

**REVISED AGENDA**  
(Delete Item #5 from agenda)

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

Monday, December 6, 2010

9:00 A.M. Worksession

**AGENDA**

1. **Election of Chairman and Vice Chairman of the Board of County Commissioners** 15 min.  
County Attorney Lowell Siler will preside over the election of the Board's Chairman. The newly elected Chairman will preside over the election of the Vice Chairman.
  
2. **Approval of Public Official Bonds** 5 min.  
The Board of Commissioners is required to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.  
  
Resource Person(s): Lowell Siler, County Attorney; Cathy Whisenhunt, Risk Manager  
  
County Manager's Recommendation: The Manager recommends that the Board approve the bonds as they meet the statutory requirements.
  
3. **Citizen Comments** 30 min.  
The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**  
  
Resource Person(s): Michelle Parker-Evans, Clerk to the Board  
  
County Manager's Recommendation: The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

4. **NC 54 I-40 Corridor Study**

30 min.

In June 2009, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) initiated a study of the NC 54/I-40 corridor between Durham and Chapel Hill. Funding for the study was through 80% Federal funding and 20% local funding. The City of Durham, Durham County, and the Town of Chapel Hill funded the 20% local share. The purpose of the study was to analyze land use and transportation issues, evaluate opportunities and challenges for future development in the corridor, and recommend short and long-range solutions and strategies. The study process included (1) data collection and analysis; (2) development and analysis of multi-modal transportation and land use scenarios; and (3) development of a final transportation-land use master plan for the corridor. The study effort was guided by a technical steering committee and public input via focus groups and three public workshops. DCHC MPO staff is requesting time to make a presentation on the NC 54/I-40 Corridor Study. The executive summary of the study is Attachment A.

Resource Person(s): Leta Huntsinger, City of Durham/DCHC MPO; Meg Scully, Durham County Mobility Manager; Aaron Cain, Durham City/County Planning

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation on the NC 54/I-40 Corridor Study.

5. ~~**Budget Ordinance Amendment No. 11BCC000037 — Appropriation of \$1,145,076 of Division of Medical Assistance Funds for the Durham County Mental Health Local Management Entity (LME) to Operate A Utilization Management and Utilization Review (UM/UR) Program and a Request for 22.00 New FTE Related to the Program**~~

20 min.

~~At the November 22<sup>nd</sup> Board of County Commissioners Meeting, it was requested that this item be pulled and placed on the December worksession for discussion.~~

~~In the 2010 Session, the General Assembly passed legislation that all authorizations for the Community Alternative Program (CAP) services were to be conducted by the LMEs instead of a private provider. Utilization management is a critical function of the LME to manage the system and to ultimately control the cost of services. Since September of 2010 The Durham Center (TDC) has been conducting the function of approving authorizations (utilization management) of all behavioral health Medicaid services for Durham County. TDC was one of two LMEs in NC who met the standards to assume this function. Two additional LMEs met the initial requirements for approving authorizations for CAP; therefore, the State assigned all remaining LMEs to the 4 LMEs who met the requirements.~~

~~The Division will be paying a per member per month (PMPM) rate to cover the cost of reviews and related overhead. Currently Durham has 330 consumers, with the additional counties the number could reach over 5,000 recipients. The budget estimate assumes a PMPM rates for 5,158 recipients at \$37 a month for 6 months, equaling \$1,145,076. The PMPM rate has been set to make the project cost neutral for the LMEs. A listing of the assigned counties is attached.~~

~~In order to actualize this responsibility we will need to take the following action:~~

- ~~• Hire 22.00 FTEs ( 12 care manager specialists, 3 support staff, 2 IT positions, 1 quality management position, 2 customer service specialists, 1 clinical supervisor, and 1 PhD Psychologist)~~
- ~~• Confirm additional space for new staff~~
- ~~• Purchase equipment/furniture/supplies to perform these duties~~

~~In order to accomplish this task The Durham Center requests that the FY 2010-11 Mental Health budget be increased by \$1,145,076 and 22.00 FTEs be created.~~

~~Resource Person(s): Ellen Holliman, The Durham Center Area Director~~

~~County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners discuss the item, vote to suspend the rules, and approve Budget Ordinance Amendment No. 11BCC000037 appropriating \$1,145,076 of Division of Medical Assistance funds to the Mental Health budget for the creation of a Utilization Management and Utilization Review (UM/UR) program and the approval of 22.00 new FTEs related to the program.~~

6. **Code of Ethics**

15 min.

The North Carolina General Assembly approved an Ethics Law effective August 2009 that required all cities, counties, local boards of education, unified governments, Sanitary districts, and consolidated city-counties to adopt a code of ethics for the governing board and to require the members of those governing boards to receive education on ethics laws applicable to local government officials. The law specifies that "the board of commissioners shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83."

The Board of County Commissioners received two hours of required Ethics training on April 15, 2010. The required education certification is on file in the Clerk's Office.

The resolution or policy containing a code of ethics that is required by G.S. 160A-83 shall be adopted by each municipality, county, local board of education, unified government, sanitary district, and consolidated city-county on or before January 1, 2011.

Resource Person(s): Lowell Siler, County Attorney; Kathy Everett-Perry, Assistant County Attorney; Michelle Parker-Evans, County Clerk

County Manager's Recommendation: The County Manager recommends that the Board of Board receive the Code of Ethics revisions, and instruct the Clerk to place the item on the December 13, 2010 agenda for approval.

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1 hr. **35** min.