with the Policy and Procedures for Appointments to the County Boards, Commissions, Committees, or Authorities set forth by the County Commissioners. Section 1.(F) of the Policy states, “*If an appointee has absences (excused or unexcused) which constitute more than 50% of the meetings in any calendar year which he or she is required to attend pursuant to his or her appointment, he or she is obligated to resign.*”

The Clerk to the Board’s office had attempted to contact Ms. Carver via email, telephone, and courier mail requesting her resignation; no response had been received.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to suspend the rules.

The motion carried unanimously.

Commissioner Howerton moved, seconded by Commissioner Bowser, to remove Ms. Carver from the Criminal Justice Partnership Act Advisory Board.

The motion carried unanimously.

Families First Internal Audit

Richard Edwards, Internal Audit Director, introduced this item. He stated that the Board of County Commissioners commissioned an internal audit of the Families First Contract. He reported that the audit as well as a response from the Department of Social Services (DSS) had been completed and that he and the DSS Director would discuss the findings with the Board.

Before the discussion, Commissioner Bowser informed the Board that Ms. Lucas was a member of his church, and he suggested that he excuse himself due to a conflict of interest. He asked that the County Attorney advise him regarding this matter.

County Attorney Siler provided legal advice to Commissioner Bowser regarding his concerns.

Mr. Richards provided highlights of the family’s first discontinuation audit. He addressed in the report issues related to administration of the Families First program contract. He stated the need for sound contracts and methodology to communicate contract requirements and a need to develop procedures to monitor contract performance. He elaborated that sound contracting procedures and processes of management principles when effective would facilitate mediation of disputes regarding contract performance by providing tools to communicate requirements, monitor performance, and take corrective action. He stated that DSS operated a program,

Temporary Assistance for Needy Families (TANF), also known as Work First. The Work First objective is to assist low-income families as they transition from welfare to work. The Federal Government gave the State responsibility to distribute funds to counties and provide oversight. The State gave counties the discretion to design and operate programs under the Work First umbrella. However, to provide the services, DSS contracted with the Durham Congregation in Action. The contract was enforced on a year by year basis for 11 years. He continued noting that with the authority and latitude, the County had to design programs that came with judiciary responsibility to manage programs effectively and efficiently. He proceeded to discuss the actions regarding DCIA that took place on June 2009

Gerri Robinson, Department of Social Services Director, concurred with the Mr. Edward's report. She discussed the confluence of issues that were brought before the Board. She appreciated the acknowledgement of DSS's termination of the contract for lack of performance; however, there was an issue regarding the way DSS was structured to monitor the contracts. She highlighted that in the essence of this contract, there was almost a conflict of interest since there was staff that was monitoring themselves that were also responsible for making referrals to the contractors that did the work. In best practices, the quality insurance piece is separate and apart from the referral as well as the contract monitoring measures which impacts the issues that are being presented. She proceeded to discuss the recommendations put into effect by the Bush Administration regarding entities that strongly encourage contracting faith-based providers. She assured the Board that a response had been crafted to address the issues that were raised. She conveyed that a modeling tool was shared with staff that relates to the Corrective Action Plan.

Commissioner Bowser voiced his opinion regarding honesty, trustworthiness, and having administrative staff. He stated that he voted on this issue under the premise that the position was eliminated due to funding. He held a discussion with former DSS Director Sammy Haithcock and was informed that the program was funded. He expressed that in reading the correspondence, everything was considered funded but performance was not included.

Commissioner Bowser asked the following:

- Should the audit have addressed the fact the position was funded?
- Were agenda items reviewed that was presented to the Social Services Board and the County Commissioners in terms of how the issues were addressed based on whether or not there were concerns about reducing funding or whether funding had been cut?
- Was there any information based on the process of going through the program or information that related to finding jobs?
- Were contacts made to Dan Huggins, Arnold Dennis, or Sammy Haithcock?
- Were Work First board members interviewed?
- Who was responsible for managing the day to day program?
- When did Arnold Dennis leave the County?
- How did it come to be that the program was dysfunctional; who made the decision; and what was the time frame?
- Is there a paper trail that indicates that the County was not satisfied with DCIA?

Mr. Edwards expressed his attempt to address the funding issue by stating concerns about the budget. He ensued stating that the program operated on the premise that something needed to be done to reduce the budget. In actuality, there were no budget shortfalls and Federal Government

did not reduce the budget. However, there were concerns about how things should be operated going forward in reviewing the contracts and budgets and achieving the expenditures if possible. He stated that the report clearly states that funding was not cut.

Commissioner Bowser expressed that the issues were a terrible misstep and must be addressed/corrected and stressed that it would not be tolerated. He stated that if there is a problem, it needs to be addressed and not dishonesty brought before a Board to vote on.

Ms. Thompson assured the Board that DSS would act on the lessons learned and hoped that the Board gives DSS an opportunity to look forward and use the type of colloquialisms that would allow the department to utilize its best practices. She stated that the truth would be communicated through the actual reason.

Commissioner Bowser expressed frustration with his concerns not being addressed.

Commissioner Heron hoped that other contracts that DSS be seriously reviewed and make certain that the recommendations and conclusions of the audit are followed. She stated that the audit being presented was excellent. She suggested that the agencies being funded by the County should have the same requirements. She applauded Mr. Edwards on his report.

Vice-Chairman Reckhow thanked the auditor for the report. She commented about Ms. Robinson's indication of developing a corrective action plan. She urged Ms. Robinson to reduce the period to six months to ensure that contracts would not be entered into in bad form for the upcoming fiscal year. She pointed out that a recent survey determined that Durham County Social Services is the highest funded in the state per capita. She reiterated what Commissioner Heron stated to the County Manager in terms of reviewing the contracts across County Government that reflects what needs to be done. She stated that Mr. Edwards had distilled specific things that should be done across County Government in terms of good practices.

Commissioner Howerton thanked Mr. Edwards on the thorough report.

In response to Commissioner Howerton's question regarding individuals that went through the program, Mr. Edwards reported that DSS provides statistical data on who had jobs and how long the jobs were kept.

County Attorney Siler commented on a discussion that was held with Mr. Edwards regarding what could be done to ensure proper monitoring. He informed that Board that the County Attorney's office, the County Manager's office and the Internal Auditor would work together to educate supervisors about monitoring.

Chairman Page spoke about the issue triggering embarrassment on behalf of both parties. He stated that this program was first in its nature in terms of connecting human services or government with the faith-based community. He hoped that the County does not lose sight of what is being done. He stated that the main focus is that the citizens are being served in the community that needs assistance. He voiced his concerns about the lack of accountability.

Mr. Edwards attempted to respond to questions posed by Commissioner Bowser. He stated that none of the former DSS Directors had been contacted. He stated that he spoke to the judge that was recommended which was Elaine Bushfan, Chief District Court Judge.

As far as who managed the day to day operations of the program, staff stated that management changed over time; however, John Myklebust is the current Work First Program Manager.

Ms. Thompson highlighted excerpts from the report that indicated that over the past few years, staff was beginning to move in the right direction. She reiterated that with the recommendations made, DSS would move forward and be in a better position to manage as expected by the Board.

Commissioner Bowser expressed interest in locating the internal person who issued documents that informed DCIA that the council was unhappy with the outcome of the program. He questioned whether or not the Director of DCIA received the Governor's award for the program. He concurred with Chairman Page's comments about the program and the need for the program in the community. He communicated that he had always been a strong advocate for programs that help the community. He made comments about losing the program and those who would have benefited from it.

Mr. Edwards noted that the report stated that there was a lack of communication throughout the entire period of the program. The documents are minutes of meetings and reports where performance was discussed. He stated that the initial concept of the program was that a large number of congregations would take care of clients; primarily, all of the work was supposed to be set up by the congregations; however, the program never got to that. While there is no correspondence regarding paper trails, there are contracts changing to bring about more definition in the requirements, which is a clear indicator of dissatisfaction. He also recalled accolades that were received by the Director of DCIA.

Chairman Page reiterated that the concept of the program was for congregations to provide long-term support to families. The employee was expected to work with the families and churches for a long period of time until the individuals were able to gain self sufficiency and independency in the community. He stated that DSS had a gold mine in terms of accessing people who had resources with congregations in the community. He felt as though the program was positive in terms of how they engaged in the community.

The Board agreed with Chairman Page's comments.

County Manager Ruffin stated that staff is currently working with nonprofits in terms of deliverables. He stated that staff would absorb what has been discussed and apply it to the entire organization.

Chairman Page reminded the Board about the meeting at Durham Regional at 12:30 p.m. and the meeting with the County Attorney on ethical issues on Wednesday, November 4, at 3:30 p.m.

County Attorney provided clarification to the Board as it relates to the location of the meeting.

Chairman Page expressed serious concerns in regards to the boards on which Commissioners serve and how the Commissioners continue to interact and collaborate.

Chairman Page stated that the Durham Regional Hospital would have different discussions about the facility at the upcoming meeting.

The Board held a brief discussion about the joint meeting with the Hospital Corporation BOCC.

Directives

1. Consider cost-effective best practices relating to meeting contract compliance; consider ways to use the confines of existing staff.
2. DSS to revisit the Work First program.
3. Durham County to begin to include outcomes and goals for every group that are expected to prevent future situations.
4. Durham County department heads to review existing contracts and give a report to the Board; highlight what is considered to be the major recommendations.
5. Nonprofits should bring to the Board a report that contains the measurable outcomes included in their contract.

Adjournment

There being no further business, Chairman Page adjourned the meeting at 2:58p.m.

Respectfully Submitted,

Angela M. Pinnix
Clerk to the Board's office