

**REVISED**  
**Added a Closed Session and Added an Item "Tolling and Accounting Order to Extend Review  
Period for Time Warner Cable"**

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

Monday, November 4, 2002

9:00 A.M. Worksession

**AGENDA**

1. **1. Citizen Comments?Ray Guthrie**

Mr. Ray Guthrie, 2214 Rada Drive, has requested time on the agenda to speak to the Commissioners regarding the Social Services Department. Please read the attached letter.

2. **2. Crime Prevention Through Environmental Design (CPTED) in the Public Sector**

The Durham Crime Cabinet, along with representatives from the Durham Convention and Visitors Bureau, the Greater Durham Chamber of Commerce, the Durham Businesses Against Crime, the Home Builders Association of Durham and Orange Counties, the faith community, and the design and construction industry, have met monthly for more than a year in an effort to evaluate ways and means by which the principles of CPTED could be more effectively incorporated in the public and private sectors. Representatives are present to present the findings of that effort and respond to any questions that the Board may have.

Resource Person(s): Ellen W. Reckhow, Co-Chair, Durham Crime Cabinet; Reyn Bowman, Chairman, CPTED Private Sector Committee; Mike Turner, Chairman, CPTED Public Sector Committee

County Manager's Recommendation: Receive the report and advise the staff if any additional information or action is desired.

3. **14<sup>th</sup> Judicial District?s Annual Report for the 2001-2002 Fiscal Year**

The Judicial District Manager is present to discuss the 14<sup>th</sup> Judicial District?s Annual Report for the 2001-2002 Fiscal Year. The report includes a breakdown of the Department of Correction?s organization, along with information that summarizes money paid by offenders to the Durham County Clerk of Court, the results of structured sentencing, probation and parole entries, probation and parole admissions by crime category, and year-end trends for the probation population.

Resource Person(s): James W. Ellis, Jr., Judicial District Manager, 14<sup>th</sup> Judicial District

County Manager's Recommendation: Receive the report and advise the staff if any additional information or action is necessary.

4. **Taxation Issues for the Governor?s Commission on Modernization of Taxes**

Chairman Black has been appointed to the above Commission and is interested in asking the Commission to investigate any local or state tax issues about which members of the Board of County Commissioners are concerned. The reform effort is designed to close tax loopholes and eliminate inequities in state and local tax laws.

Resource Person(s): MaryAnn E. Black, Chairman

County Manager's Recommendation: Advise the Chairman regarding any concerns about state and local tax laws.

5. **5. Tolling and Accounting Order to Extend Review Period for Time Warner Cable**

On October 1, 2002, Time Warner Cable filed the required FCC forms used for calculating Basic Service Tier (BST) rates, and equipment and installation charges to become effective on January 1, 2003.

Staff desires additional time to review the rate filing and other information submitted by Time Warner Cable.

Staff requests that the Board approve the Tolling and Accounting Orders to Extend the Review Period for Time Warner Cable's 2003 FCC-1240, 1205, 1235 rate filing through January 2003. Durham County has two franchise areas; therefore, two Tolling and Accounting Orders have been provided. By approving the Tolling and Accounting Orders the time period in which the County has to review Time Warner Cable's FCC-1240 rate filing is tolled 90 days past the original 30 days (120 days total) allowed by the FCC, extending the total review period deadline.

November 4 is the last day on which the tolling orders can be adopted.

Resource Person(s): Lowell Siler, Deputy County Attorney

County Manager's Recommendation: Suspend the rules and approve the Tolling and Accounting Orders.

6. **6. Closed Session**

The Board of Commissioners is requested to meet in closed session to hear a report concerning investigations of alleged criminal activity pursuant to G.S. § 143-318.11(a)(7).