

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

Monday, November 1, 2004

9:00 A. 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 Joe W. Bowser, and Commissioners Philip R. Cousin Jr. and Mary D. Jacobs

Absent: Commissioner Becky M. Heron

Presider: Chairman Ellen W. Reckhow

Welcome

Chairman Reckhow welcomed everyone to the worksession.

Citizen Comments—Jack Steer

Mr. Jack Steer requested time on the agenda to speak on the new Unified Development Ordinance.

Mr. Steer resides at 729 Quiet Woods Place in North Durham.

At the November 1, 2004 Board of Commissioners Worksession, Jack Steer addressed the Board regarding the Unified Development Ordinance as it relates to the implications for the Country Club Heights subdivision and the number of houses out there.

The County Commissioners asked staff to have Frank Duke respond to Jack Steer's comments in the next few days.

Chairman Reckhow asked Jack Steer several questions about the possibility of an amendment being added to the Unified Development Ordinance to address the Country Club Heights enlargement.

Commissioner Heron suggested that Jack Steer make his comments about Country Club Heights to the City Council for their information.

Mr. Steer said he would get his comments to the City Council for their information.

Barry Van Deman, New President of Museum of Life and Science.

Chairman Ellen Reckhow recognized Mr. Charles D. Watts, Jr., President, Museum of Life and Science, to introduce Mr. Barry A. Van Deman, the new director of the Museum of Life and Science.

Mr. Barry A. Van Deman made remarks of introduction to the Board of County Commissioners and the staff.

Chairman Reckhow welcomed Mr. Van Deman to Durham. We look forward to working with you. We consider the museum to be a flag ship institution to this community.

Chairman Reckhow asked Mr. Van Deman if he would be willing to provide the County Commissioners with a quarterly report about how the capital outlay projects are progressing.

Commissioner Heron welcomed Mr. Van Deman to Durham.

Discussion of Durham Health Partners' Specialty Care Access Project

Chairman Reckhow announced that this agenda item has been removed from the agenda. The report has been deferred.

Announcement

Chairman Reckhow called on Interim County Manager Wendell Davis to make an announcement about one of the department managers.

Interim Manager Wendell Davis said that Finance Director George K. Quick was involved in an automobile accident Saturday, a week ago. He has been out of work this past week. He was admitted to Durham Regional Hospital yesterday, after being in bed this past week. He found out yesterday that he has a lower fractured vertebra. He will be out of work for a while. His room number is 5309.

Interim Manager Davis said he wanted to bring this to the attention of the Board of County Commissioners.

Chairman Reckhow said to send him our wishes for a speedy recovery.

Projects Updates for Stanford L. Warren Branch Library Renovations, Emergency Medical Services Station No.2 and Criminal Justice Resource Center Renovations

The Board was requested to approve the transfer of funds from the General Fund balance to complete the following Capital Improvement Projects: (1) Stanford L. Warren Branch Library Renovation, 1201 Fayetteville Street, Durham, in the amount of \$537,095.00; (2)

New Emergency Medical Services (EMS) Station No.2 (Lincoln Station Relocations), 1201 Old Fayetteville Street, Durham, in the amount of \$428,250.00; and (3) Criminal Justice Resource Center Renovations (CJRC), formerly Jail Annex, 326 East Main Street, Durham, in the amount of \$53,000.00; thus totaling \$1,018,345.00.

There are several reasons for the current cost situation. First, the scope of the projects has increased from what was envisioned when the initial estimates were prepared. Second, well-documented increases in construction costs in 2004. Notable examples are steel and concrete, as well as fuel costs.

Resource Person(s): Wendell Davis, Interim County Manager; Glen Whisler, P.E., County Engineer; George Quick, Finance Director; Pam Meyer, Budget Director; Philip Cherry, Director, Library Services; Mickey Tezai, EMS Director; Gudrun Parmer, CJRC Director; Ademola Shobande, Senior Project Manager, Engineering Department; and Yolanda Moore-Gaddy, Business Development Manager

County Manager's Recommendation: The County Manager recommended that the Board authorize the transfer of funds for \$1,018,345.00 from the General Fund for completion of the above listed CIP projects. Capital Project Budget Ordinance Amendments was prepared for BOCC consideration on November 8, 2004. The Board was also requested to award a construction contract for the Stanford L. Warren Library renovations on November 8, 2004.

Chairman Reckhow asked Interim County Manager Wendell Davis to introduce this item.

The Interim Manager said he wanted to talk about three projects that were programmed in the County's Capital Improvement program. As a result of receiving bids, we have three projects that are over budget at this point in excess of one million dollars. We have been reading about the increase in cost for steel, concrete, and gasoline. The increased cost has an impact on construction cost over all. The \$1,018,345 increased cost comes as a result of the three variables discussed. The staff is going to be asking for the Board to make a fund balance appropriation for the purposes of being able to move forward with these projects. The Interim Manager said that he wanted to note that there is one project namely the EMS station that could have some cost savings. The cost savings came as a direct result of going back and reviewing the project. We had originally envisioned a four bay facility at that EMS station site. We also thought about putting a community room in the facility. After some thought, the decision was made to forgo the community room since there were similar facilities in close vicinity to the EMS station. Removing the community room from the plans would save \$81,000. In addition, there has been some discussion about the possibility of reducing the bays to two. However, three bays are essentially what we will need to operate the facility as it should be operated due to the call volume.

Interim Manager Davis said he was going to ask the staff to come forward to answer any questions the Commissioners may have about these three projects.

The Board of County Commissioners asked several questions about the three projects. Staff responded to the questions.

Commissioner Heron said the Commissioners need a thorough accounting as to what the EMS is costing the taxpayers and what we are doing collection wise to offset expenses.

Interim County Manager Davis said, for the record, as you look at these projections on these projects, it is not a reflection of the staff in respect to their inability to do proper projections. We are dealing in a market of uncertainty as it relates to rising construction cost. We run into these problems all the time. The staff has done their jobs and they did a good job to bring the jobs forward under budget.

Commissioner Heron said she hopes that the water problem in the Stanford L. Warren Branch Library has been corrected. She does not want to hear in two years a water problem still exist in the children's room. She wanted the minutes to reflect that the water problem in the Stanford L. Warren Branch Library will be corrected per County Engineer Glen Whisler. This renovation will correct the water problem.

Commissioner Jacobs wanted to go on record that she supports the renovation of the Stanford L. Warren Branch Library. The project is long overdue. The library is designed to respond to the future operation of the library system. That is important due to the location of the library.

Chairman Reckhow directed staff to move this agenda item to the November 8, 2004 Regular Session for Board approval. We will do that with the one amendment to the EMS project if there is no objection. The one amendment concerned the removal of the community room on the EMS plans.

The County Manager said the item will be put on the consent agenda.

Presentation on a new Information Technology Application for the Board of County Commissioners—"The Board Room" Information Request System

The Board Room Information Request System is a new technology application being implemented by the County Manager's Office beginning November 2, 2004. The purpose of The Board Room is to allow Commissioners to submit staff requests on various matters of concern including constituent inquiries, project updates, staff attendance at meetings, agenda questions etc. This application will provide the Commissioners with the ability to determine the status of their inquiry as well as an historical reference to issues that require staff research and staff response. One of staff's objectives is to provide the Commissioners a response within 48 hours after the Commissioner submitted request.

Resource Person(s): Wendell M. Davis, Interim County Manager; Carolyn Titus, Deputy County Manager; Deborah Craig-Ray, Interim Deputy County Manager; Joe Whittemore, Manager for Development Support, Information Technology; and Heidi Duer, Assistant County Manager for Special Projects

County Manager's Recommendation: The Manager's recommendation was that the Board receive the presentation and provide staff with feedback.

Chairman Reckhow recognized Interim County Manager Wendell M. Davis to introduce the agenda item. He used the information on the agenda action form for his introductory remarks.

Interim Manager Davis recognized Joe Whittemore and Ian Worthington from the Information Technology Department to give the County Commissioners a demonstration of the system. Time slots will be set aside for each Commissioner to come in to see the system and to get the instructional information.

Heidi Duer presented the Commissioners a copy of the instructional information before the presentation began.

Joe Whittemore and Ian Worthington took the County Commissioners through the web application and behind the scenes to show the Commissioners how the program actually works.

Chairman Reckhow reminded the County Commissioners that all citizen inquiries and requests to the Board are public documents if they involve a county service. This system will provide a mechanism to the fact that once it enters the system, it does become a document that the media can access in order to see the types of requests and inquiries the citizens make to the Commissioners. This is a portal of entry for citizens to get access. This program can also increase the level of accountability. This is a great management tool application. This program will help the administrators to manage County Government better.

The County Commissioners asked several questions and made comments about The Board Room program. The Commissioners were pleased that the program has been installed.

Presentation of Information on a Study

Duke University Medical Center has agreed with Northfield Laboratories to participate in a study of a product to be used by EMS for patients who have lost large amounts of blood due to major trauma. The Federal Drug Administration has approved the study. Northfield Laboratories will indemnify the County against any potential liability and will include the County's Medical Director and paramedics in its insurance coverage for the study.

A presentation was given to explain the study and the products.

Resource Person(s): Dr. Steve Vaslef

County Manager's Recommendation: Receive the information and place the contract on the November 8, 2004 consent agenda.

Chairman Ellen W. Reckhow recognized County Attorney Chuck Kitchen to introduce Dr. Steve Vaslef.

Dr. Vaslef from the Duke Medical Center is here to talk about the Polyheme study.

Dr. Vaslef, Associate Professor of Surgery and Chief of Trauma Surgery at the Duke Medical Center, made the presentation to the Board of County Commissioners.

Dr. Vaslef said his purpose of being here is to explain a medical research study that Duke is about to undertake. The study involves the Durham County EMS. There is a contractual agreement pending between Duke Medical Center and Durham County EMS that would require the Commissioners' approval.

Dr. Vaslef took a few minutes to describe the study to the Commissioners. The sponsor of the study is Northfield Laboratories, Inc. Dr. Vaslef is the principal Investigator for the study. Northfield Laboratories, Inc. has been developing this blood substitute called Polyheme for use when blood is not available, for instance in trauma settings when patients are severely injured. This is a proposed phase three FDA approved study already going on in fifteen sites. The purpose of this study is to evaluate the life saving potential of Polyheme when given to severely injured and bleeding trauma victims starting at the scene of the injury. The ambulance personnel would start an IV and the patient would receive salt water, which expands the volume, but it does not provide oxygen to the organs during the critical time period. Once the patient arrives at the hospital, we evaluate the patient in the emergency room and continue the IV solution with salt water and then we go with blood bank blood for donated blood to these patients. Polyheme carries oxygen that is extracted from outdated human blood. It is compatible with all blood types and is immediately available for all situations. Polyheme improves the survival rate for trauma victims. It is very safe. If a patient has less than 20% of his blood available, historically, that mortality rate is 65%. Patients who have received Polyheme, that mortality rate has reduced to 25%.

Durham County EMS will screen the ambulance patients and they will randomize them in the ambulance to see who will get the salt water IV or Polyheme IV. The patients who receive the Polyheme have to be 18 years old. They can be male or female. The Federal Drug Administration has reviewed this program and they have told Northfield Laboratories to move forward. The trial is moving forward.

The Board of County Commissioners asked several questions and made remarks about the study.

Dr. Steven Vaslef and County Attorney Kitchen responded to the questions and comments.

The questions dealt with the informed consent issues and liability issues.

Chairman Reckhow asked Chuck Kitchen, from the legal standpoint, if he felt comfortable due to the Federal law in effect if something negative were to happen.

Chuck Kitchen responded that there were several issues that had to be worked out. One was the informed consent matter and the three liability matters. The medical director and the paramedics will be provided insurance.

Chuck Kitchen said this process has been going on for several weeks to work out concerns and problems.

County Attorney Kitchen said he was comfortable with everything since they have been worked out and completed.

Chairman Reckhow asked the County Attorney if he was reasonable comfortable recommending this to the County Commissioners.

Mickey Tezai, EMS Director, said they were looking forward to participating in the study. The informed consent matter is a major concern for everyone. Mike Smith is the point person on this study for the EMS Department.

Chairman Reckhow instructed the staff to move this agenda item to the next meeting for approval by the Board. Please keep the Board informed and updated on the study.

Adjournment

Chairman Reckhow adjourned the meeting at 10:45 a. m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board