

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

Thursday, May 29, 2003

9:00 A.M. Budget Worksession

**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 (arrived at 9:38 a.m.), and Commissioners Philip R. Cousin Jr. (arrived at 9:25 a.m.), Becky M. Heron, and Mary D. Jacobs

Absent: None

Presider: Chairman Reckhow

**Call to Order**

Chairman Reckhow convened the meeting and welcomed everyone to the budget worksession.

**District Attorney and Public Defender—Budget Presentation**

Robert Brown Jr., Public Defender, and James Hardin Jr., District Attorney, made a presentation to the Commissioners concerning Bond Attorney positions.

Robert Brown said that the total number of bonds reviewed by the attorneys for the three years was 18,505—or approximately 6,000 per year.

According to information compiled by the Sheriff's Department, the average number of days an inmate spends in the jail on pretrial detention has been reduced from 17 days in 1990 to 10 days in 2003 for a reduction of 41%. This represents a real saving to the County in expenditures for food and medical costs.

Public Defender Brown presented five charts as follows:

- Average Number of Inmate Days in Pretrial Detention
- Case Activity by Bond Attorneys 2000-2002
- Comparison of Savings vs. Positions Cost
- Comparison of Medical and Food Costs Savings
- Comparison of Positions Cost vs. Savings to County on Food & Medical Costs

Public Defender Brown said the program has been extremely effective and extremely cost saving. This program has saved the County money. He said he would like to continue the program.

Public Defender Brown asked if there were any questions.

The Commissioners asked questions and made comments about the program.

Public Defender Brown and District Attorney James Hardin responded to the questions and comments.

Vice-Chairman Joe Bowser said that he supported the program. He stated that there are benefits in having a program like this.

Chairman Ellen W. Reckhow directed the County Manager to work with the District Attorney and the Public Defender to develop an approach in terms of regular reports and protocol the County can use on medical care. Then the County could consider how to get this back into the budget.

### **Revised Order of Presentations**

Chairman Reckhow rearranged the May 29, 2003 Budget Worksession agenda to place presentations by County Engineering and Information Technology at the end of the agenda.

### **Office of the Sheriff—Budget Presentation**

Sheriff Worth Hill presented the Office of the Sheriff's FY 2003-2004 Budget to the Board of County Commissioners.

The first item the Sheriff discussed was the need to employ three Deputy Sheriffs that would be assigned to Court Security due to increased need and coverage area and additional courtrooms.

The next request he discussed was the need for five additional positions in the Detention Center. The Sheriff is trying to build up the Detention Center staff that was reduced in prior years.

Sheriff Hill also conveyed to the Commissioners that he supported the program discussed with the Commissioners prior to his presentation by the District Attorney and the Public Defender.

The Sheriff spoke to the Commissioners about the need for an additional truancy officer. He stated that the program is going well, but another truancy officer is needed.

Sheriff Hill reviewed for the Commissioners two new revenue sources that the Department would receive.

In the upcoming year, the Gang Resistance Education and Training (GREAT) grant from the Federal Government ATF program will produce for the Office of the Sheriff \$44,000 and 100% reimbursable cost.

The Aramark Kitchen will reimburse Durham County approximately \$16,500 per year for using the Detention Center kitchen to prepare food for Meals on Wheels. The additional revenue is designated to offset kitchen equipment replacement or repair.

The Board of County Commissioners asked questions and made comments about the budget.

Sheriff Worth Hill and Chief Deputy Crabtree responded to the questions and comments.

Chairman Reckhow directed Sheriff Hill to take a few days to think about the automobiles that need to be replaced in the Office of Sheriff. The Commissioners were hoping the number of cars to be purchased this year could be reduced.

Chairman Reckhow wanted to wait for the General Assembly to address civil process fees before making a final decision on the automobiles.

The Chairman requested Deborah Craig-Ray to e-mail the local legislative delegation to request that they set as a top priority, passage of the bill which would set the fees for serving civil process papers.

### **Detention Center Repairs**

County Manager Mike Ruffin recognized Deputy County Manager Carolyn P. Titus to present the agenda item.

The Durham County Detention Facility was originally built in the mid-1990s. Every automated system in the Detention Facility is linked, and each is crucial to the safety of the Durham County Detention staff, visitors, and inmates. These systems are failing at an alarming rate largely due to outdated hardware failures and software corruption. The automated systems are integrated in such a way that prohibits short-term repair. Liability regarding the safety of the inmates, primarily fire hazards, is a major concern with the automated system in its present state. To maintain the same level of safety and security, the Sheriff has required additional detention staff to manually maintain control and security at the Detention Facility. At the rate of \$1,988 per day, the total cost of additional staff through June 30 will be approximately \$85,481 and must be allocated from Commissioner contingency funds.

On two separate occasions and to no avail, Durham County has utilized the bid process for these automated systems. Since the last bid, the automated systems have continued to

fail to the point that safety of the inmates is in jeopardy. Pursuant to N.C.G.S. 143-129(e)(2), the Board of Commissioners is requested to declare that a special emergency, involving the health and safety of the people and their property, exists at the Detention Facility, and due to such circumstances the requirements of the County's bidding policies and state statutes related to bidding are therefore inapplicable.

Applied Systems Technology Inc., based out of Morrisville, has provided a proposal for the installation of an integrated security and control system in the Detention Facility. The system will be designed to provide the following functions: (i) engineering; (ii) detention and door control for 12 cell-pod sally-port doors, fire escape doors, and movement sally-port doors; and (iii) the network backbone (which includes the central database server for the workstations and network controllers). The work and associated costs described in Applied System Technology's proposal includes engineering, programming, installation labor, installation materials, automation panels, start-up, and owner training as necessary. This project will provide the County an immediate, long-term cure for the jail safety failures that are occurring at this time.

This project is a large-scale renovation and upgrade of the automated door control and security system. It is contained in the Manager's Recommended Budget for FY 04. However, in light of the emergency situation and budget constraints in this fiscal year, only the immediate needs will be replaced and upgraded at this time. The timeline for the immediate, necessary system is approximately three months at a cost not to exceed \$347,506 and is recommended for allocation from the General Fund balance. The remainder of the project is proposed for completion in FY 04.

Resource Person(s): Carolyn P. Titus, Deputy County Manager; Wes Crabtree, Chief Deputy, Office of Sheriff; Don Hasselbach, General Services; and Rudy Clark, ARAMARK

County Manager's Recommendation: The County Manager recommends that the Board suspend bid rules, declare an emergency, approve Budget Ordinance Amendment No. 03BCC000069, and authorize the County Manager to enter into a contract with Applied Systems Technology Inc. in the amount not to exceed \$347,506 from available General Fund balance, as well as the movement of \$85,481 from the Commissioners' contingency fund to the Sheriff's Office for overtime costs related to the emergency.

Chief Deputy Wes Crabtree explained to the County Commissioners how the integrated system works and what parts of the system cease to operate as designed. This is an eleven-month project if everything goes well.

Don Hasselbach, representing General Services Department, spoke about the total system and how complicated it was. He stated that the system was custom-made, very complex, and that very few companies could work on the installation. Mr. Hasselbach explained to the Commissioners the history of the system over the past two years and what was attempted to get the system working properly.

Commissioner Bowser said that the bid process was designed to get a quality product and a quality job at the best price. "When you deviate from that many times you don't get the best price." He stated he would be concerned about that as a Commissioner. He stated he did not want one company to monopolize. "That is a concern that I have here when we deviate from the bid process and start working directly from one company. Even though I understand that this is an emergency, I want the record to reflect that is a concern of mine."

Commissioner Heron moved, seconded by Commissioner Cousin, to suspend the rules so that a vote could be taken on an integrated security and control system for the Detention Center.

The motion carried unanimously.

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Commissioner Heron moved, seconded by Commissioner Jacobs, to declare an emergency, approve Budget Ordinance Amendment No.03BCC000069, and authorize the County to enter into a contract with Applied Systems Technology Inc. in the amount not to exceed \$347,506 from available General Fund balance, as well as the movement of \$85,481 from the Commissioners' contingency fund to the Sheriff's Office for overtime costs related to the emergency.

The motion carried unanimously.

The Budget Ordinance Amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 2003-04 Budget Ordinance  
Amendment No. 04BCC000069

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

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
General Government	\$21,143,995	\$347,505		\$21,491,500
Public Safety	\$34,086,761	\$ 85,481		\$34,172,242
Other	\$20,724,763		\$85,481	\$20,639,282

Revenues

Other Financing	\$12,328,560	\$347,505	\$12,676,065
Sources			

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

This the 29<sup>th</sup> day of May, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

**General Services (Includes Animal Control & Animal Shelter)**

Michael Turner, Director of General Services, thanked the Board of County Commissioners for the opportunity to present the General Services Budget to the Commissioners.

Mr. Turner began the presentation by making some opening remarks. Don Hasselbach would talk about public buildings, and Cindy Bailey would present the Animal Control budget.

Mr. Turner said that General Services is 40+ percent complete with the “Crime Prevention through Environmental Design” recommendations. The Department is 50 percent complete with the bilingual sign project for County facilities. The utility audit was completed on all electric, water, and natural gas services to be sure the County is getting the best rate possible and to be sure there are no billing errors in our system. This past year we saved \$8,636 due to the utility audit. The current year audit is in progress. The County Manager has given General Services Department permission to fill the four frozen positions and to employ three new positions.

Mr. Turner reviewed the budget requests for organization code 4100, General Services Administration.

Mr. Hasselbach reviewed the General Government—4200 Public Building budget request for the Commissioners. He pointed out the enhancements the public buildings would receive.

Chairman Reckhow said the enhancements for the public buildings might not be the final figures because of the jail emergency. The County Manager was in the process of reviewing the expenditures to see if some dollars could be rearranged to help fund the security and control system in the Detention Center.

The Commissioners asked questions and made comments. Mr. Hasselbach responded to the questions and comments.

Mr. Turner said that the janitorial service would continue four days a week in the Administration Building, Department of Social Services, and the Main Library. He said that an elevator contractor reduced their fee by 15 % this year.

Chairman Reckhow requested that Mr. Turner check with the Library Director to see if he was comfortable with janitorial service four days a week.

Chairman Reckhow, Vice-Chairman Bowser, and Commissioner Jacobs spoke about the need for the Administration Building and Judicial Building to have additional janitorial service to improve the looks of the buildings.

Mr. Turner said that he would look at the situation. .

Mr. Turner briefly reviewed the Pest Control budget, Mail Room budget, and the Solid Waste budget.

### **Animal Control and Animal Shelter**

Chairman Reckhow recognized Cindy Bailey, Animal Control Director, to present the Animal Control and Animal Shelter budget.

Ms. Bailey said that FY 2003 has been another trying year for Animal Control due to the increase of rabies cases in Durham County. There were nine cases this year. Wildlife problems are increasing because the wildlife is losing their habitat.

Vice-Chairman Bowser said that it is a serious problem when you have a snake roaming the neighborhood that has escaped from someone's house.

Ms. Bailey said that the Animal Control Ordinance is being reviewed and updated. Exotic animals will be addressed in the ordinance in reference to rules and regulations.

Ms. Bailey said that she would take the Commissioners' recommendations concerning exotic animals to the ordinance review committee, so they could be incorporated into the ordinance.

Ms. Bailey stated that the service needs of our citizens are growing. Ours are growing with both emotion and need. Animal Control is not able to keep up with its trapping program due to the lack of traps and employees. It must have adequate traps and employees to carry on a trapping program. The department is running three months behind on the cat traps.

Ms. Bailey reviewed the revenue and expenditure budget for FY 2003-04.

### **Animal Protection Society of Durham**

Chairman Reckhow asked Jennifer Sharon, Shelter Manager, to highlight its needs for the upcoming year, given the expansion. Considering the County Manager's recommendations, she asked where the budget shortfall would be.

Ms. Sharon said the Shelter's biggest need was to put into operation the expansion of the shelter by the addition of 50 runs that is to be completed in December 2003. That expansion will require three additional staff members to manage the addition. It is a seven-day operation. The Shelter needs start-up supplies.

Ellen Granger, Treasurer of the Animal Protection Society, said that the projected operating cost for FY03-04 is \$498,000. Salaries and benefits amount to 85%, animal care 11%, administration 2%, and other 1.5%. The funding sources are the County, APS, and Shelter Programs. The FY 02-03 County funding is \$301,000. The FY02-03 shelter salaries & benefits amount to \$344,870. The FY 03-04 requested County funding is \$390,000. Ms. Granger said the staff is made up of two medical, seven technicians, and four administrative staff members. Expenses are paid for by APS & shelter program revenue. The programs are as follows: vet care, spay/neuter, surgeries, capital, education program, employee retirement, and benefits and bonuses. The projected budget shortfall is \$54,342. Ms. Granger proposed that if the County would fund \$30,000, APS would make up the other \$24,000. The money would come from the fund raising project the Shelter had this year.

Chairman Reckhow said that this was a reasonable request. The County Manager would look seriously at that and see what could be done.

### **Nonprofits**

The Board of County Commissioners was asked by Ms. Eaton, a representative of The Holloway Neighborhood Achievement School, to fund the school \$100,000 through nonprofit giving. The school would be located at 405 Canal Street, Durham, NC 27707. The money would be used as "seed" money to get the school started.

Chairman Reckhow said that the request was not submitted to the County on a timely basis. The request was a new one for Durham County.

Chairman Reckhow asked the Budget Department personnel to contact Ms. Eaton with the Holloway Neighborhood Achievement School, and ask her to fill out a regular nonprofit application.

The County Commissioners had a lengthy discussion about the nonprofit requests received by Durham County.

Chairman Reckhow asked County Manager Mike Ruffin to meet with Alan Delisle, Director of the Workforce Development Board, to find out if money would be available



from the Workforce Development Board to fund the Durham County Literacy Council's GED program. The Workforce Development Board has some "new" money this year to spend for various programs.

Vice-Chairman Joe Bowser said the request from Holloway Neighborhood Achievement School was basically on the same line. He said that he would work hard to get some "startup money" for the school.

County Manager Mike Ruffin said that he would get additional information on the achievement school for the Commissioners.

Commissioner Jacobs addressed the importance of funding the John Avery Boys and Girls Club and the Literacy Council GED program. The Boys and Girls Club helps keep youth off the street and directs them into positive activities. The Literacy Council's GED program stresses workforce readiness and helps youth prepare for jobs. These two organizations feed the outcomes the Board addressed in its retreat.

Vice-Chairman Bowser encouraged the County Manager to look for funding for the John Avery Boys and Girls Club, Durham County Literacy Council GED program, and the Holloway Neighborhood Achievement School.

The Board of County Commissioners decided to set up a Commissioners' meeting for June 12, 2003, from 9:00 a.m. to 12:00 noon to review nonprofit requests.

### **County Engineering**

County Manager Mike Ruffin said that the Commissioners need to reinstate the stormwater program in the County Engineering Department. That cost could be accommodated within the budget. The budget would increase by \$16,000. Revenue would be collected to fund the position.

The County Manager said that County Engineer Glen Whisler was present to talk about Sedimentation and Erosion Control, Open Space and Real Estate Management, project management, and utilities programs.

Mr. Whisler said the Real Estate Management function currently, located in the Purchasing Division of the Finance Department, and the Open Space Program, currently located in the City/County Planning Department, were proposed to be consolidated as a division of the County Engineering Department effective October 1, 2003.

The division would include a Real Estate Manager and Open Space Coordinator.

Mr. Whisler said that the County does not propose any increases in the monthly utility rates, but does recommend an increase in the capital recovery fees. These are the fees that new customers pay when they connect to the system. When the Rate and Fee study was done last year, the recommendation was made to increase those fees by 24%. A 20%

fee increase has been included in this request with the balance to be increased next year. The fee and rate increases are usually implemented October 1. The utility fund program should have a surplus this year in order to have funds for capital improvements if the need arises.

### **Information Technology Role**

Perry Dixon, Director of Information Technology, presented the Board of County Commissioners the budget information.

Mr. Dixon began the presentation by introducing a new mission statement for the department. The new mission statement is “To help the Agencies of Durham County Government better serve our citizens.”

In the budget presentation, Mr. Dixon highlighted the following information:

- Information Technology’s Role
- Network Infrastructure
- Network Overview
- Security
- Systems Support & Development
- Register of Deeds System
- Child Care Direct Deposit
- Juror Processing System
- DSS Information Management Plan (IMP)
- County Application Support Structure Overview
- DSS IMP Successes
- DSS IMP – What’s Next
- Other IT Successes
- 2003 IT Customer Service Survey
- Technology Upgrade 10-Year Plan
- Technology Upgrade 3-Year CIP
- Technology Upgrade Schedule
- IT Challenges
- Information Technology’s Responsibility

The County Commissioners asked questions and made comments about the IT program.

IT Director Perry Dixon and County Manager Mike Ruffin responded to the questions and comments.

**Miscellaneous (Q&A, Requests for Other Information)**

Chairman Reckhow asked the Commissioners to submit any questions or requests for information to the administration by June 3, 2003. That would work well, as there is a Commissioner meeting on June 3, 2003, at 1:30 p.m.

County Manager Ruffin advised that he would be reviewing some suggested changes to incorporate some of the input he has heard from the Commissioners. He would look for a way to pay for the emergency at the Durham County Detention Center by shifting some expenditures around next year. He is also looking at the Animal Protection Society to determine if he can find some additional funds.

Commissioner Heron requested that Deborah Craig Ray, Public Information and Governmental Affairs Manager, check with the N. C. Senate and the House of Representatives to learn what is being done about funding for education.

County Manager Ruffin stated that he was concerned about the funding for Medicaid.

**Meeting Dates**

Chairman Reckhow stated that there would be a worksession on June 2, 2003 and on June 3, 2003. The Durham Public Schools' budget would be reviewed on June 3. The County Manager will have an update on the additions, deletions, and changes to incorporate into the proposed budget.

Chairman Reckhow said the Commissioners would meet on June 12, 2003 from 9:00 a.m. until 12 noon. The hope was to have the budget finalized at that meeting.

County Manager Michael M. Ruffin said that all the additions, deletion, and changes would be incorporated into the budget ordinance amendment by June 23, 2003.

**Adjournment**

Chairman Reckhow adjourned the meeting at 2:30 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board