

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

Monday, October 11, 2004

MINUTES

7:00 P.M. Regular Session

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 (arrived 7:30 p.m.), and Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D. Jacobs

Absent: None

Presider: Chairman Reckhow

Welcome—Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Agenda Adjustments

Interim County Manager Wendell Davis deferred item No. 8, "Revision of Durham Planning Commission District Boundaries", until the November 1, 2004 Worksession.

Announcements

Chairman Reckhow welcomed newly appointed Interim County Manager Davis.

Chairman Reckhow announced the "Lights on After School" program to be held Thursday, October 14, 2004, to recognize Durham for having exemplary after-school programs. The City of Durham, Durham County, and DurhamCAN are to receive awards. Mary Easley, the Governor's wife, will attend the program. Chairman Reckhow asked interested persons to participate in the 5:00 p.m. celebration at the Durham Armory.

Chairman Reckhow publicized a Land Protection Strategy—Conservation Easement Workshop for Saturday, November 6, 2004, sponsored by the Durham County Farmland Protection Board, Durham Soil and Water Conservation District, and Durham Open Space Program, among others. Interested citizens should pre-register by calling Millie Tillie at the Durham Soil and Water Conservation District at 560-0558, as the workshop is limited to the first 50 registrants. The program will begin at 8:00 a.m. at the Bahama Ruritan Club and will close with a free barbeque lunch at 12:30 p.m.

Minutes

Commissioner Jacobs moved, seconded by Commissioner Heron, to approve as submitted the September 7, 2004 Worksession and the September 20, 2004 Special Session Minutes and the September 27, 2004 Regular Session Minutes of the Board with an insertion.

The motion carried with the following vote:

Ayes: Cousin, Heron, Jacobs, Reckhow
Noes: None
Absent: Bowser (arrived late)

Proclamation for “NAACP Freedom Fund Day”

Each year, the Durham Branch of the National Association for the Advancement of Colored People (NAACP) hosts the “Freedom Fund Banquet”, recognizing community “trailblazers” who have been leaders in various fields of endeavor and have made significant and unique contributions. This year’s honorees are two well-known ministers in Durham. Dr. Joseph S. Harvard III and Dr. Percy High have led two dynamic congregations in this community for many years and have worked to build coalitions that seek to value the dignity and worth of all people.

Chairman Reckhow recognized Commissioner Jacobs as Fund-Raising Chairman of the event.

Chairman Reckhow read the following proclamation that was prepared in honor of the annual banquet:

PROCLAMATION

WHEREAS, the National Association for the Advancement of Colored People (NAACP) has devoted its actions to making democracy work since 1909; and

WHEREAS, the organization has survived because of the collective courage of thousands of people of all races who are united on a single premise—that all men and women are created equal; and

WHEREAS, the county’s oldest civil rights organization has worked tirelessly to mount successful court challenges to address social injustice, inequalities in education, employment, housing, and more; and

WHEREAS, the Durham Branch of the NAACP is an active local arm of this organization that has worked for generations to ensure the political, educational, social, and economic equality of minorities in the Durham community, and beyond; and

WHEREAS, the Durham Branch annually hosts the "Freedom Fund Banquet", during which time the organization honors community "trailblazers" who have proven to be highly-skilled leaders and have made unique and significant contributions over time; and

WHEREAS, two gifted and dynamic members of Durham's faith community have been chosen as this year's honorees for 2004:

Dr. Joseph S. Harvard III has pastored First Presbyterian Church for 24 years. He is a former president of Durham Congregations in Action, an interfaith organization made up of 56 organizations, as well as a recipient of the Elna Spaulding Award for community leadership, and the "Keeper of the Dream Award" presented by the Martin Luther King Jr. Steering Committee. He has been an advocate for the poor and the disenfranchised throughout his ministry.

Dr. Percy High has served as pastor of Mount Vernon Baptist Church for more than 32 years and has been a warrior in the civil rights movement. This Raleigh native has served as a former president of the Durham Branch of the NAACP and the Interdenominational Ministerial Alliance of Durham, and has supported higher education while serving as Dean of the Doctor of Ministry Program at Richmond Virginia Seminary and as a Board member of the Campus Ministry at North Carolina Central University.

WHEREAS, the honorees are each highly respected for their selfless and visionary leadership throughout this community, and for their tireless efforts to build coalitions which ensure that Durham values and respects all people equally:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do proclaim, Saturday, October 23rd

"NAACP FREEDOM FUND DAY"

in Durham County. We salute this organization and its honorees for working to bring positive change through the years, and for making significant contributions to the quality of life for all in the Durham community.

This the 11th day of October, 2004.

Mr. Charles Smith, Executive Board member, extended an invitation for the Freedom Fund Banquet.

Commissioner Jacobs stated that she has had the pleasure of knowing and working with the two 2004 honorees. Dr. Joseph S. Harvard III presently serves as a co-member on the Durham Regional Hospital Board of Trustees; Dr. Percy High has served as her pastor at Mt. Vernon Baptist Church for approximately 25 years. These two honorees truly deserve the recognition.

Commissioner Jacobs requested that resolutions be prepared for Dr. Harvard and Dr. High.

Chairman Reckhow stated that proclamations would be more appropriate since not all Commissioners may be available to sign resolutions prior to the event.

Proclamation for “Durham Homeownership Expo”

The U. S. Department of Housing and Urban Development, the City and County of Durham, the Durham Regional Community Development Group, and the Durham Affordable Housing Coalition were sponsoring a “Durham Homeownership Expo designed to help residents learn the ins and outs of purchasing a home. A proclamation was prepared for the Board’s approval.

Chairman Reckhow read the following proclamation into the record:

PROCLAMATION

WHEREAS, purchasing and owning a home has historically been the “American Dream” for millions of people; and

WHEREAS, assisting low- and moderate-income families to become homeowners is a national priority, and the U. S. Housing and Urban Development is committed to helping those families take advantage of new opportunities to purchase a first home; and

WHEREAS, while North Carolina’s homeownership rate is higher than the national average, Durham’s homeownership rate trails behind both the state and the region; and

WHEREAS, housing costs in the Triangle are among the highest in the state, and the homeownership rate in Durham is 54.3%, nearly 11% below the rest of the region; and

WHEREAS, to begin to increase the rate of homeownership in Durham, the community will host its first Homeownership Expo at Hillside High School, with the help of the US Department of Housing and Urban Development and in cooperation with the City and County of Durham, Durham Regional Development Group, and the Durham Affordable Housing Coalition; and

WHEREAS, participants will have the opportunity to speak with realtors, lenders, and related professionals who will provide helpful information on buying and maintaining a home:

NOW, THEREFORE, BE IT RESOLVED THAT, we, the members of the Durham County Board of Commissioners, do hereby proclaim Saturday, October 16 as

“DURHAM HOMEOWNERSHIP EXPO 2004 DAY”

in Durham. We further urge citizens to participate in activities designed to educate and inform consumers about homeownership opportunities, mortgages, credit, and related information which will help more Durham citizens realize the American Dream of homeownership.

This the 11th day of October 2004.

Chairman Reckhow reported that Vice-Chairman Joe Bowser would represent Durham County at the opening ceremonies.

Ms. Glyndola Beasley, representing Durham Regional Community Development Group, accepted the proclamation and acknowledged three other members of the 10-member Steering Committee (Deborah Craig-Ray, Wil Glenn, and Raquel Robertson-Frye). She thanked the Commissioners for their continued support for the Durham Affordable Housing Coalition and for striving to increase homeownership in the Durham community. The Expo would be held at Hillside High School on Saturday, October 16, from 10:00 a.m. until 4:00 p.m. Mr. John Lucas Jr., our homegrown NBA star, would be providing a free basketball clinic to the youth. Many vendors representing the real estate industry and financial institutions and our service providers would be on hand.

Chairman Reckhow took the opportunity to advertise the outstanding Durham City and County First-Time Homebuyers' Program.

Announcement

Chairman Reckhow announced that a Closed Session, which was not included in the revised agenda, would be held at the end of the meeting about an economic development matter.

Comments by Interim County Manager Wendell Davis

Mr. Davis publicly thanked the Commissioners for their vote of confidence regarding his interim appointment. He assured the Board that Durham County's workforce would continue at "full throttle" despite recent events of the past few weeks. Mr. Davis expressed that he would aspire, as Interim Manager, to remain steadfast in implementing bond projects, carrying out day-to-day operations, keeping employees motivated, and completing the tasks assigned per his appointment. While the circumstances during the past week have created an environment of uncertainty for the workforce, he assured the Board that his management style is flexible and will keep the County on course. On a personal note, Mr. Davis stated that his management philosophy is participatory in nature; however, if times call for crisis management, he is prepared. His expectation is that the public business will be conducted in a respectful and positive manner. Mr. Davis concluded that Durham County Government must create an environment in which the community has confidence that the Board and the administration are working cooperatively to produce best outcomes for the organization and for the citizens as well.

Chairman Reckhow thanked Interim County Manager Davis for his comments.

Update on North Carolina Senior Care, Medicare Prescription Benefits, and Senior PHARMAssist

Gina Upchurch, RPh, MPH, and Executive Director, Senior PHARMAssist (a local nonprofit agency working to improve the quality of life for older adults in Durham by helping them obtain and better manage their medications) presented an update on the many changes affecting seniors concerning prescription medications. Her primary message was that older adults are overwhelmed and frustrated by the prescription benefits designed to help them. She presented the following report regarding Medicare prescription benefits, NC Senior Care, and Senior PHARMAssist:

Medicare:

With the passage of the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003", widespread changes are projected for Medicare. In particular, a voluntary prescription drug benefit has been added, which has two distinct programs. The first program is a discount drug program that lasts from June 2004 until December 2005. While some beneficiaries (with incomes at or below 135% FPL) are helped with \$600 "transitional assistance" and others are receiving a discount of approximately 10-20%, many seniors have been confused by the various options and have not enrolled.

If the legislation remains unchanged, in January 2006, this discount card program will end and prescription drug benefits will be offered to Medicare beneficiaries either who choose to enroll in a managed care benefit (Medicare Advantage or Part C) or who choose to enroll in a stand-alone outpatient prescription drug plan (Part D). Private companies will operate both the managed care plans and stand-alone prescription plans. Each company will have a different formulary (list of drugs that they help pay for) and while seniors with incomes at or below 150% FPL or who have very expensive prescription needs will benefit the most from this new legislation, major concerns exist about access to all necessary medications. "Dual eligible" beneficiaries (on full Medicaid and Medicare) will receive their medication benefit via the Medicare program in 2006.

NC Senior Care:

North Carolina designated that one-fourth of the state's national tobacco settlement funds should go to the Health and Wellness Trust Fund Commission. One of this Commission's major initiatives was to start the NC Senior Care prescription benefit for people 65 and older. It was a very limited assistance program until September 1, 2004 when it expanded annual benefits to \$1,200 in 2004 and in 2005 for seniors with incomes up to 250% FPL. The HWTF Commission also provided numerous grants across the state to help supply medication therapy management for seniors "at risk" for medication-related problems. Senior PHARMAssist has been very involved in program development. Ms. Upchurch was asked by the AHEC system with others from the UNC School of Pharmacy to train pharmacists statewide who conduct these medication reviews with older adults.

Senior PHARMAssist:

This nonprofit began serving Durham's older adults in 1994 and has helped over 4,400 individuals better manage their medications since that time. Senior PHARMAssist currently helps seniors with incomes at or below 150% FPL with directly purchasing their medications

at their community pharmacy. Seniors (65 and older) pay \$8 for up to a 100-day supply of medications on a geriatric formulary and Senior PHARMAssist pays the rest, which is a negotiated price with the pharmacies (approximately \$4/Rx less than the Medicaid rate). Staff pharmacists provide comprehensive medication reviews with participants every six months. If needed, transportation is provided and home visits are conducted. Impressive results have been realized. Published data has demonstrated that ED use and inpatient stays have been cut by a third for seniors in the program one year. In the near future, data will be presented demonstrating even better results after seniors have remained in the program for two years.

In 2002, services were expanded to provide medication management and community referral to all Senior Care participants and include seniors up to 250% FPL. Assistance is given to seniors for deciding on and enrolling in other programs that may also benefit them (Medicare-approved discount card programs, drug manufacturer programs, Medicaid, Tri-Care for Life for retired military, etc.). Senior PHARMAssist is needed more than ever, as the confusion around all of the medication options is overwhelming. The confusion will continue for the next couple of years. In 2006, when the federal government begins offering its prescription benefits, the NC Senior Care program may end and other options that seniors now depend on for assistance (for example, the drug company assistance programs) will certainly be more difficult for older adults to access. In addition, in 2006 the federal program will monitor assets that will make thousands of seniors ineligible for the new programs. Currently, the federal discount cards and the state's Senior Care program only ask about income and do not monitor a person's assets. Older adults in Durham need somewhere to turn to decipher the program(s) that best suit their needs. More importantly, some seniors are being harmed by the medications they are taking. Medication therapy management that involves seniors (and caregivers if necessary), the community pharmacists, and all of the different prescribers, is critical to ensure that improved access to medications is more helpful than harmful.

On October 26, Senior PHARMAssist is working with Lincoln Community Health Center and the Council for Senior Citizens in Durham to host at least eight sign-up sites. Seniors will be informed about available prescription options and the importance of ensuring that the medications older adults take are necessary and are contributing to their overall health. We are working with the NC Senior Care program to enroll as many seniors as possible on this statewide "sign up" day.

Commissioner Heron suggested that Ms. Upchurch contact Cheryl Lloyd, Cooperative Extension Director, for possible assistance with the program.

Chairman Reckhow encouraged Durham citizens to take advantage of Senior PHARMAssist during the next 15 months.

Consent Agenda

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

- *b. Budget Ordinance Amendment No. 05BCC000014—
Sheriff's Office—Insurance Reimbursement for
Damaged Vehicle (recognize \$13,666 and appropriate
to replace the vehicle in the Sheriff's fleet); and
- *d. Amendment to the Bylaws of the Durham County
Women's Commission (approve the requested
changes).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda Item No. b. Budget Ordinance Amendment No. 05BCC000014—Sheriff's
Office—Insurance Reimbursement for Damaged Vehicle (recognize \$13,666 and appropriate
to replace the vehicle in the Sheriff's fleet).

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000014

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the
FY 2004-05 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>GENERAL FUND</u>			
Miscellaneous Income	\$3,741,190	\$13,666	\$3,754,856

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$ 39,980,154	\$13,666	\$39,993,820

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

This the 11th day of October, 2004.

Consent Agenda Item No. d. Amendment to the Bylaws of the Durham County Women's
Commission (approve the requested changes).

BYLAWS
DURHAM COUNTY WOMEN'S COMMISSION

ARTICLE I. Organization shall be the Durham County Women's Commission.

Section 1. Name. The name of this organization shall be the Durham County Women's Commission.

Section 2. Authority. The Women's Commission derives its authority from the Durham County Board of Commissioners through its establishment of the Durham County Women's Commission on February 2, 1987.

Section 3. Term. The Commission year shall coincide with the twelve-month period beginning July 1 and ending June 30.

ARTICLE II. Purpose

The purpose of this Commission shall be to serve as the official advisory body on the status of women to the Durham County Board of Commissioners by:

1. Identifying the status of women in Durham County by coordinating information obtained through existing research;
2. Disseminating information on the status of women;
3. Recommending through resolutions appropriate actions regarding the status of women;
4. Promoting the development of all Durham County women;
5. Increasing public awareness and understanding of the problems, needs and abilities of women;
6. Developing and maintaining a directory of resources available to Durham County women;
7. Preparing and submitting an annual report to the Durham County Board of Commissioners.

ARTICLE III. Membership

Section 1. Number and Qualifications. The commission may be composed of up to 15 (fifteen) Durham County residents appointed by the County Commissioners. Appointment to the Commission shall be made in accord with the policy set forth in Durham County Policy and Procedures for appointment to County Board, Commissions, Committees, or Authorities. (Adopted January 16, 1984 as amended.)

Section 2. Terms. The term of membership shall be three years beginning on July 1 and ending on June 30, with five terms filled each year. Vacancies resulting from a cause other than expiration of term shall be filled only for the unexpired portion of that term. Members are eligible to apply for reappointment, not to exceed 3 (three) consecutive terms.

Section 3. Removal of members: Members are expected to attend each regular meeting. Should a member miss 3 (three) unexcused consecutive meetings or a total of 4 (four) unexcused meetings in one fiscal year, the Executive Committee may ask the member to resign or recommend to the County Commissioners that it terminate the appointment for such member in accordance with Durham County Policy and Procedures for Appointment to County Board, Commissioners, Committees or Authorities. (Adopted January 16, 1984 as amended.)

Section 4. Voting Members. Members in good standing are members of the Women's Commission regularly attending scheduled meetings.

ARTICLE IV. Officers

Section 1. Number. Tenure. Qualifications. The Commission shall elect a Chair, a Vice-Chair, a Secretary, and a Treasurer. All Officers shall be members of the Commission. Persons holding office should be a representative of the Commission membership. The term of office for all officers shall be for 1 (one) year beginning July. Unless removed for cause or through resignation, elected officers shall remain in office until their successors are qualified and elected.

Section 2. Duties. Duties of the officers are as follows:

Chair: The Chair shall call and preside at Commission meetings; appoint committees and committee officers; develop the charge for each committee; serve as an ex-officio member of all committees see that all resolutions and policies of the Commission are carried out; serve as the official spokesperson for the commission; and have the general powers and duties of supervision and have the general powers and duties of supervision and management usually vested in the chair.

Vice-Chair: Vice-Chair shall be responsible for planning programs in keeping with the goals and objectives of the Commission; perform duties as delegated by the Chair; and shall, in the absence of the Chair, preside and perform the duties of the Chair.

Secretary: The Secretary shall be responsible for correspondence and the minutes of the Commission meetings.

Treasurer: The Treasurer shall be responsible for all Commission funds subject to the approval of the Commission.

ARTICLE V. Committees

Section 1. Executive Committee. The Executive Committee shall consist of the Chair, immediate past Chair, the Secretary and the treasurer. The Executive Committee shall have the authority to transact business between meetings, make recommendations regarding the policies of the Commission, advise the Chair provide guidance in the development of the annual objectives, recommend changes in the bylaws subject to adoption by the Commission and the approval of the County Commissioners and may comment on potential members for appointment to the County Commissioners. All business transacted by the Executive Committee shall be reported to the Commission membership at the next regular meeting through the distribution of minutes.

Section 2. Nominating Committee. The Commission Chair and two Additional members recommended by the Chair shall be elected by a majority of the Commission members present at the May meeting. This Nominating Committee will present a slate of recommending officers in June. This Slate will be acted upon in July.

Section 3. Formation of Committees. The Commission Chair shall establish other committees as deemed necessary and appoint members and any officers to carry out the charge for which the committee was formed.

ARTICLE VI. Meetings

Section 1. Regular meeting. The Commission shall meet once a month during the fourth (Wednesday) week of each month.

- Section 2. Executive Committee meetings. The Executive Committee shall meet at least quarterly.
- Section 3. Special Meeting. Special meetings may be called by the Chair of the Commission at the request of one third of the members. The purpose of the meeting shall be stated in the call. Except in cases of emergency (when a minimum of six (6) hours notice shall be given) at least three-(3) days notice shall be given.
- Section 4. Executive Sessions. (Closed meetings). Executive Sessions may be held for those purposes for in GS 143~38.11 9 (Open Meetings Law).
- Section 5. Open meetings. All meetings of the Commission including the Executive Committee, committees, sub-committees, and task forces are subject to the Open Meetings law. Individuals and/or groups who wish to make presentations should request time on the agenda from the Chair prior to the call to order. The Commission may create and from time to time change procedure for the conduct of its meetings.
- Section 6. Quorum. A majority of the members shall be one-half of the Current body plus one for the transaction of business at any time.
- Section 7. Rules of Order. All meetings shall be conducted in accordance with the latest edition of Robert's Rules of Order, unless otherwise expressly provided in these bylaws.

ARTICLE VII. Standards of Conduct

- Section 1. In conducting Commission business, members shall recognize and follow applicable policies and guidelines established by the County Commissioners.

ARTICLE VIII. Amendments

- Section 1. Amendments. Recommendations to amend or repeal these bylaws may be adopted at a regular meeting of the Women's Commission by the affirmative vote of two-thirds of the voting members present, provided that the amendments or new bylaw has been submitted in writing to the voting members not less than two weeks prior to the meeting.
- Section 2. Approval by the County Commissioners. Adopted changes to the bylaws must be approved by the Durham County Board of Commissioners.

Established: February 2, 1987

Amended: May 24, 2004

Consent Agenda Items Removed for Questions/Comments

Consent Agenda Item No. a. Budget Ordinance Amendment No. 05BCC000013—Fire Marshal/Emergency Management—State Homeland Security Grant Program (re-recognize unspent 2003 DHS Part I and Part II grant funds in the amount of \$684,142 received through the NC Department of Crime Control and Public Safety; apply the funds to Durham County Emergency Management for expenditure in FY 2004-2005).

Commissioner Heron removed the consent agenda item to make comments. She attended the Regional Forum where Dr. Kenneth Taylor, Director, State Emergency Management, spoke highly of Durham's Fire/Emergency Management Department under the direction of

Jeff Batten. In addition, Dr. Taylor informed attendees at a 911 Emergency Communications Department meeting that utility companies are making their towers available for homeland security. She asked Mr. Batten if he were aware of that fact.

Mr. Batten replied in the affirmative. He stated that in Durham, however, utility companies have been utilizing City-owned towers.

Vice-Chairman Bowser inquired about grant fund expenditure.

Mr. Batten responded that approximately 50% would be allocated to the Sheriff's Bomb Unit. The remaining would be utilized by Police and Fire Departments for communication equipment. Mr. Batten offered to generate a detailed list of the disbursement for the Commissioners.

Vice-Chairman Bowser moved, seconded by Commissioner Heron, to approve Budget Ordinance Amendment No. 05BCC000013.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000013

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 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>GENERAL FUND</u>			
Intergovernmental	\$258,357,628	\$684,142	\$259,041,770

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$ 39,296,012	\$684,142	\$ 39,980,154

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

This the 11th day of October, 2004.

Consent Agenda Item No. c. Budget Ordinance Amendment No. 05BC000015—Sheriff's Office—2004 GREAT Grant for Gang Resistance Education (appropriation of funds not to exceed \$43,695 [amount of the grant award]).

Chairman Reckhow removed the item to allow signed speakers Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702, and Ms. Victoria Peterson, P.O. Box 101, Durham, NC to comment.

Dr. Allison asked for additional information regarding the \$43,695 grant.

Marcia Margotta, Sheriff's Office Comptroller, replied that the \$6000 travel allowance was for the annual Washington, DC trip for two outstanding students from each school who participated in the GREAT program. The \$7,441 miscellaneous or "other" category would be used for fourth- and sixth-grade educational books for course participants. The major portion of the \$30,254 supplies would be used to purchase student rewards (key chains, pens, pencils, etc. with the GREAT logo) for program participation. The GREAT program would be evaluated at the end of the program cycle by the Bureau of Justice Assistance using results-based accountability. Ms. Margotta suggested that Dr. Allison visit her office if she desired additional information.

Chairman Reckhow agreed with Dr. Allison about staff providing insufficient information concerning the expenditure of grant funds. She directed that future cover memos include information about how grant monies would be expended.

Vice-Chairman Bowser inquired about specific measures used for the results-based accountability.

Interim County Manager Davis interposed that the GREAT program consists of curriculum and activities designed to help school-age children set goals, resist peer pressure, learn how to resolve conflicts without violence, and understand how gangs and youth violence impact the quality of their lives. The results-based accountability initiative is currently being implemented. At best, jurisdictions are in a position to do an informative evaluation, as the program is only in its second year. Mr. Davis suggested that the Commissioners defer action on the item if satisfactory information is not afforded at tonight's meeting.

Ms. Peterson requested a list of federal grants received by the Sheriff's Department for the past several years.

Chairman Reckhow directed Ms. Margotta to deliver the list to the Interim Manager, who will contact Ms. Peterson, and forward copies to the Board.

Commissioner Heron stressed that this vital program focuses on preventing youngsters from joining gangs.

Commissioner Heron moved that the Board approve the grant; subsequently, information requested by the public could be provided.

Chairman Reckhow elucidated that the Board is requesting the information.

The motion failed for lack of a second.

Commissioner Jacobs suggested that the item be deferred until the directive is complete.

Interim County Manager Davis stated that the item would be placed on the October 25 consent agenda.

Consent Agenda Item No. e. Capital Project Amendment No. 05CPA000003—Durham Public Schools—2001 Bond Adjustments for Multiple Projects (transfer \$523,763.57 in unused GO bond funding from several completed school capital projects to several uncompleted school capital projects).

Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702, aired concern that a policy was not implemented to provide the public an opportunity to review planned capital improvement projects and offer input.

Chairman Reckhow asked for input from County Attorney Kitchen concerning the priority of the bond projects.

Attorney Kitchen advised that the bond projects must be completed before adjusting residual funds. The Board may reallocate remaining funds for a similar purpose.

Vice-Chairman Bowser asked whether bond money could be disbursed for the fuel management transportation line item.

Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools, replied that the fuel management system improvement was listed as a bond item in the 2001 vote.

Mr. Osteen gave an overview of the rationale for major decreases and increases in the Capital Project Budget Ordinance Amendment. He stated that a majority of the projects are on time and under budget. An overall savings for the 2001 bonds is anticipated. The ordinance amendment presented tonight reflects only one percent of the \$51.8 million, representing good financial management.

Vice-Chairman Bowser moved, seconded by Commissioner Heron, to approve Capital Project Amendment No. 05CPA000003.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Capital Project Ordinance
Amendment No. 05CPA000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 Capital Project Ordinance is hereby amended to reflect budget adjustments for the projects shown below.

<u>Project</u>	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
Bethesda Elementary School	\$2,034,887		\$389,733.76	\$1,645,153.24
Oak Grove Elementary Renovations	\$1,109,128		\$110,408.51	\$ 998,719.49
Durham School of the Arts Renovations	\$ 400,000		\$ 17,199.19	\$ 382,800.81
Pearsonstown Elementary School Renovations	\$ 210,000		\$ 5,922.11	\$ 204,077.89
Watts Elementary School Renovations	\$ 110,000		\$ 500.00	\$ 109,500.00
Lakewood Elementary School Renovations	\$6,899,596	\$150,000.00		\$7,049,596.00
Facilities/Transportation	\$ 210,000	\$ 35,000.00		\$ 245,000.00
Carrington Middle School Renovations	\$8,070,235	\$338,763.57		\$8,408,998.57

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

This the 11th day of October, 2004.

Public Hearing: Draft of Work First Block Grant Plan for 2005-2007

Jim Polk, Chair of the Work First Planning Committee commended Work First Planning Committee members and others who served diligently to compose the draft of the plan. Work First is the primary program in North Carolina for administering the Temporary Assistance for Needy Families (TANF) Program. Since Work First is administered locally in each county, North Carolina law (NCGS 108A-27) requires each county to submit a County Work First Block Grant Plan every two years. Each county began the development of a new Work First Block Grant Plan to become effective October 1, 2005.

The first stages of plan development included the appointment of a committee of local leaders (Work First Planning Committee) to assist in the development of its Work First Block Grant plan and a recommendation to the North Carolina Department of Health & Human Services for a county to be an electing or standard county.

On September 13, 2004, the Commissioners approved the list of members for Durham's Work First Planning Committee and that Durham remain a standard county.

By November 1, 2004, the BOCC must submit its new Work First plan to the NC Division of Social Services. The Work First Planning Committee has completed its first draft of the plan. This draft plan was shared with the Department of Social Services Board on September 25, 2004 for its comments.

Chairman Reckhow questioned if the committee had discussed the fact that the state has not communicated how it will measure success in Fiscal Year 2004-2005.

Mr. Polk replied that the strategies employed and the evaluation are pending federal reauthorization.

Arnold Dennis, Assistant Director of Family Economic Independence, responded to a request by Chairman Reckhow regarding FY 2003-04-goal achievement. He listed and explained the following six goals:

1. Employment
2. Meeting Federal Participation Rates
3. Providing Employment Services
4. Benefit Diversion
5. Staying Off Welfare
6. Job Retention

Mr. Dennis reported that the goals were exceeded with the exception of Benefit Diversion (goal—354, achieved—299) and Meeting Federal Participation Rates (“all parent” goal—50 percent, achieved—49.72 percent; “two parent” family goal—90 percent, achieved—72.64 percent).

Chairman Reckhow requested that Mr. Dennis incorporate the previous year’s statistics associated with the goals into the final plan.

Commissioner Jacobs requested further explanation of “The need for additional Work First staff and program automation support to successfully implement Innovative Strategies 5 and 6 listed above.”

Mr. Dennis replied that with the help of Information Technology, DSS staff wishes to implement computer programs to assist in client tracking.

Chairman Reckhow opened the public hearing that had been properly advertised and called the following signed speaker forward for comments:

Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702
Ms. Victoria Peterson, P.O. Box 101, Durham, NC 27702

Chairman Reckhow encouraged Ms. Peterson to schedule a meeting with DSS staff and/or Mr. Polk to have her concerns addressed.

Chairman Reckhow recommended that in the future, the Committee consider scheduling meeting(s) for citizen/Committee discussion concerning the draft plan (prior to the public hearings).

Vice-Chairman Bowser commended Mr. Dennis and Rhonda Stevens from DSS for their outstanding accomplishments pertaining to Work First; however, Durham County must determine how Work First clients can be placed into higher-paying jobs created by new and existing businesses.

Chairman Reckhow closed the public hearing and referred the matter back to the Board.

Mr. Polk commented that the draft plan has been available for public review since October 5. The public would have an opportunity for input on Wednesday.

Chairman Reckhow asked Mr. Polk to share the time and place of the meeting with Dr. Allison and Mr. Peterson. She also asked the Committee to add the following strategy or incorporate into an existing strategy (“plans to achieve the outcome and goals”): utilize the Sales and Service Training Center at Northgate Mall as a resource to elevate Work First clients to better paying positions.

Chairman Reckhow stated that the report had been received, noting that the plan would be presented to the Board for final approval at its October 25 Regular Session. She asked staff and Committee members to strive to incorporate suggestions made at tonight’s meeting into the plan.

Durham Public Schools—New Pearson Elementary School Design

Chairman Reckhow stated that in keeping with the Joint Planning Protocol, Durham Public Schools must present new school designs to the Board of County Commissioners prior to the bidding process. The Pearson Elementary School is planned for construction on the 100-acre Hillside High School site.

Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools, introduced Dave Smith, Executive Director for Construction and Capital Planning, and Chris Venable, designer of record with Moseley Architects. Mr. Osteen stated that the 2003 Bond Referendum funds the new Pearson Elementary School. In his presentation, he briefly addressed the following: school access, floor plan, site issues (rock, wetlands), rolling topography, security, and elevations. The design allows portions of the school to be closed off so community users (Durham Parks and Recreation Dept, etc.) will not have access to the entire building.

A question and answer session was held between the Commissioners and Mr. Osteen regarding the design.

Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702, voiced concern about the community having no opportunity to be involved in the beginning stages of the planning process for public buildings.

In response to Dr. Allison’s comments, Mr. Osteen reported that the principal had been encouraged to invite community input. Active input committees (site based and school based) have been more involved in this project than in other developments. Neighborhood and citizen input will be sought before and during the major special use permit process.

Chairman Reckhow encouraged Mr. Osteen to hold an open house at Pearson School within the next month (prior to the bidding process) to display plans and allow citizen input. She proposed that DPS go the extra mile and reach out into the community.

Budget Ordinance Amendment No. 05BCC000012—General Services Contract Award of Janitorial Services for County Buildings (RFP # 04-031)

Chairman Reckhow requested that Interim County Manager Davis introduce the item.

Interim County Manager Davis conveyed that an additional \$75,000 was set aside in nondepartmental funds in the FY-05 Budget to cover increases required by contract compliance with the Living Wage Ordinance. Of these funds, approximately \$41,000 is required to move forward with the execution of the janitorial service contracts.

Michael Turner, Director of General Services, stated that the Department of General Services was requesting that the BOCC authorize the manager to execute six individual janitorial contracts for cleaning services on 24 county buildings with: B&R Janitorial Services (\$145,842.60), Beyah Janitorial Services (\$9,600.00), C.J. Enterprises Cleaning (\$74,816.68), Cenplex Building Services Inc. (\$187,376.49), Service Solutions (\$64,067.47), and The Cleaning Brothers (\$5,820.00), as specified in RFP # 04-031, for a total of \$487,523.24. Contracted janitorial services for county buildings were last bid in the fall of 1999 and subsequently awarded by the BOCC to begin, effective January 1, 2000. Over the past four years, the following three contractors have provided cleaning services to county buildings: Beyah Janitorial Services, Service Solutions, and B&R Janitorial Services. The current contracts, which expired on June 30, 2004, are currently being continued on a month-by-month basis until new contracts are approved and awarded by the Board. On May 16, 2004, a Request for Proposals (RFP # 04-031) for contracted janitorial services was advertised and mailed to 52 potential bidders. A Janitorial Pre-Bid Conference was conducted on May 24, 2004; site visits were scheduled with interested bidders on May 24 through 28, 2004. Eighteen bidders responded and bids were opened and public read on July 6, 2004. Of the eighteen companies responding, seven were non-responsive and were disqualified for failure to meet the bid requirements. The following changes were included in this request for proposals that were not in the previous proposal: cleaning services for the Administrative Building and DSS-Main will be returning to 5-days per week cleaning, instead of 4-days per week; the Main Library will be returning to 6-days per week cleaning, instead of 5-days per week; a day-porter has been added for the Main-Library and Judicial Buildings for 4 hours per day, 5 days per week at each location; and the required Livable Wage Ordinance is included, requiring any contractors conducting business with Durham County to pay their employees a minimum of \$9.74 per hour. The current janitorial companies are paying their employees the following range of hourly rates: Service Solutions—\$6.00 per hour, Beyah—\$6.50 per hour, and B&R Janitorial Services—\$8.00 per hour. In all cases except two, the lowest responsible bidder is being recommended on all county buildings. Those two exceptions are the Main Library and the Jail Annex. In the first case, the low bidder on the Main Library was not recommended due to previous performance concerns. Instead, the second lowest bidder, C.J. Enterprise Cleaning, was recommended at an additional annual cost of \$7,562.89. In the second case, the low bidder on the Jail Annex was not recommended per a request from the Sheriff's Office. Instead, the second lowest bidder, Cenplex Building Services Inc. was recommended at an additional annual cost of \$1,410.89. The MWBE participation for this project is 48% among five companies. Funding for this request was budgeted in the General Services FY-04-05 operating budget in the amount of \$383,109 for nightly cleaning services, plus \$20,860 for a day-porter at the Main

Library and Judicial Building, for a total funding availability of \$403,969.00. Of these funds, \$41,463 is required to move forward with the award and execution of this request.

Yolanda Moore-Gaddy, Business Development Manager, responded to a question by Commissioner Cousin. She stated that the cost of performance bonds vary depending on the number of years a company has been in business, the number of employees, and the size of the contract.

Commissioner Jacobs gave her opinion that the lowest bidder does not necessarily provide optimum services.

Mr. Turner answered a question by Vice-Chairman Bowser, stating that the lower bidders for the Library and Jail Annex were non-responsive to the request for information.

Mr. Turner clarified for Chairman Reckhow that the \$487,000+ was the total for 12 months. The contract price on various buildings has increased because since 1999, the contract amounts have not increase with the exception of 2% for one contractor, for one year.

Mr. Turner explained to Mr. Bowser that previously, Animal Shelter staff has cleaned their building.

Chairman Reckhow remarked that she was pleased that the Living Wage Ordinance was included in the contracts, requiring contractors to pay their employees a minimum of \$9.74 per hour.

Vice-Chairman Bowser moved, seconded by Commissioner Heron, to approve Budget Ordinance Amendment No. 05BCC000012 transferring \$41,463 from Non-Departmental to General Services; authorize the Manager to execute six individual janitorial contracts for cleaning services on 24 county buildings.

The motion carried unanimously.

Chairman Reckhow praised staff for the excellent work on this agenda item.

Vice-Chairman Bowser thanked staff for attaching the bids.

Commissioner Heron and Interim County Manager Davis echoed the comments made by Chairman Reckhow.

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000012

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 Budget Ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>Expenditures:</u>			
<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$24,729,667	\$41,463	\$24,771,130
Other	\$ 3,309,627	(\$41,463)	\$ 3,268,164

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

This the 11th day of October, 2004.

Benefits Plan for 2005

Interim County Manager Davis stated that the Human Resources Department was seeking approval to enter into contracts with the vendors named below for the 2005 Benefits year. All rates and plans would be effective January 1, 2005. The recommendations are: Health Insurance—Wellpath and North Carolina Association of County Commissioners (NCACC)/Blue Cross/Blue Shield (BC/BS); Dental Insurance—NCACC/BCBS; Vision Insurance—Opticare; Long-Term Care Insurance—UnumProvident. Other benefit vendors have not changed from last year and do not require new contracts. The selection of Blue Cross/Blue Shield means that the County will be a member of the NCACC Group Benefits Pool. The Pool is a self-funded plan, but the County will be participating as a member of the Pool. The standard plan is designed for participants to pay a fixed premium based on head count, and the Pool retains the insurance risk. The Pool is responsible for all claims in excess of premiums received. The Pool has coverage of specific excess losses through a reinsurance agreement with an unaffiliated reinsurer. Currently, over 30,000 local government employees, encompassing 57 counties and 27 county entities, are covered by the Pool.

The health insurance proposals are the result of an RFP that was issued earlier this year. Bidders were requested to send proposals that included a High and Low Option for health care. Bids were received from CIGNA, Wellpath, and NCACC/BCBS for health insurance. The objectives of the bid were to provide a health insurance plan with an increase of no more than 10% with a high and low option and to provide affordable options for family coverage.

The new High Option health insurance plans for 2005 include the following changes:

- Higher copays when Inpatient care is needed.
- Increased copays for Primary Care Physician visits and Specialist's visits.
- Deductible plus Coinsurance for Inpatient and Out Patient care for BC/BS.
- Higher copays for Emergency Room care and Urgent Care visits.
- Lifetime Benefit Maximum of \$5,000,000 for BC/BS.
- Higher copays for Vision Care and higher Hardware allowances.

The new Low Option health insurance plans for 2005 introduce an opportunity for employees to access health insurance coverage for lower monthly rates while sharing more health care cost when insurance is utilized. The Low Options include the following:

- Significantly lower rates for all tiers of coverage.
- Higher deductibles and copays for services.
- Lifetime Benefit Maximum for \$5,000,000 for BC/BS.

Enhancements for all plans include:

- Waived copay for Annual Physical.
- Three months of Prescription Drugs for 2 copays for maintenance drugs through mail order.
- Enhanced Wellness programs to include Disease Management, discounts on services such as health club memberships and massage therapy, and the Blue Points Program that rewards participants for healthy activities.

As a result of information gathered from the Benefit Committee and employee recommendations, we are proposing offering a High and Low Option for Dental Insurance for 2005. NCACC/BCBS has recommended the rates for a Low Option, which is similar to our current plan, and a High Option that would increase the Maximum benefit to \$1,500 per year.

Only one new bid was received for Long-Term Care Insurance. The proposed bid was not as comprehensive a plan as the current provider. Human Resources suggested that the County continue offering the current plan and asked the County Manager to reject the portion of RFP #05-002 referring to Long-Term Care. HR believed that it would be in the best interest of the County to continue offering the Long-Term Care Plan through UnumProvident.

HR proposed adding a new benefit for supplemental Vision coverage through Opticare. The premiums for this benefit would be on a pretax basis and would be an out-of-pocket expense. Employees would be able to enroll in this plan to assist in covering vision exams and hardware allowances.

Contracts were already in place for life insurance, short-term disability insurance, and long-term disability insurance.

Debbi Davidson, Benefits Manager, explained that CIGNA was not selected for the 2005 dental plan because its administrative charges per person, per month was \$3.55 compared to \$3.51 for NCACC/BCBS, which also provides extra benefits. She also explained why Human Resources chose various plans and options.

Chairman Reckhow noted a decrease in premiums for the final plan compared to the initial plan (presented in early September). The County is succeeding in providing more affordable healthcare coverage. Chairman Reckhow was pleased with the benefit of the mail order service for maintenance prescription drugs (three months of prescription drugs for two copays).

Commissioner Heron asked about the vision hardware allowance and requested an explanation of the dental plan.

Ms. Davis responded that the upcoming plan offers a hardware allowance of \$100 every 12 months. The major change in the dental plan is that the new plan is self-funded. Minor changes: family deductible increased from \$100 to \$150, fillings move from the 100 percent category to 80 percent, and high and low options are being offered.

Commissioner Jacobs asked for further details about the wellness programs and disease management discounts.

Vice-Chairman Bowser conveyed that utilizing the mail order service for maintenance prescription drugs would save subscribers a significant amount of money.

Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702, applauded staff for offering high and low insurance options; however, she voiced concern about the elevated deductibles related to low option insurance.

Chairman Reckhow asked Ms. Davidson to explain how the employees are buffered for the deductible associated with hospitalization.

Ms. Davidson commented that the County contributes the same amount to each employee on a biweekly basis for benefits. The County is an innovator in the hospital gap plan in that the inpatient and outpatient care copays are reimbursed by the County to the employee.

Commissioner Jacobs moved, seconded by Commissioner Heron, to authorize the Manager to enter into contracts with the vendors presented by Human Resources, and approve the resolution that adopts the interlocal agreement for the NCACC Health Trust Fund.

The motion carried unanimously.

Commissioner Heron complimented Jackye Knight, Human Resources Director, and Ms. Davidson for their outstanding efforts in presenting affordable health care options to Durham County employees.

Chairman Reckhow concurred with Commissioner Heron comments. She added that much work remains ahead for Human Resources related to employee outreach and education since more options are being offered.

Interim County Manager Davis also thanked Human Resources staff for their hard work.

Closed Session

Dr. E. Lavonia Allison, P.O. Box 428, Durham, NC 27702, asked for an explanation of the County's policy relating to citizen comments subsequent to closed sessions.

Chairman Reckhow spoke to Dr. Allison's questions and comments.

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

Chairman Reckhow announced that direction was given to staff in the Closed Session; no action was taken.

Adjournment

There being no further business, the meeting was adjourned at 10:44 p.m.

Respectfully submitted,

Vonda C. Sessoms
Deputy Clerk to the Board