

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

Monday, October 27, 2003

7:00 P.M. Regular Session

MINUTES

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

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

Absent: None

Presider: Chairman Reckhow

Opening of Regular Session

Chairman Reckhow welcomed everyone to the October 27, 2003 County Commissioner meeting and asked those in attendance to rise for the recitation of the Pledge of Allegiance.

Recognition of City of Medicine High School Awards

The City of Medicine High School Awards were presented to six outstanding students from Durham Public Schools at a special ceremony on October 9, 2003. Diane Wright, Chairman, Durham Health Partners, recognized the following students as Richard Meyers Scholarship Winners and Thomas Howerton Scholarship Winners:

Richard Meyers Scholarship Award

Gurdal Baidwan, Winner (\$3,000)
Southern High

Matthew Rinehart, Runner Up (\$1,500)
Jordan High

Emily Nwakupuda, Judges Incentive Award (\$500)
Hillside High School

Thomas Howerton Scholarship Award

Stephen Hoyle, Winner (\$3,000)
Jordan High

Monjural Dolon, Runner Up (\$1,500)
Southern High

Resource Person(s): Diane Wright, Chairman, Durham Health Partners Board of Directors

County Manager's Recommendation: The County Manager recommended that the Board congratulate the 2003 City of Medicine Award Winners.

Chairman Reckhow expressed appreciation to Durham Health Partners for continuing to sponsor the City of Medicine Awards program and for recognizing not only those in the forefront of the field, but also Durham's budding high school leaders in health and science.

Vice-Chairman Bowser and Commissioners Heron, Jacobs, and Cousin extended their congratulations to the award winners.

Agenda Adjustments

County Attorney Chuck Kitchen noted an addition to the Closed Session [G.S. § 143-318.11(a)(3) to consult with an attorney to preserve the attorney-client privilege regarding *Davis v. Durham Mental Health Developmental Disabilities Substance Abuse Area Authority*, et al., file no. 1:03CV273].

Commissioner Bowser added an agenda item regarding the need for a four-way stop sign at the intersection of Red Mountain Road and Moores Mill Road.

Announcements

Chairman Reckhow publicly thanked Deborah Craig-Ray, Durham County Public Information/Governmental Affairs Director, and Darnell Tabron, Social Studies Coordinator, Durham Public Schools, for organizing the successful County Government Day for "Junior Leadership Durham" held on October 22, 2003. Approximately 20 high school students shadowed the County Manager and various Department Heads during the morning hours, followed by a mock county commission meeting in the afternoon. Chairman Reckhow also expressed appreciation to everyone who attended, including Vice-Chairman Bowser and Commissioner Heron.

Chairman Reckhow announced that the Money Wi\$e Durham Coalition is sponsoring an informational forum to help working families become more financially stable. Topics include Earned Income Tax Credit, free income tax assistance, establishing banking relationships, and financial education. The free session is open to the public and will be held October 30 from 6:30 to 8:30 p.m. at the Herald-Sun Civic Room, 2328 Pickett Road. Chairman Reckhow encouraged interested citizens to attend.

Minutes

Commissioner Heron moved, seconded by Commissioner Jacobs, to approve as submitted the following Minutes of the Board:

- a. September 29, 2003 Fall Retreat
- b. October 7, 2003 Worksession
- c. October 13, 2003 Regular Session

The motion carried unanimously.

Resolution Honoring the Memory of Lt. Harold Bowen

Commissioner Becky Heron requested that a resolution be prepared honoring the life and work of Lt. Harold Bowen, who passed away on September 10, 2003. Mr. Bowen was a firefighter and EMT for Bahama Volunteer Fire Department for more than 20 years. He will be remembered for his outstanding contributions to the entire community.

County Manager's Recommendation: The County Manager recommended that the resolution be presented to family members of Lt. Harold Bowen, along with grateful appreciation from Durham County citizens.

Commissioner Heron voiced her gratitude to Chairman Reckhow for the opportunity to present this resolution to the family of Lt. Bowen. She read the following resolution into the record:

WHEREAS, Harold T. Bowen was a generous human being who loved his community and worked individually and collectively to improve the health, welfare, and safety of his neighbors; and

WHEREAS, in addition to being a loving husband and father, he spent more than twenty years working as a firefighter and as an EMT primarily based out of the Bahama Volunteer Fire Department; and

WHEREAS, he never hesitated to enter a structure filled with thick smoke or flames while risking his own life in such a dangerous line of work to rescue innocent lives; and

WHEREAS, Lt. Bowen was admired for his dedication, as a bridge builder and as a true team player who mentored others, and always stressed the importance of bringing professionalism to the work; and

WHEREAS, he will forever and fondly be remembered as a quiet hero who brought comfort to those involved in an emergency;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby honor the memory of

LT. HAROLD T. BOWEN

a compassionate public servant who unselfishly gave his talents to improve the lives of others. We call upon citizens of Durham County to remember the numerous contributions he made in this community, particularly while serving as a member of the Bahama Volunteer Fire Department.

This the 27th day of October, 2003.

/s/ Five Commissioners
Durham County Commissioners

Family members of Harold Bowen came forward and accepted the resolution.

Proclamation for Home and Hospice Care Month

November is National Home Care and Hospice Month. Helen Poole, Director of Major Gifts, Marketing and Development for Duke Health Community Care, requested that the Chairman of the Board of County Commissioners proclaim the month of November as Home and Hospice Care Month in Durham County.

County Manager's Recommendation: The County Manager recommended that the Board approve the proclamation and present it to Ms. Mari Pitcher, Hospice Representative.

Chairman Reckhow read the following proclamation into the record:

WHEREAS, in-home health, hospice and community-based services provide for an individual's health and social needs across the continuum of life—compassionate care which serves expectant mothers, children, adults, persons with disabilities and the elderly, and also provides love, comfort and support at the end of life; and

WHEREAS, in-home health, hospice and community-based services enable Durham County's citizens to access a wide variety of quality health and social services, including preventive care, acute care, sustainable long-term care and palliative care; and

WHEREAS, these services provide care offered by home health agencies, licensed home care agencies, hospice agencies, adult day care and adult day health care facilities, and home medical equipment companies; and

WHEREAS, in-home health, hospice and community-based services build upon a strong tradition of care and compassion, striving to keep families intact and responsible while preserving each individual's independence and dignity in the setting of his or her choice:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen W. Reckhow, Chairman of the Durham County Commissioners, do hereby proclaim November 2003, as

“HOME AND HOSPICE CARE MONTH”

in Durham County, and urge our citizens to observe this month by giving recognition and support to all in-home and community-based services.

This the 27th day of October, 2003.

/s/ Ellen W. Reckhow

Chairman, County Commissioners

Ms. Pitcher accepted the proclamation and thanked the County Commissioners for recognizing the efforts of Duke Health Community Care to provide in-home health, hospice, and community-based services.

Proclamation for Grief Awareness Week—November 2-8, 2003

November 2-8, 2003 is Grief Awareness Week. Representatives of the Duke Community Bereavement Services requested that the proclamation be issued.

County Manager's Recommendation: The County Manager recommended that the Board approve the proclamation and present it to Ms. Mari Pitcher, Hospice Representative.

Commissioner Cousin read the following proclamation into the record:

WHEREAS, each year, there are approximately 2 million deaths in the United States, which directly affect 10-12 family members per death (excluding close friends and colleagues), thus having an impact on approximately 20 million people; and

WHEREAS, in North Carolina, there are approximately 72,000 deaths each year; and

WHEREAS, natural disasters like Hurricane Floyd, tragic deaths like 9/11, suicides and school shootings touch countless lives and continue to have an impact long after the initial event; and

WHEREAS, grieving is a natural and normal response to death and other losses and is a healthy way for people to take care of themselves; and

WHEREAS, cultural traditions and religious institutions have historically recognized the need for community mourning rituals and individual grief expressions; and

WHEREAS, all Durham County citizens are urged to be sensitive and supportive of their families, neighbors, friends, and colleagues who are adjusting to a significant loss in their lives; and

WHEREAS, a week set aside for grief awareness will enhance solidarity with our human mortality and our common need for mourning and healing and will promote spiritual, mental, physical, and emotional health; and

WHEREAS, we urge all Durham County citizens during this week to remember and support those who have experienced a significant loss in their lives; and

WHEREAS, we urge all Durham County citizens during this week to participate in community activities and educational events to increase their own knowledge of the grief

process so that neighborhoods, faith communities, and workplaces can create a more healing environment for those in grief:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen Reckhow, Chairman of the Durham County Commissioners, do hereby proclaim the first week in November as

GRIEF AWARENESS WEEK

in Durham County, in recognition of every person's right to grieve in the face of death and loss.

This the 27th day of October, 2003.

/s/ Ellen W. Reckhow
Chairman, County Commissioners

Ms. Pitcher accepted the proclamation on behalf of the organization. She expressed thanks to the Commissioners for making the public aware that grief will, at some point, be experienced by everyone, yet provides an opportunity for individuals to grow, to learn, and to become more compassionate.

Literacy Council Presents Special Award to Durham County Board of Commissioners

The Literacy Council, at its annual meeting on Thursday, October 16, 2003, held an awards ceremony. Commissioner Heron was present at the ceremony to accept an award on behalf of the Durham County Commissioners. The award recognized the Board for its continuing support of the organization.

Resource Person(s): Sandee Washington, Teen GED Program Director, Literacy Council

County Manager's Recommendation: The County Manager recommended that the Board receive the award from the Literacy Council with grateful appreciation.

Ms. Washington officially presented the award to the entire Board of Commissioners in recognition of its exemplary commitment to cooperation, creative problem solving, and community accountability so crucial to closing the achievement gap among Durham teens.

Chairman Reckhow communicated her appreciation to the Literacy Council for this award and for its work in the community. The Commissioners hope to see more young people obtain GEDs for opportunities to advance.

Commissioner Heron shared that she learned a great deal about the Literacy Council's impressive accomplishments by attending its annual meeting on October 16.

Best Workplaces for Commuters Distinction

Best Workplaces for Commuters, established by the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT), is a public-private sector program recognizing employers who reach a National Standard of Excellence for offering cost-effective, highly sought-after commuter benefits to their workforce. This nationwide, voluntary program advocates employee commuter benefits and promotes innovative solutions to commuting challenges. Participating companies earn the designation "Best Workplaces for Commuters"—a mark of excellence for environmentally- and employee-friendly organizations.

Best Workplaces for Commuters was launched as a pilot program in October 2000 with 11 pilot partners. In April 2001, the pilot phase ended and the program was opened to employers nationwide and now includes over 1800 employers, covering more than 800,000 employees. Other partners in North Carolina obtaining this distinction include:

Cisco Systems Inc., Research Triangle Park, NC
GlaxoSmithKline, Research Triangle Park, NC
National Institute of Environmental Health & Sciences, Research Triangle Park, NC
Research Triangle Foundation, Research Triangle Park, NC
Triangle Transit Authority, Research Triangle Park, NC
University of North Carolina, Chapel Hill, NC
U.S. Environmental Protection Agency, Research Triangle Park, NC

To participate in this Federal program, employers must meet numerous criteria, including a central point of contact for commuter-benefit information; educational and informational promotion of commuting alternatives; transit or vanpool subsidies; telecommuting options; a ridesharing match program; bicycle racks; active membership in a transportation management association; and a voluntary agreement with EPA and DOT. Durham County has consented to continue its promotion of commuting benefits and to submit annual reports to the EPA detailing the commuting choices of its workforce.

Resource Person(s): Heidi Duer, Assistant to the County Manager

County Manager's Recommendation: The County Manager recommended that the Board receive the presentation.

Ms. Duer described the Best Workplaces for Commuters program, which provides a network of resources to participants and promotes members nationwide through marketing efforts. It is an honor for Durham County to be a member of this program.

Through Durham County's Commute Trip Reduction Ordinance adopted by the Board in February 2000 and the TDM Program known as RAVE (reduction alternatives to vehicle emissions), the County has met the criteria for the distinction. Before implementation of RAVE, nearly 100 percent of County employees drove single-occupancy vehicles to and

from work. During the first year of RAVE (2000-2001), the number was reduced to 87 percent. With RAVE in its third full year, Durham County continues realizing a reduction in the number of single-occupancy vehicles driven to and from work (currently 84 percent), as well in vehicle miles traveled per day. Accordingly, the number of employees riding the bus and carpooling has increased (.8 percent to 6.6 percent and 4 percent to 5.6 percent, respectively).

Durham County Government ranks in the top 1 percent of commuter-friendly employers in the country, while its participation in the Best Workplaces for Commuters program demonstrates leadership and commitment to reducing traffic and air pollution, as well as improving the quality of life for employees.

Chairman Reckhow announced that the State considers transportation demand management a high priority and will host an all-day meeting the second Wednesday in November to introduce a statewide transportation demand management initiative and promote Best Places for Commuters among employers across the state.

Commissioner Heron recognized Chairman Reckhow for her hard work in promoting transportation demand management in Durham.

Consent Agenda

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

- *a. Property Tax Releases and Refunds for Fiscal Year 2003-04 (accept the September property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- *b. Budget Ordinance Amendment No. 04BCC000021—FY 2003-2004 Encumbrances (approve the budget ordinance amendment; the unrestricted fund balance will not be affected by this amendment);
- *c. Budget Ordinance Amendment No. 04BCC000022—Recognize Deferred Revenue for the Departments of Fire Marshall, Public Health, Sheriff, Budget, Social Services, Tax, and Mental Health (approve the budget ordinance amendment to recognize deferred revenue in the amount of \$1,532,397);
- *d. Budget Ordinance Amendment No. 04BCC000023—Recognize Revenue From the Bureau of Justice Assistance (BJA) (authorize the Sheriff's Office to accept the award from the Bureau of Justice Assistance and approve the budget ordinance amendment in the amount of \$93,108);

- *e. Budget Ordinance Amendment No. 04BCC000024— Fire Marshal—US Department of Homeland Security/State Homeland Security Grant Program (approve the budget ordinance amendment in the amount of \$221,227 to be received from the North Carolina Crime Control and Public Safety, Division of Emergency Management);
- f. Donation of Obsolete Desktop Computers to Triangle United Way (declare the obsolete systems surplus and approve donation of these systems to Triangle United Way);
- *g. Ordinance Amending the Commute Trip Reduction Program (approve the ordinance with the changes proposed by the Advisory Board and County Attorney); and
- h. Contract Amendment—Extension of Schedule for Development of Unified Development Ordinance (UDO) (approval to execute an amendment to the UDO contract to extend the schedule for project completion through September 30, 2004).

Chairman Reckhow commended staff for assiduously seeking and receiving grant money.

County Manager Ruffin explained that the surplus computers (referenced in item No. f) would be given to Triangle United Way who will, in turn, refurbish the systems for Durham Public Schools. In addition, Blue Cross and Blue Shield of NC replaces its desktop systems every couple of years and will give its surplus to Durham Public Schools.

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda a. Property Tax Releases and Refunds for Fiscal Year 2003-04 (accept the September property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report).

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the report details releases and refunds for the month of September 2003.

Releases & Refunds for 2003 Taxes:

Real	\$	27,134.49
Personal	\$	67,774.69
Registered Vehicles	\$	19,849.30
Vehicle Fees	\$	255.00
Solid Waste	\$	<u>260.00</u>
Total for 2003 Taxes and Fees	\$	115,273.48

Prior years (1999-2002) releases and refunds for September 2003 are in the amount of \$18,187.58.

The total current year and prior years' releases and refunds amount to \$133,461.06.

(Recorded in Appendix A in the Permanent Supplement of the October 27, 2003 Regular Session Minutes of the Board.)

Consent Agenda b. Budget Ordinance Amendment No. 04BCC000021—FY 2003-2004 Encumbrances (approve the budget ordinance amendment; the unrestricted fund balance will not be affected by this amendment).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
 FY 2003-04 Budget Ordinance
 Amendment No. 04BCC000021

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2003-04 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>			
Other Financing Sources	\$ 13,339,630	\$2,219,374	\$ 15,559,004
<u>SELF INSURANCE FUND</u>			
Other Financing Sources	\$ 350,000	\$ 18,175	\$ 368,175
<u>REAPPRAISAL RESERVE FUND</u>			
Other Financing Sources	\$ 100,000	\$ 687	\$ 100,687
<u>SEWER UTILITY FUND</u>			
Other Financing Sources	\$ 0	\$ 617,654	\$ 617,654
<u>EQUIPMENT LEASING FUND</u>			
Other Financing Sources	\$ 250,000	\$ 20,000	\$ 270,000

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$ 22,676,954	\$ 715,274	\$ 23,392,228
Public Safety	\$ 35,780,215	\$ 307,416	\$ 36,087,631
Environmental Protection	\$ 2,603,753	\$ 7,698	\$ 2,611,451
Economic & Physical			
Development	\$ 2,919,461	\$ 66,779	\$ 2,986,240
Human Services	\$354,999,247	\$ 973,853	\$355,973,100
Cultural & Recreational	\$ 7,762,726	\$ 148,354	\$ 7,911,080
<u>SELF INSURANCE FUND</u>			
General Government	\$ 1,505,651	\$ 18,175	\$ 1,523,826
<u>REAPPRAISAL RESERVE FUND</u>			
General Government	\$ 100,000	\$ 687	\$ 100,687
<u>SEWER UTILITY FUND</u>			
Utilities	\$ 6,446,455	\$ 617,654	\$ 7,064,109
<u>EQUIPMENT LEASING FUND</u>			
Other	\$ 1,147,853	\$ 20,000	\$ 1,167,853

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

This the 27th day of October, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda c. Budget Ordinance Amendment No. 04BCC000022—Recognize Deferred Revenue for the Departments of Fire Marshall, Public Health, Sheriff, Budget, Social Services, Tax, and Mental Health (approve the budget ordinance amendment to recognize deferred revenue in the amount of \$1,532,397).

DURHAM COUNTY, NORTH CAROLINA
 FY 2003-04 Budget Ordinance
 Amendment No. 04BCC000022

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2003-04 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current</u> <u>Budget</u>	<u>Increase/Decrease</u>	<u>Revised</u> <u>Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$296,013,996	\$ 1,491,570	\$297,505,566
Miscellaneous Income	\$ 3,721,967	\$ 40,827	\$ 3,762,794

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND-</u>			
General Government	\$ 23,392,228	\$ 147,187	\$ 23,539,415
Public Safety	\$ 36,087,631	\$ 156,273	\$ 36,243,904
Human Services	\$355,973,100	\$ 1,228,937	\$357,202,037

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

This the 27th day of October, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda d. Budget Ordinance Amendment No. 04BCC000023—Recognize Revenue From the Bureau of Justice Assistance (BJA) (authorize the Sheriff's Office to accept the award from the Bureau of Justice Assistance and approve the budget ordinance amendment in the amount of \$93,108).

DURHAM COUNTY, NORTH CAROLINA
 FY 2003-04 Budget Ordinance
 Amendment No. 04BCC000023

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2003-04 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	\$297,505,566	\$93,108	\$297,598,674

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$ 36,243,904	\$93,108	\$ 36,337,012

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

This the 27th day of October, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda e. Budget Ordinance Amendment No. 04BCC000024—Fire Marshal—US Department of Homeland Security/State Homeland Security Grant Program (approve

the budget ordinance amendment in the amount of \$221,227 to be received from the North Carolina Crime Control and Public Safety, Division of Emergency Management).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2003-04 Budget Ordinance
Amendment No. 04BCC000024

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2003-04 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	\$297,598,674	\$221,227	\$297,819,901

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$ 36,337,012	\$221,227	\$ 36,558,239

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

This the 27th day of October, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda g. Ordinance Amending the Commute Trip Reduction Program (approve the ordinance with the changes proposed by the Advisory Board and County Attorney).

The ordinance amendment follows:

ORDINANCE AMENDING THE COMMUTE
TRIP REDUCTION PROGRAM

WHEREAS, certain changes have been recommended by the Trip Reduction Program Multi-jurisdictional Advisory Board to the County's Trip Reduction Program; and

WHEREAS, the Board of Commissioners had considered the recommended changes, and has found the changes to be in the interest of the welfare of the citizens of Durham County.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM DO TH ORDAIN:

1. That section 24-118 of the Durham County Code of Ordinances is hereby amended to read as follows:

Sec. 24-118. Requirements for Major Employers.

In each year, each Major Employer shall:

1. Provide each full time, part-time, contract, or other employee with information on Alternate Mode options and required travel reduction measures and related incentives. This may include, but is not limited to: any bus routes and schedules, information on any ride share programs, and any bicycle routes. This information shall also be provided to new employees, as described above, at the time of hiring.
2. (a) Participate in a survey and reporting effort, as directed and scheduled by the Lead Agency staff. All surveys or other reporting efforts as approved by the Lead Agency shall be completed by at least the number of employees as shown in the following table to meet the required sample size:

<u>Number of employees</u>	<u>Required sample size</u>
100-119	65
120-139	78
140-159	91
160-179	104
180-199	117
200-219	130
220-239	143
240-259	156
260-279	169
280-299	182
300-319	195
320-339	208
340-359	221
360-379	234
380-399	247
400-419	261
420-439	268
440-459	273
460-479	280
480-499	285
500-549	289
550-599	301

600-649	312
650-699	323
700-749	331
750-799	339
800-849	347
850-899	353
900-949	360
950-999	365
1,000-1,099	371
1,100-1,199	380
1,200-1,299	388
1,300-1,399	396
1,400-1,499	403
1,500-1,599	408
1,600-1,699	413
1,700-1,799	417
1,800-1,899	423
1,900-1,999	427
2,000-2,199	429
2,200-2,399	436
2,400-2,599	441
2,600-2,799	447
2,800-2,999	451
3,000-3,499	453
3,500-3,999	461
4,000-4,499	468
4,500-4,999	472
5,000-5,999	476
6,000-6,999	481
7,000-7,999	485
8,000-8,999	489
9,000-9,999	491
10,000-14,999	493
15,000-19,999	501
20,000-29,999	503
30,000-39,999	505
40,000-49,999	507
50,000 & over	508

(b) The results of the survey or other reporting efforts which are accurate, verifiable and comparable to a survey for determining single occupancy vehicle use during peak periods and vehicle miles traveled, and as approved by the Lead Agency, shall be used to determine if the traffic congestion and reduction targets have been achieved. Employee participation and trip reduction shall be based on the total number of employees.

3. Prepare and submit a travel reduction plan to Lead Agency staff. The Lead Agency staff will assist in preparing the required plans when requested to do so by the employer. Major Employers shall submit plans according to a schedule set by the Lead Agency. If not notified earlier by the Lead Agency, Major Employers shall submit plans by December 31 of each year. One plan may be submitted for each Major Employer which addresses the travel reduction measures for all of the facilities located in Durham County. Each Major Employer shall set its own good faith goals and shall work toward achieving the community goals set forth herein. The plan shall contain the following elements:
 - A. The name, address, e-mail address, and phone and fax number of the formally designated Transportation Coordinator.
 - B. A description of employee information programs designed to achieve the designated transportation reduction goals and other travel reduction measures which have been completed to date or during the previous year.
 - C. A description of travel reduction measures to be undertaken by the Major Employer in the upcoming year of the plan. The following measures may be included:
 - a. Participate in a commuter matching service to facilitate employee Ridesharing for work trips.
 - b. Provision of vans for Vanpooling.
 - c. Subsidized Carpooling or Vanpooling which may include payment for fuel, insurance, or parking.
 - d. Use of company vehicles for Carpooling.
 - e. Provision of preferential parking for Carpool or Vanpool users which may include close-in parking or covered parking facilities.
 - f. Reduction of on-site employees parking or redesignation of existing parking for pooling employees.
 - g. Subsidized bus fares.
 - h. Construction of special loading and unloading facilities for transit, Carpool, and Vanpool users.
 - i. Cooperation with the City or County of Durham in construction of sidewalks or bicycle routes for the work site.

- j. Provision of bicycle racks, lockers, and showers for employees who walk or bicycle to and from work.
- k. Provision of a special information center, including a web page on the company's Internet site, where information on Alternate Modes and other travel reduction measures will be available.
- l. Establishment of a work-at-home program, including telecommuting, for employees.
- m. Establishment of a program of adjustable work hours which may include compressed workweeks and employee selected starting and stopping hours. Work hour adjustments should not interfere with or discourage use of ridesharing and transit.
- n. Establishment of a program of parking incentives and disincentives; such as a fee for parking and/or a "rebate" for employees who do not use the parking facility.
- o. Implementation of other measures designed to reduce Commute Trips such as provision of day-care facilities, restaurant, or emergency ride home services.

D. A Travel Reduction Plan shall meet all the following criteria:

- 1. The plan shall designate a Transportation Coordinator.
- 2. The plan shall describe a mechanism for routine distribution of Alternate Mode transportation information to employees.
- 3. The plan shall accurately and completely describe current and planned travel reduction measures.
- 4. The plan shall state the travel reduction goals adopted by the Major Employer, including both Alternate Mode and Non-Peak Commute Trips and Average Commute Trip VMT Reduction.
- 5. The plan shall be signed by the Site Executive.

2. That section 24-122 of the Durham County Code of Ordinances is hereby amended to read as follows:

Sec. 24-122. Review of Effectiveness of Ordinance.

The Multi-jurisdictional Advisory Board after consultation with the Lead Agency, if other than the County, shall report to the Board of Commissioners, the Durham City Council and Chapel Hill Town Council, if the two municipalities have allowed this ordinance to be enforced in their jurisdictions or enacted a substantially similar ordinance and have entered into an interlocal government cooperation agreement with the County of Durham for the administration of this or a substantially similar ordinance, and to other jurisdictions which have enacted a substantially similar ordinance and have entered into an interlocal government cooperation agreement as set forth in Sec. 24-120, by December 31, 2002, and every two years thereafter, on the effectiveness of this Ordinance, and shall, as part of this report, make recommendations for changes in the Ordinance or implementing program as deemed appropriate.

3. That section 24-123 of the Durham County Code of Ordinances is hereby amended to read as follows:

Sec. 24-123. Definitions.

1. "Alternate Mode" means any mode of commute and transportation other than the single occupancy motor vehicle, including telecommuting.
2. "Travel Reduction Plan" means a plan submitted by a Major Employer that meets the requirements as set forth in this article.
3. "Carpool" means two or more persons traveling in a light duty vehicle (car, truck, or van) to or from work.
4. "Peak Commute Trip" means a trip taken by an employee to or from work during peak hours.
5. "Commute Trip" means a trip taken by an employee to or from work.
6. "Commuter Matching Service" means any system, whether it uses computer or manual methods, which assists in matching employees for the purpose of sharing rides to reduce drive alone travel.
7. "Employer" means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, either public or private, that employs workers. However, the term "employer" shall not include the State of North Carolina, the United States of America, or any agency thereof.
8. "Full-time equivalent (FTE) employees" means the number of employees the employer would have if the employers work needs were satisfied by employees working 40 hours per workweek. The number of full-time

equivalent employees for any employer is calculated by dividing the total number of annual work hours paid by the employer, including work hours paid to contract or other workers whether or not considered employees of the major employer, by 2080 work hours in a year.

9. "Lead Agency" means a governmental or quasi-governmental agency shall evaluate Major Employer's travel reduction plans and the results achieved by the Major Employers due to the implementation of the plans, and shall provide consultative and educational programs for businesses, industries, and the general public.
10. "Major Employer" means an employer who employs, during a 24-hour period, 100 or more full-time equivalent employees with at least 50 employees at a work site for at least six months during the year. Not included in this calculation shall be any employee who is required by the nature of his work to daily use a personal owned vehicle in his work or is required to commute using a vehicle owned by the employer.
11. "Mode" means the type of conveyance used in transportation including single occupancy motor vehicle, ride share vehicle (Carpool or Vanpool), transit, bicycle, and walking.
12. "Non-Peak Commute Trip" means a trip taken by an employee to or from work during hours which are not Peak Hours.
13. "Motor Vehicle" means every device in, upon or by which any property is or may be transported or drawn upon a highway by mechanical means including car, van, bus, motorcycle, and all other motorized vehicles.
14. "Peak Hours" mean the hours between 7:00 AM and 9:00 AM or 4:30 PM and 6:30 PM.
15. "Ridesharing" means transportation of more than one person for commute purposes, in a motor vehicle, with or without the assistance of a commuter matching service.
16. "Site Executive" means the highest-ranking corporate officer in Durham County of a Major Employer.
17. "Transit" means a bus or other public conveyance system.
18. "Transportation Coordinator" means a person designated by employer as the lead person in developing and implementing a travel reduction plan. The Transportation Coordinator shall act as the agent for the Major Employer for purposes of this ordinance.

19. "Travel Reduction Plan" means a written report outlining travel reduction measures which will be submitted annually by each Major Employer.
 20. "Travel Reduction Program" means a program, implementing a travel reduction plan by an employer, designed to achieve predetermined reductions in commute trips and vehicle miles traveled through various incentives and disincentives.
 21. "Vanpool" means seven or more persons traveling to and from work together in one vehicle.
 22. "Vehicle Occupancy" means the number of occupants in a motor vehicle including the driver.
 23. "Vehicle Miles Traveled" (VMT) means the average (mean) number of miles traveled by a motor vehicle for commute trips.
 24. "Work Site" means a building or any grouping of buildings located within Durham County which are physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way, and which are owned or operated by the same employer.
4. This Ordinance shall be effective November 1, 2003.

This the 27th day of October, 2003.

Preliminary Plat—Landings at American Village (Case D03-201)

Tony M. Tate Landscape Architecture, P.A., on behalf of Regions Development, LLC, has submitted a preliminary plat for 104 clustered, single-family residential lots on an approximate 64.3-acre site zoned R-20. The property is located on the west side of American Drive and south of Neal Road and Southern Railroad. PIN 0802-02-77-6852, 0802-02-68-8138, 0802-02-68-8513, 0802-02-67-8823, 0802-02-67-8415 (portion). County Atlas Page 47, Block C-1, C-2, D-1, D-2.

The Planning staff recommended approval.

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

County Manager's Recommendation: The County Manager recommended approval.

Mr. Duke provided a brief overview of the proposal, stating that the development is consistent with all Zoning and Subdivision Ordinance requirements for a clustered subdivision.

Mr. Patrick Byker, 2614 Stuart Drive, Durham, NC 27707, representing Regions Development, spoke on the item. He conveyed that Regions Development will commit to amend its site plan to include cul-de-sacs rather than stub outs at the property line with Duke Forest provided Duke University takes the necessary steps in a responsible time frame (60 days). Mr. Byker informed the Board that he will write a letter to Chairman Reckhow and Mr. Duke, stating this commitment. He requested that the Commissioners approve the preliminary plat.

Vice-Chairman Bowser inquired about the proposed streets that are “to be constructed to City of Durham standards, as the applicant is seeking annexation.”

Mr. Duke responded that the developer is required to annex into the City in order for this project to develop with the proposed lot sizes; therefore, the streets, according to the Subdivision Ordinance, must be constructed to meet City standards.

Commissioner Heron commented that property owners benefit when streets meet NCDOT standards, as the State is responsible for maintenance.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to approve the Preliminary Plat—Landings at American Village (Case D03-201).

The motion carried unanimously.

Chairman Reckhow stated that the motion was made with the understanding that Regions Development will include cul-de-sacs instead of stub outs if an agreement can be reached with Duke University.

Commissioner Heron informed Mr. Byker that, according to her conversation with a Duke University representative, Duke University will take the necessary steps for the change in a reasonable time frame (60 days).

(Tax Map number: ____; recorded in Ordinance Book ____, page ____.)

Timer Warner Cable's Rate filing Through January 2004

On October 1, 2003, Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing, FCC-1205 Determining Regulated Equipment and Installation costs, and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the County. Time Warner Cable's filing includes actual and estimated costs which it may incur during the projected period January - December 2004, along with previous expenses from the “true up” period October 2002 - September 2003;

The Federal Communications Commission has promulgated rate filing procedures that allow cable operators to estimate future external costs, and costs associated with system

upgrades, and recover those projected costs utilizing the FCC-1240 filing process, performed annually;

The County is certified with the FCC to regulate basic cable service, equipment and installation rates, and services within Durham County; and

The FCC '76.933 grants franchise authorities the ability to toll the time in which to review rate filings submitted by cable operators, extending the period of review from the initial 30 days, to an additional 90 days (120 days total) past the original date of receipt by the franchise authority.

Resource Person(s): Robert Sepe, President, Action Audits LLC; Chuck Kitchen, County Attorney; and Lowell Siler, Deputy County Attorney

County Manager's Recommendation: The time period in which Durham County has to review Time Warner Cable's FCC-1240 rate filing be tolled 90 days past the original 30 days (120 days total) allowed by the FCC, extending the total review period deadline; and that Time Warner Cable be directed to maintain a complete and accurate accounting of all costs and revenues associated with the aforementioned filing.

County Attorney Chuck Kitchen explained that the order is to extend the time period for Action Audits to analyze Time Warner's application to increase cable rates.

Commissioner Heron asked how cable rates are established.

County Attorney Kitchen responded that Time Warner, under Federal law, can obtain a rate increase provided an area has effective competition. Time Warner contends that effective competition exists in Durham County because of the dish network penetration level.

Commissioner Heron asked how Durham County can increase its franchise fee.

Attorney Kitchen replied that franchise fees are set by Federal law as a percentage of the revenues collected by the cable operator.

Commissioner Heron moved, seconded by Commissioner Jacobs, to extend the time period in which Durham County has to review Time Warner Cable's rate filing to 90 days past the original 30 days (120 days total) and to direct Time Warner to maintain a complete and accurate accounting of all costs and revenues associated with the filing.

The motion carried unanimously.

The order follows:

STATE OF NORTH CAROLINA
DURHAM COUNTY

IN THE MATTER OF:)	Tolling and Accounting Order to
Regulated Cable Service Provided by Time)	Extend the Review Period for
Warner Cable to its Durham County Cable)	Time Warner Cable's 2003
Television Subscribers)	FCC-1240. 1205, 1235 Rate Filing
)	Through January 2004

BEFORE THE DURHAM COUNTY BOARD OF COMMISSIONERS:

WHEREAS, on October 1, 2003, Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing, FCC-1205 Determining Regulated Equipment and Installation costs, and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the County. Time Warner Cable's filing includes actual and estimated costs which it may incur during the projected period January - December 2004, along with previous expenses from the Atrue up@ period October 2002-September 2003;

WHEREAS, the Federal Communications Commission has promulgated rate filing procedures that allow cable operators to estimate future external costs, and costs associated with system upgrades, and recover those projected costs utilizing the FCC-1240 filing process, performed annually;

WHEREAS, the County is certified with the FCC to regulate basic cable service, equipment and installation rates and services within the Durham County; and

WHEREAS, the FCC '76.933 grants franchise authorities the ability to toll the time in which to review rate filings submitted by cable operators, extending the period of review from the initial 30 days, to an additional 90 days (120 days total) past the original date of receipt by the franchise authority.

IT IS THEREFORE ORDERED:

THAT the time period in which the Durham 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; and

THAT Time Warner Cable is directed to maintain a complete and accurate accounting of all costs and revenues associated with the aforementioned filing.

ISSUED BY ORDER OF THE DURHAM COUNTY BOARD OF COUNTY COMMISSIONERS:

This the 27th of October, 2003.

/s/ Ellen W. Reckhow
Chairman

/s/ Garry E. Umstead
Clerk

Intersection of Moores Mill and Red Mountain Roads in Rougemont

Vice-Chairman Bowser expressed concern about the number of traffic-related accidents and resulting fatalities that have occurred at this intersection in Rougemont. Several years ago, residents petitioned the North Carolina Department of Transportation (NCDOT) to install a four-way stop sign and to place rumble strips on the road to alert drivers of the potential danger. NCDOT did not respond. At the County Commissioners' April 28, 2003 Regular Session, Vice-Chairman Bowser made a motion, seconded by Commissioner Heron, that a letter be written to John Nance, Division Engineer, NCDOT, (copied to Ty Cox, NCDOT board member) asking for a solution to the potential danger at this intersection and requesting a response. (The motion carried unanimously.) Again, NCDOT failed to respond. Commissioner Bowser suggested that a follow-up letter be written to the Department of Transportation requesting the installation of a four-way stop sign at the intersection of Red Mountain and Moores Mill Roads and inquiring about the projected date for paving the remainder of Hampton Road.

Chairman Reckhow directed the County Manager to write the letter and send copies to Mr. Cox and the Commissioners.

Update on After-School Child Care Funding

Due to a funding shortfall, Durham's Alliance for Child Care Access (DACCA) has begun a waiting list for childcare subsidies. Currently, there are over 1,200 eligible children on the waiting list (this includes the 688 school-age children being terminated). An increased demand for services, increased costs for quality childcare, and a funding cut from the local Smart Start agency has left Durham with a projected shortfall. Because funding is limited, subsidy is being terminated for school-aged children for before- and after-school care effective November 14. Letters were sent to parents and childcare providers on October 7, 2003 to give families time to make alternative plans.

Plans have been developed in partnership with the Child Care Services Association (CCSA) and DurhamCAN to solicit funds from the faith and business communities to cover the shortfall in funding for school-age children currently enrolled in before- and/or after-school programs. The Department of Social Services shared these plans and provided background information, as well as information on current funding proposals in Congress to address the demand for childcare subsidy.

Resource Person(s): Dan Hudgins, DSS Director; Arnold Dennis, Director for Family Economic Independence, DSS; and Karenne Berry, Executive Director, Durham's Alliance for Child Care Access

County Manager's Recommendation: The County Manager's recommendation was that the Board receive the report and provide staff with policy direction on this matter.

Chairman Reckhow announced that she learned about the childcare funding issue at a meeting last week, subsequently directing that the County Manager add the item to the

agenda. The projected shortfall has been created by Federal and State cutbacks, causing a crisis for this community. Additional attachments to this item included draft letters to Durham's Legislative Delegation and North Carolina's Congressional Delegation to inform them that cutbacks are severely impacting Durham citizens.

Mr. Hudgins followed Chairman Reckhow's comments with an overview of the situation. Four agencies including DACCA, DSS, Durham Partnership for Children, and Operation Breakthrough administer subsidy dollars received by Durham County. Two years ago, \$18,000,000 was allocated as subsidy dollars to eligible families. The amount has decreased each year despite growth and need. DACCA has budgeted \$15,035,073 in Federal and State funds for childcare subsidies; last year DACCA spent \$16,543,594. The funding cut is due primarily to a reduction in the amount of funding available through Smart Start, as the local Durham Partnership for Children sustained a significant cut this year at the State level that was passed on to the County. Currently 3,318 children under age 11 are receiving subsidized childcare services in Durham so parents can work or attend school. Eligibility for subsidy depends on income and family size, while families share in the cost based on a sliding scale of fees. Based on current spending in Durham County, DACCA will overspend its budget by \$3.1 million. If DACCA continues to overspend and exhausts all funds, no children in the County will be served in April or May. As a result, DACCA has notified the parents of 688 school-aged children that their subsidy will be terminated November 14, 2003. This will save DACCA \$1.6 million with the hope that by implementing a freeze on placements, the other overspending can be made up through attrition.

Mr. Hudgins and Mr. Dennis met with representatives from DurhamCAN (Congregations, Associations, Neighborhoods) on Tuesday evening, October 21, 2003 to discuss the shortfall. DurhamCAN decided to approach the Board of County Commissioners (BOCC) to request that the County cover a portion of the shortfall.

At the Durham County Department of Social Services Board meeting held Wednesday, October 22, 2003, a proposal was discussed involving fundraising from the faith and business communities. Sue Russell, Executive Director of Child Care Services Association (CCSA), volunteered to take the lead on this initiative and to send letters to all congregations and local businesses requesting contributions to cover the shortfall for school-age children currently enrolled in before and/or after-school programs.

A news briefing was held Friday, October 24, 2003, at the Child Care Services Association office, 2634 Chapel Hill Boulevard. DurhamCAN, CCSA, DACCA, and Durham Public Schools participated, as well as childcare providers and parents. As a result of the briefing, all congregations in the community were sent a letter from CCSA soliciting contributions. Employers of parents whose children will lose childcare were to be contacted, as well. A number of childcare providers have agreed to donate one space. DSS is hoping for additional Federal funds. The State is expected to announce reallocations next week, which will assist with the shortfall. The following indicates the amount per child and the amount to cover this shortfall:

- Number of children to be terminated November 14, 2003 688
- Average monthly cost of care for school-age children \$ 374
- Average parent fee for school-age children @ 7 percent \$ 26
- Average net cost of school-age childcare \$ 348
- Monthly cost for 688 children \$239,424

Total cost for 6½ months (November 14, 2003 – May 31, 2004) \$1,556,256 (gap)

Commissioner Heron inquired about how the parents' fees are determined.

Mr. Hudgins replied that the fees are based on income, not the cost of care.

Commissioner Heron asked Mr. Hudgins if parents' employers provide benefit packages.

Mr. Hudgins responded that he has no statistics, but estimates that approximately one-half of the eligible families are provided healthcare benefits.

Commissioner Heron inquired about the number of these children affected by deadbeat dads. She expressed that the Board should be given this information.

Mr. Hudgins answered that the only way to obtain this data would be to research each case.

Commissioner Cousin asked how the crisis is affecting North Carolina in comparison to other states. He was deeply disturbed that higher levels of government give more consideration to bombs than to Smart Start.

Mr. Hudgins replied that other states are experiencing the same financial impact.

Commissioner Jacobs expressed that this situation is a emergency. She wanted to know if anyone had other suggestions for helping these families.

Mr. Hudgins stated that citizens who had signed to speak would bring forth specific recommendations.

Commissioner Heron asked Mr. Hudgins why he did not recognize the shortfall until now.

Mr. Hudgins explained that each year begins with a shortfall in after-school childcare funding, and with the exception of this year, DSS has pursued and received reallocation and additional funding to sustain the program. The current crisis has been created by Federal and State cuts, as well as an increased demand because of the economy.

County Manager Ruffin asked Mr. Hudgins if he foresees a savings in Medicaid expenditures to help fill the gap.

Mr. Hudgins responded that a savings will be realized in the Medicaid budget.

The following citizens spoke on this agenda item:

Thomas Sheppard, 1419 Sedgefield Street, Durham, NC 27701, parent of two school-aged children and one preschool child, stated that the shortfall has created a predicament for his family. He was concerned about the welfare of all children and families that will be affected.

Kim Curtis, 1305 Watts Street, Durham, NC 27701, is a member of People's Alliance and DurhamCAN—a coalition of many races, denominations, and associations held together by a powerful faith to make deep changes for the good of the community. Coming out from behind the barriers of race, class, gender, and nationality, DurhamCAN believes in democratic power and that individuals have, as a birthright and inheritance, the capacity to work across differences for a better world. DurhamCAN works to build relationships across people in the community and to research problems and devise solutions.

Ms. Curtis stated that for two years DurhamCAN has been researching and devising solutions to the problem of after-school care in Durham. Despite the number of good after-school programs in the community, many are not affordable for thousands of families.

Ms. Curtis asked the Commissioners to consider the proposal for bridge money to keep Durham's children safe and flourishing and to support families.

Karima Abdusamad, 1507 Logan Street, Durham, NC 27701, DurhamCAN member, stated that with the "NO CHILD LEFT BEHIND" initiative on the academic agenda, Durham is choosing which children are left behind based on socio-economic status. The 688 children are a fraction of the children eligible to receive benefit vouchers. One may think that the loss of vouchers only removes children from after-school programs, but much more is at stake. Durham's children are in social and academic peril of going home to empty houses, waiting outside for parents to arrive, being attended by other children, being babysat by TV, or being exposed to gang-related activities. Durham's citizens must act in haste to prevent these actions from taking place.

In addition, the number of people in jeopardy of losing their jobs in after-school and childcare centers must be considered. If 688 children are removed from care, approximately 50 people will lose their jobs, not to mention the unraveling of family structures to accommodate the changes. Families are being forced to make tough choices between paying the rent, keeping reliable transportation, buying food, or keeping their children in quality after-school programs. This is a travesty against the working poor of Durham County. It is counterproductive in building strong families, getting and keeping people off welfare, job security, and closing the achievement gap. As a concerned citizens of Durham County, Ms. Abdusamad asked that the Commissioners make children a top priority.

Tamara Loza, 10107 McQueen Drive, Durham, NC 27704, Durham Child Care Services Association employee and DurhamCAN member, stated that many terrible human costs will result if the current crisis is not addressed. The pragmatic decision before the Board and the community is whether Durham wishes to pay now or later. Durham must take responsibility for nurturing its young people, especially the poorest and most vulnerable, rather than spend public resources on mental health services, centers for pregnant teens, detention centers, jails, etc.

The County Commissioners recently spent much money on security at the County Jail. While this was an emergency and a good use of public funds, Ms. Loza suggested that the crisis in subsidies to Durham's poorest children and their families is no less an emergency. The focus must be on the realities of the need and the consequences of not responding.

Ms. Loza informed the Commissioners that DurhamCAN's strategy to address this crisis is to share the responsibility and financial burden. To enable the 688 children to continue receiving after-school care until the end of the school year, \$1.5 million in bridge money must be found. DurhamCAN proposed that the County contribute \$700,000 from its Fund Balance. DurhamCAN would also seek \$500,000 from the City Council, \$150,000 from the State, while supporting the initiative of the Child Care Services Association to raise an additional \$150,000 from private sources.

Chairman Reckhow remarked that the County Commissioners are very concerned about this issue and are taking the matter seriously. The Board facilitates after-school programming by donating directly to the middle-school after-school program, which serves approximately 1000 young people. The Board will work diligently to address this issue, as well. She suggested that a paragraph be added to the draft letters to highlight the Smart Start Program cuts made statewide by the General Assembly. The letters should be sent to Durham County's Legislative Delegation, North Carolina's US Senators, Governor Mike Easley, and copied to Carmen Hooker Odom, Health and Human Services Secretary. The County Manager Ruffin was directed to work with Social Services Director Dan Hudgins to develop a short-term strategy for after-school care for the balance of the calendar year while other alternatives for the remainder of the fiscal year (and subsequent fiscal years) are being explored. This item would be placed as item No. 1 on the November 3, 2003 Worksession agenda for further discussion.

Commissioner Heron urged all persons in attendance to contact Durham's legislators and all appropriate groups to solicit support and assistance.

Vice-Chairman Bowser expressed gratitude to DurhamCAN and parents who attended the meeting to speak to this issue. He was confident that funding would be found to address the shortfall. He instructed the County Manager to speak with the City Manager about coordinating efforts to address this crisis.

Chairman Reckhow asked Mr. Hudgins to schedule a meeting with Director Peggy Ball (State Division of Child Development), community leaders, parents, various organizations, and a couple of County Commissioners to discuss Durham's situation and potential State assistance.

Mr. Hudgins informed Chairman Reckhow that he would attempt to schedule the meeting for the end of the week (prior to Monday's worksession).

Board and Commission Appointment

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots for the Commissioners to make an appointment to the Citizens Advisory Committee.

Resource Person(s): Garry E. Umstead

County Manager's Recommendation: The County Manager recommended that the Board of County Commissioners vote to appoint a representative to the Citizens Advisory Board.

Amy Lynn Henderson was appointed to the Citizens Advisory Committee.

Closed Session

Commissioner Jacobs moved, seconded by Commissioner Heron, to adjourn to closed session pursuant to G.S. § 143-318.11(a)(3) & (4) to consult with an attorney to preserve the attorney-client privilege regarding *Davis v. Durham Mental Health Developmental Disabilities Substance Abuse Area Authority*, et al., file no. 1:03CV273, and to consider the location or expansion of an industry.

The motion carried unanimously.

Reconvene to Open Session

Chairman Reckhow declared that direction was given to staff during the Closed Session.

Adjournment

Chairman Reckhow adjourned the meeting at 10:11 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board

