

September 6, 2005 Worksession

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

Tuesday , September 6, 2005

1:30 P.M. 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 Becky M. Heron, and Commissioners Lewis A. Cheek, Philip R. Cousin Jr., and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Chairman Reckhow welcomed everyone to the September 6, 2005 Worksession of the Board of County Commissioners. She announced the amendment to the agenda—Durham County Assistance to Jackson County, Mississippi—and asked for a moment of silence for the victims of Hurricane Katrina.

Citizen Comments—Mr. Marvin Jones

Commissioner Cousin commented that Mr. Jones was not present at the meeting. Mr. Jones had decided to remove his request to speak to the Commissioners. Mr. Jones, a former gang member, has started an organization (funded out-of-pocket) to address problems associated with gang activity. His goal is to eliminate gangs and rehabilitate members. Mr. Jones will seek monetary assistance through other means at this time.

Application for Ambulance Franchise—Tri-Star Medical Transport Inc.

County Manager Mike Ruffin stated that this matter was previously considered at the Board's August 1, 2005 Worksession. At that time, the applicant, Tri-Star Medical Transport Inc., expressed a desire to meet with staff about additional information that had been disclosed. County Manager Ruffin requested that Tri-Star present the additional, new information in writing. The item was then deferred until this Worksession to allow time for staff to receive and review the new information from Tri-Star. No new information was submitted; however, on August 18, 2005, a letter was received from Tri-Star Medical requesting to delay its application until February, stating a need to collect more data. Staff advised that the application be presented as is, since no additional information was submitted. County Manager Ruffin advised the Commissioners that the item be placed on the September 12, 2005 consent agenda for denial of Tri-Star Medical Transport's request for a non-emergency ambulance franchise (provided the Board has no outstanding questions).

Deputy County Manager Carolyn Titus briefed the Board about its directive at the regularly scheduled meeting on June 27, 2005 to provide additional information from the current non-emergency providers (AAA Transport and Johnston Ambulance Service) to include personnel, vehicle, and response time data. The requested data compiled by staff was included in the agenda package.

County Attorney Chuck Kitchen explained the Durham County Code of Ordinance Ambulance Franchise in regards to "Hearing on Application" and "Issuance of Franchise", which states that the Board shall grant to the applicant a franchise if it finds that the public convenience and necessity require the proposed ambulance service.

Mike Smith, EMS Director, informed the Board that the Durham County EMS Council held a special called meeting on July 7, 2005. After lengthy discussion and review of additional information, the EMS Council unanimously decided that public convenience and necessity

September 6, 2005 Worksession

were currently being satisfactorily met and recommended that the Tri-Star application for a non-emergency ambulance franchise be denied.

Vice-Chairman Heron recommended that, in view of the results of the informal satisfaction survey of the larger nursing facility user group (which indicate users are currently satisfied with the service level of the existing non-emergency ambulance providers), the item be moved to the September 12 consent agenda for denial of the franchise.

Commissioner Page expressed his desire that the Board remain firm in its recommendation for denial even if new information is presented by Tri-Star prior to the September 12 meeting. "Closure is needed on this item."

Vice-Chairman Heron stated that the consensus of the Board is to place the item on the September 12, 2005 consent agenda for denial of Tri-Star Medical Transport Inc.'s request for a non-emergency ambulance franchise.

Durham County Assistance to Jackson County, Mississippi

Durham County notified the North Carolina Emergency Management Agency (NCEM) on Friday, September 2, 2005, of its interest in assisting a Gulf coast county from the effects of Hurricane Katrina. NCEM subsequently designated Jackson County, Mississippi, which has a current population of 140,000, is 727 square miles in size, and has 29 incorporated cities and towns. Jackson County was decimated by Hurricane Katrina and officials from that county were told on Sunday by FEMA and MEMA (Mississippi Emergency Management Agency) officials that substantial aid might not arrive for two more weeks.

Chairman Reckhow remarked that she spoke by phone with a Jackson County supervisor who indicated that the community is having major problems in getting its wastewater treatment plant back on-line. Pumps, motors, and other types of equipment are needed. Public health needs include inoculating the entire county for tetanus.

County Manager Ruffin directed attention to the PowerPoint presentation he had prepared that included information about Jackson County and pictures of the devastation. He stated that communication problems and the loss of two bridges are hampering recovery efforts. Jackson County officials feel their community has been pushed aside in the rush to divert personnel and resources to Louisiana, where the struggles in New Orleans have received national attention.

County Manager Ruffin continued by conveying that Durham County Government employees were notified of a County government effort to collect and truck needed supplies to Jackson County. Locations will be designated in all County facilities where employees can deposit their donations. County Manager Ruffin presented other options to assist Jackson residents. He informed the Commissioners that he believes Durham County will receive FEMA reimbursements for any services it provides, if it works through North Carolina's Emergency Management office. County Manager Ruffin requested that the Board review the options and determine if other assistance is appropriate at this time.

Chairman Reckhow announced that she received a call from a Duke University official that a number of Duke employees wish to open their homes to victims. Duke wishes to participate in efforts to assist but prefers not to manage the process.

County Manager Ruffin responded to a question from Commissioner Cheek regarding housing assistance for extended periods. The County is forming teams to determine what it can offer in the way of crisis and transitional housing. He warned that the offer would entail a long-term commitment that may last up to six months and include access to the County's full range of welfare, counseling, and public health services.

In response to Chairman Reckhow, Public Health Director Brian Letourneau stated that the department could establish mobile stations to provide necessary vaccinations. The mobile dental van could be driven to the area to provide dental services. An Environmentalist from the department could be dispatched to assist with food sanitation and private sewage disposal

September 6, 2005 Worksession

systems. In addition, Mr. Letourneau is attempting to solicit free air transportation from Raleigh-Durham International Airport officials.

County Manager Ruffin stated that the County would open a donation center at Durham County Stadium on Thursday and Friday from 7 a.m. to 7 p.m. to accept goods from the public.

Directives

- Durham County should coordinate its efforts with the City government. Work with Duke University to provide a framework to assist with housing needs. (Commissioner Cousin)
- Approach Duke University about the use of the Oakleigh facility. Coordinate all group efforts within Durham. Contact Costco, Sam's, Target, and other such stores for their help. Solicit volunteers to separate collected goods. (Vice-Chairman Heron)
- Work together as a community (i.e. County government, City government, hospitals, corporations, churches) to focus on the ongoing needs of Jackson County and its residents. Durham County should provide leadership in directing the help that the community wishes to provide. Keep the Commissioners apprised of progress. (Commissioner Page)
- Determine if Duke University would support the initiative to send additional medical staff. Place information about collection efforts on the County's website. Explore the possibility of providing mental health services. (Chairman Reckhow)
- Offer housing and human services. Advertise that the County will dispatch teams of relief workers and request that volunteers join the teams. Provide provisions **and** coordination. Be precise in communications with the public about specific needs of Jackson County. (Commissioner Cheek)

Classification and Compensation Study

On April 11, 2005, the Board approved a service contract with Fox Lawson & Associates, LLC for a comprehensive study and revision of the County's current classification and compensation system.

Tony Noel, Interim Human Resources Director, introduced Dr. James C. Fox, Chairman of Fox Lawson & Associates, LLC and lead consultant for the study.

Dr. Fox provided an overview of the project and an outline of the entire study process. He asked for direction from the Board about major factors that will influence the outcome of this phase of the study.

Questions/Discussion

- Qualifications of the consultant, job evaluation, and supervisory review of the questionnaires. (Vice-Chairman Heron)
- Possible downsizing because of the study and market positioning. (Commissioner Cousin)
- Surveys, consideration of benefits, employee interviews, and implementation process. (Commissioner Page)
- Adjustments for the 37½-hour workweek. (Chairman Reckhow)
- Employee benefits, obtaining accurate information so good decisions can be made, and leaving decision-making to the Manager and Consultant regarding the market with which Durham County competes. (Commissioner Cheek)

Directives of the Board Regarding the Following Questions Posed by Dr. Fox:

1. What are the appropriate organizations to survey regarding salary information?
 - Permit the Department Heads and Human Resources to work with the County Manager to identify the markets with which Durham County directly competes on a position-by-position basis.
2. Where in the market does Durham County wish to position itself?
 - The first priority is to identify the market and Durham County's relationship to the market. Decide later where Durham County will position itself.
3. Should total compensation (salary and benefits) be accounted for in the comparisons?

September 6, 2005 Worksession

- The consultant will use his professional opinion. Survey as much as possible within reasonable limits.
- 4. Should other pay mechanisms be included in the study such as bonuses, other performance awards, etc?
 - The consultant will use his professional opinion. Survey as much as possible within reasonable limits.

Dr. Fox informed the Board that an update would be provided in about three months.

Presentation on Restructuring the County's Audit Function

Deputy County Manager Wendell Davis stated that this item is being revisited from the June Worksession, at which time staff was instructed to make several changes to the Audit Policy and the Audit Charter. Those changes were made and highlighted in bold italics in each document.

Chairman Reckhow noted two minor typos on the documents. In addition, she directed the following change:

- VIII. Charter Amendments—insert “Recommendations regarding amendments.....” at the beginning of the last sentence.

The Commissioners and Deputy County Manager Davis discussed various aspects of the documents, particularly relating to the responsibilities of the Audit Oversight Committee and the appointment of three members of the business community.

County Manager Ruffin stated that he was satisfied with the wording in the documents; therefore, the Commissioners directed no additional revisions at this time.

Chairman Reckhow directed Mr. Davis to create a proposal in terms of "business community member" recruitment and inform the Board of his recommendation in a memorandum.

The Board agreed to place the item on the September 12, 2005 consent agenda for approval.

Personnel Ordinance Amendment

County Attorney Chuck Kitchen reported that when the Durham County Personnel Ordinance was adopted, the intent of the ordinance was that no property rights would be conferred by adoption of the Ordinance. However, the term “permanent employee” was used throughout. This term was the common term generally used at that time in typical personnel ordinances. Since the adoption of the ordinance, the courts have generally held that the adoption of a personnel ordinance grants property rights. This is especially true when terms such as “permanent employee” are used.

County Attorney Kitchen further stated that the proposed amendments would change the terminology used in the ordinance from “permanent employee” to “regular employee” and would specifically delineate that property rights are not being created by the ordinance. This change would bring Durham County into line with other local government jurisdictions, including the City of Durham. This proposed change would not affect employees covered by Chapter 126 of the General Statutes, e.g. Mental Health, DSS, Public Health, and Emergency Management, or the departments with elected department heads, or employees of the Board of Elections.

After a brief discussion, the consensus of the Board was to direct that the amendments be placed on the September 12, 2005 consent agenda for adoption.

Durham County Assistance to Jackson County, Mississippi (continued)

County Manager Ruffin informed the Board that TROSA would transport items collected for the victims of Hurricane Katrina. He would work with the News and Observer and other news media to inform citizens that collection hours for donations would be from 7:00 a.m. to

September 6, 2005 Worksession

7:00 p.m. on Thursday and Friday at Durham County Stadium. He would request that Duke University Medical Center help with air transportation to Jackson County, Mississippi.

Announcements

Chairman Reckhow informed the Board of the breakfast at Lyon Park Community Center at 8:00 a.m. on September 7 for the unveiling of the Progress Report Card for Results-Based Accountability. She also reminded the Board of today's reception for the new Social Services Director at First Presbyterian Church from 3:00 to 5:00 p.m.

Commissioner Page asked about contact information for department heads.

Chairman Reckhow directed Clerk Vonda Sessoms to send the Commissioners an up-to-date copy of the information.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 3:43 p.m.

Respectfully submitted,

Vonda C. Sessoms
Clerk to the Board