

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

Monday, February 23, 2004

7:00 P.M. Regular Session

ACTION MINUTES-DRAFT

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

Chairman Reckhow announced that a joint meeting had been held between the Board of County Commissioners and Durham Public Schools Board of Education at 4:00 p.m.

Chairman Reckhow led everyone in the Pledge of Allegiance.

Chairman Reckhow recognized media representatives from Russia who are participating in the Open World exchange program. This afternoon, Chairman Reckhow, Commissioner Cousin, and the County Manager met with the delegation and explained the mechanisms of Durham County Government, followed by a question and answer exchange about Russian and American policies. She asked Dr. Boris Kukso if he would comment on the exchange program.

Dr. Kukso made brief remarks about the Open World exchange program, the goal of which is to provide emerging Russian leaders with significant exposure to the operations of American civic and cultural institutions.

Chairman Reckhow thanked Dr. Kukso for the information, stating that the Commissioners are honored to have the Russian delegation in Durham County.

Agenda Adjustments

Commissioner Heron asked that the Board revisit the Commissioners' 2004 Meeting Schedule.

Chairman Reckhow asked Commissioner Heron to convey her concern(s) regarding the schedule to staff, requesting that the item be placed on a future agenda.

Minutes

Commissioner Cousin moved, seconded by Commissioner Heron, to approve as submitted the February 9, 2004 Regular Session Minutes of the Board.

The motion carried unanimously.

Presentation of Outstanding County Program Awards from the North Carolina Association of County Commissioners

Durham County was recognized with three Outstanding County Program Awards from the North Carolina Association of County Commissioners.

The winning programs include:

- Durham Dental Van-Public Health, Duke University, Durham Public Schools
- Durham City-County Neighborhood College-Public Information and City of Durham
- Color Me Healthy-Cooperative Extension and Public Health

COUNTY MANAGER'S RECOMMENDATION:The Manager recommended that the Board congratulate all participating staff members for receiving recognitions for these successful Durham County programs.

Todd McGee, Director of Communications, NCACC, made the presentation. He called program representatives forward and presented the plaques.

The representatives made brief comments about their programs.

Chairman Reckhow praised the programs, thanking everyone involved and stating that winning these awards makes Durham County proud.

Commissioner Heron expressed delight that these projects are getting well-deserved recognition.

Proclamation for National Athletic Training Month

In 1974, the North Carolina Athletic Trainers' Association (NCATA) was launched to support athletic trainers and to advance the profession of athletic trainers in the state. Ken Brown, Head Athletic Trainer at Northern High School, represents District 3 of the NCATA, Durham County athletic trainers working with Durham Public Schools, North Carolina Central University, Duke University, and other sports related

agencies.

Mr. Brown has requested that March be proclaimed "National Athletic Training Month".

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board approve the proclamation and present it to Mr. Brown.

The proclamation follows:

WHEREAS, Certified Athletic Trainers (ATCs) have a long history of providing quality care for athletes and those engaged in physical activity based on specific tasks, knowledge, and skills acquired through their nationally-regulated educational processes; and

WHEREAS, quality health care is vital for individuals who participate in physical activity; and

WHEREAS, Certified Athletic Trainers provide prevention of injuries; recognition, evaluation, and aggressive treatment; rehabilitation; health care administration; along with education and guidance; and

WHEREAS, athletic training was recognized by the American Medical Association in 1990 as an allied health care profession; and

WHEREAS, the National Athletics Trainers' Association represents more than 30,000 Certified Athletic Trainers nationwide who are employed in professional sports; colleges and universities; high schools; clinics and hospitals; military branches; as well as in corporate and industrial settings; and

WHEREAS, leading organizations concerned with athletic training and health care have joined together in a common effort to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care for athletes and those engaged in physical activity; and

WHEREAS, the theme of this year's observance is "Injury Treatment: Early Care Speeds Recovery":

NOW, THEREFORE, I, Ellen W. Reckhow, Chairman of the Durham County Board of Commissioners, do hereby proclaim March 2004 as

NATIONAL ATHLETIC TRAINING MONTH

in Durham County. I urge all people in Durham County to learn more about the importance of athletic training.

This the 23rd day of February, 2004.

/s/ Ellen W. Reckhow, Chairman

Mr. Brown received the proclamation, extending gratitude on behalf of Certified Athletic Trainers within the City of Medicine and Durham County. He distributed to each Commissioner a packet of brochures that are being circulated to students in northern Durham County.

Installation of Deputy Clerk to the Board of County Commissioners

Commissioner Cousin moved, seconded by Commissioner Heron, to designate Vonda C. Sessoms as Deputy Clerk to the Board of County Commissioners.

The motion carried unanimously.

Garry E. Umstead, Clerk to the Board, administered the Oath of Office to Ms. Sessoms.

Chairman Reckhow thanked Clerk's office staff for the enormous amount of work they generate.

Consent Agenda

Commissioner Jacobs 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 property tax release and refund report for January 2004 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- *(b) Budget Ordinance Amendment No. 04BCC000046-Public Health-\$425,000 for Jail Health Medical Expenses (approve the budget ordinance amendment to increase appropriation of \$425,000 in the Jail Health Medical Expense Program; funding source-additional property tax revenues to be realized this fiscal year);
- *(c) Budget Ordinance Amendment No. 04BCC000047-Public Health-Community Health Division-\$5,000 for the Lead Prevention Program (recognize \$5,000 from the City of Durham for lead prevention);
- *(d) Budget Ordinance Amendment No. 04BCC000048-Public Health-Community Health Division-\$1,921 for Prenatal Care (recognize

- \$1,921 from the March of Dimes for prenatal care);
- * (f) Budget Ordinance Amendment No. 04BCC000050-Public Health-Health Education Division-\$22,000 for the Syphilis Elimination Program (recognize \$22,000 from the Department of Health and Human Services);
 - * (g) Budget Ordinance Amendment No. 04BCC000051-Public Health-Division of Health Education-\$1,000 for HIV/STD Peer Education Program (recognize \$1,000 from Crepe Myrtle Festival Incorporated for the Division of Health Education);
 - * (i) Budget Ordinance Amendment No. 04BCC000054-Cooperative Extension-Juvenile Crime Prevention Council (appropriate \$36,238 of Interlocal revenues for Juvenile Crime Prevention Council programming);
 - * (j) Budget Ordinance Amendment No. 04BCC000055-Cooperative Extension (appropriate \$6,120 of Interlocal revenues for Million Solar Roof Initiatives);
 - (k) Cooperative Extension: Contract Approval (authorization to enter into a contract with Matchbox Health Services for \$58,500 for Juvenile Emergency Shelter Services);
 - (l) Cooperative Extension: Contract Amendment (approval to amend the contract with Matchbox Health Services for Juvenile Emergency Shelter Services to increase the contract amount by \$49,000 resulting in a contract that will not exceed \$107,500);
 - (m) Appointment of Substitute Trustee (authorize the County Manager to sign the Substitute of Trustee documents to enable the foreclosure process to continue on Barbara J. Namkoong loan # 0600155505; the loan has a current payoff balance of \$7,940, with a last payment on March 1, 2003); and
 - (n) Set a Public Hearing on the Acquisition of the YMCA Early Learning Center (set the public hearing on the proposed financing for the March 8, 2004 Regular Session of the Board).

The motion carried unanimously.

Consent Agenda Items Removed for Discussion

Consent Agenda Item No. e. Budget Ordinance Amendment No. 04BCC000049-Public Health-Community Health Division-\$20,100 for Sterilization Procedures (recognize \$20,100 from the Department of Health and Human Services for sterilization procedures).

Chairman Reckhow instructed that this item be deferred until the March 8 meeting, at which time Mr. Letourneau was directed to include price quotes from various providers.

Item No. h. Budget Ordinance Amendment No. 04BCC000053-Appropriation of State Mental Health Funds (appropriate funds for \$117,178).

Commissioner Heron moved, seconded by Vice-Chairman Bowser, to approve Budget Ordinance Amendment

No. 04BCC000053 appropriating state mental health funds in the amount of \$117,178.

The motion carried unanimously.

Consideration of Ethics Policy

The Board was requested to review the current Ethics Policy to determine if changes are needed. The County Attorney has made suggested revisions to the current Ethics Policy. The current laws regulating bidding were revised in 2002. The Ethics Policy must conform to existing state statutes.

The Board was further requested to consider whether it wishes to continue with the current Ethics Policy or adopt an aspirational policy such as the ethics policy of the Association of County Commissioners.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board consider the Ethics Policy and adopt the revisions to the policy, or if the Board so desires, direct further revisions to the policy or the preparation of an aspirational policy.

Chairman Reckhow asked that the Commissioners take no action regarding the matter at this meeting. In

concurring with the opinion of Commissioner Jacobs, she directed Attorney Kitchen to integrate the Ethics Policy and the Model Code for the Board of County Commissioners. (The amended Ethics Policy would apply to County officials.) The two documents were to be brought back to the Board for consideration and vote at the March 22 Regular Session.

Change of Insurance Provider for Life and Disability Insurance

The County and UnumProvident Insurance Company have been unable to agree on contract differences. Standard Insurance Company has agreed to provide life insurance and short- and long-term disability insurance at the same rates as UnumProvident. A 45-day notification period must be given to employees that a change will occur in insurance coverage.

The Board of Commissioners was requested to terminate the County's relationship with UnumProvident as to life insurance and short- and long-term disability insurance coverage. The Board was requested further to authorize the Manager to sign contracts with Standard Insurance Company for insurance coverage. The effective date for the change is proposed for April 30, 2004.

RESOURCE PERSON(S): Chuck Kitchen, County Attorney; Carol Hammett, Assistant County Attorney; and Debbie Davidson, Benefits Manager

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board authorize the change in insurance coverage from UnumProvident to Standard Insurance Company effective April 30, 2004, and authorize the County Manager to execute the necessary contracts with Standard Insurance Company.

For the record, County Manager Ruffin informed the public and the Commissioners that employee insurability is guaranteed. Employees with pre-existing conditions will qualify for enrollment.

Vice-Chairman Bowser moved, seconded by Commissioner Cousin, to approve the change in insurance coverage to Standard Insurance Company effective April 30, 2004 and to authorize the County Manager to execute the necessary contract.

The motion carried unanimously.

Capital Project Amendment No. 04CPA000009-2001 Bond Project-Durham Public Schools

On January 8, 2004, the Durham Public Schools Board of Education approved an adjustment to two 2001 bond project budgets.

The contingency for Lakewood's project is depleted due to unsuitable soils, rock, and renovation requirements. Bethesda's project opened on time and is well under budget.

RESOURCE PERSON(S): Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommended approval of Capital Project Amendment No. 04CPA000009, moving \$250,000 in unspent funds from the Bethesda Elementary School capital project to the Lakewood Elementary School capital project.

Chairman Reckhow directed the County Manager to write a memo to Superintendent Ann Denlinger to remind her of the previous agreement to send quarterly updates on the 2001 Bond Project status. The updates are to include projected cost overruns or savings, as well as projected completion dates for each project. In addition, the 2003 Bond Projects were to have community involvement as those projects are finalized. A progress report on that process for each school project would be useful.

Commissioner Heron stated that she would reluctantly move to approve the County Manager's recommendation but would do so because the children waiting to attend this school are now in overcrowded trailers, classrooms, cafeterias, and restrooms. The children need these facilities.

Commissioner Heron moved, seconded by Commissioner Cousin, to approve Capital Project Amendment No. 04CPA000009, moving \$250,000 in unspent funds from the Bethesda Elementary School capital project to the Lakewood Elementary School capital project.

The motion carried unanimously.

Career and Technical Education Task Force Mission Statement-Revisions

At the November 10, 2003 Regular Session, the Board of County Commissioners approved nominees to the Career and Technical Education Task Force and adopted the Mission Statement as proposed by County Manager Mike Ruffin and Durham Public Schools Superintendent Ann Denlinger.

The Career and Technical Education Task Force, at its February 18, 2004 meeting, made several revisions to the Mission Statement and requested that the County Commissioners consider and approve the revisions. (Vice-Chairman Bowser and Commissioner Heron represent the Board of County

Commissioners on the Task Force.)

RESOURCE PERSON(S): Vice-Chairman Joe W. Bowser

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board consider and approve the revisions to the Career and Technical Education Task Force Mission Statement, if appropriate.

Vice-Chairman Bowser moved, seconded by Commissioner Jacobs, to approve the Mission Statement as revised by the Board.

The motion carried unanimously.

The revisions follow:

"To study career and vocational training needs in Durham County and investigate the feasibility of creating a vocational/technical center **or school** that prepares high school students and others of legal school age in Durham County to favorably compete for new and existing jobs."

Chairman Reckhow suggested that the amended Mission Statement be forwarded to the school board.

Board and Commission Appointments

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots to make appointments to the following board and commissions:

- City-County Planning Commission
- Durham Appearance Commission
- Historic Preservation Commission
- Juvenile Crime Prevention Council
- Nursing Home Community Advisory Committee
- Transportation Advisory Board
- Women's Commission

RESOURCE PERSON(S): Garry E. Umstead

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommended that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

The following appointments were made:

City-County Planning Commission

Steven P. Matherly

Durham Appearance Commission

John Wood

Historic Preservation Commission

Lynn Richardson

Mark J. Laskowski

James L. Leis

Nursing Home Community Advisory Committee

David N. Blodgett

Gay S. Bonds

Andrea C. Brown

Ethel M. Foote

Marilyn J. Partin

Francis Robbie Willmarth

Robin Deerin

Transportation Advisory Board

Ozetta Parker

Women's Commission

Yvonne Sanford Dunlap

Commissioner Jacobs suggested that applicants not satisfying the requirements for designated positions should receive courtesy letters explaining why they could not be selected.

Closed Session

Commissioner Heron moved, seconded by Vice-Chairman Bowser, to adjourn to Closed Session to consider the performance of a public officer pursuant to G.S. § 143-318.11(a)(6).

The motion carried unanimously.

Chairman Reckhow announced that direction was given to the County Manager in Closed Session. No action was taken.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 10:14 p.m.

Respectfully submitted,

Vonda C. Sessoms

Deputy Clerk to the Board



Last updated: May 3, 2006

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