

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
AUGUST 16, 2004

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 3:00 PM on August 16, 2004.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bunkey Morgan, and Bob Atwater; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The Chairman called the Work Session to order at 3:00 PM.

Work Session Agenda

1. Transportation Issue (CTN, DSS, Rosa Sutton)
2. Water Issues (ETJ service, etc.)
3. Wastewater Study/Discussion
4. Imaging Consultant

TRANSPORTATION ISSUES

John Tanner, Department of Social Services Director, gave an overview of the Medicaid transportation process. Sandra Coletta reviewed the process used to screen and insure transportation eligibility by Medicaid. Their comments are as follows:

State and federal laws and regulations require the County Department of Social Services (DSS) to provide transportation to Medicaid recipients who need transportation in order to access medical services that are covered by the Medicaid program in North Carolina. Chatham County has approximately 5,000 individuals who have been determined eligible for Medicaid. Approximately 5% (250-300) of these receive medical transportation each year. The elderly and disabled are the primary recipients of this service. The Medicaid program in Chatham County generally provides 170 medical trips per month.

Chatham County contracts with Chatham Transit Network (CTN) to provide Medicaid transportation services. Based on this contract, Chatham Transit bills DSS monthly for the services provided. The current (FY04-05) budgeted amount for the payment of this contract is \$100,000. The County is reimbursed 95% of the costs by the State and Federal governments.

For the last two years, Chatham DSS has contracted only with Chatham Transit. The main purpose of this was because Chatham Transit has expertise in the area of human service transportation regulations and policies. This organization has knowledge of licensure requirements, insurance coverage regulation, driver drug and alcohol testing, safety procedures. In terms of liability and safety, the decision was made to contract with CTN, so that they could oversee and assure compliance of these regulations by sub-contractors who wanted to provide this service.

One of the most important provisions in providing Medicaid transportation services is that the method of transportation must be the least expensive method. Chatham Transit must comply with this provision. Failure to comply with this provision jeopardizes Medicaid State and Federal reimbursement. To determine the least expensive means, one must not only compare the rates, but one must also take into consideration the number of individuals on the van. For example, a trip that has a rate of \$72.00 would cost one rider \$72.00. If there were 4 riders on this trip and two were Medicaid authorized, the cost for each Medicaid recipient would be \$18.00. Clearly with greater ridership, costs are reduced; making the transportation means with more riders the least expensive method of providing the service.

Helen Stovall, Chatham Transit Network Director, thanked the Board for the opportunity to discuss the provision of Medicaid transportation in the County. She provided the following steps in assigning Medicaid trips:

- ↻ The Department of Social Services (DSS) determines eligibility for Medicaid transportation services, approves each trip, and collects all information needed for the trip reservation.
- ↻ The trip reservation is sent to Chatham Transit Network (CTN).
- ↻ The responsible staff person at CTN determines the cheapest available trip, thus allowing for the 95% Federal/State reimbursement for the trip. If the least expensive trip is not provided, then the County must pay 50% of the cost of the trip.
- ↻ The trip information is then given or sent to the actual transportation provider.
- ↻ The transportation provider may be CTN or one of its two sub-contractors for Medicaid transportation.
- ↻ If the trip goes to the sub-contractor the amount that CTN will pay for the provision of that trip is written on the reservation form. The sub-contractor can refuse the trip if they feel that the amount they are willing to pay for doing the trip is too low. For example, the average cost for CTN to provide a trip inside the town limits of Siler City is \$6.00. The sub-contractor must be willing to accept the \$6.00 rate to do the trip rather than their usual rate of \$12.44.
- ↻ All trips scheduled for UNC Hospitals are assigned to the CTN Chapel Hill route and not scheduled as individual (taxi service) trips. This is the cheapest trip available for UNC service because of the number of other people that ride this route and the cost of the trip is shared. A round trip costs under \$20.00 on this route whereas an individual trip to UNC Hospitals costs over \$70.00. These UNC trips account for about 20-25% of the Medicaid trips.

Ms. Stovall stated that other considerations besides cost which may affect a trip assignment include the pick-up and drop-off locations of the passengers, special needs of the passenger, the need for a lift to accommodate a passenger in a wheelchair, the capacity of the wheelchair lift, environmental

issues (using one vehicle as opposed to two), etc.; that in July, 2004, 395 passenger trips were paid for by Medicaid; that eighty-three (83) of these trips were on the Chapel Hill route, thirty-six (36) trips were shared cost with other routes, eighty-eight (88) of these trips were refused by sub-contractors or not available; and that Sister to Sister Solutions provided sixty-one (61) passenger trips for Medicaid in July.

She further stated that Medicaid transportation is the only transportation that CTN can sub-contract; that all other transportation performed by CTN is subject to a competitive bid process; and that the Board of Directors of Chatham Transit Network will consider issuing a "Request for Proposals" at their September, 2004 annual planning session.

Rosa Sutton, Sister-to-Sister Program Administrator, stated that her organization had a contract with DSS during 2003; that they complied with required federal and state regulations; that they met all insurance requirements, drug testings, and alcohol screenings; and that they have five vans not purchased by the County. She asked how they knew who could provide the cheapest trip cost if they were not given the opportunity to bid in the process. She questioned why her contract was not reviewed, and voiced concern over not getting enough of the work. She stated that she did not feel that they should have to go to nor through Chatham Transit for their services.

BREAK

The Chairman called for a five-minute break.

WATER ISSUES

ETJ Service:

The County Manager explained that in a worst case scenario, if there was a sign-up period and there were twelve customers per mile, 80% of those must sign-up to be eligible for Phase I (or whatever the County is into); that there might not be that density on sign-up in the area that is already set; that if this is the case, the County could underwrite this system with its taxing authority; that these folks have not had an opportunity to speak on the issue; that there could be sign-ups in there that would fit all the criteria for having a water line but not be backed up by the taxing authority in the district. He asked if the Board was interested in moving that district in order to conform to the ETJ of the municipality.

Chairman Emerson asked if it would make a difference if it was "fee driven". He stated that if it ever failed and the County had to go to taxation to service the debt, then the people here wouldn't be contributors. He stated that a second issue would be the governance because if the water districts become independent entities with their own governing board, then those people wouldn't have a voice.

The County Manager stated that the County Attorney had been asked to see if it was feasible if the Board has an interest in moving the jurisdictional lines that have already been adopted to conform to the ETJ of each municipality.

The County Attorney stated that the statute states that the water district can serve outside of its district but not inside the corporate limits of a municipality; that if one is going to serve outside the boundaries of the district, a fee can be charged and the statute doesn't specifically say, but that he is satisfied that there is no reason why they could not be different than what was within the district.

The County Manager stated that they could be treated as a municipality; that you could have outside corporate jurisdiction or, in this case, the districts and you could charge 1½-2 times the rate.

The County Attorney stated that that was his opinion; that as far as the Northwest District was concerned, if there was going to be another vote, it seemed to him that before that happened there should be some way to include other areas in the district; that it will have to be reworked; that he believes that could be done unless it goes up to the state board and they order it to be held at a certain time so that all of the deadlines, notices, hearings, etc. could be met.

Commissioner Morgan asked if the Board could amend other areas without having public hearings.

The County Attorney stated that he believes that it requires a percentage of the registered voters in order to add it; that he will be happy to look it up and let the Board know; that as far as the Southeast and Southwest Districts are concerned, since the bond has already been approved, it is necessary to levy a tax to pay for them; that hopefully it won't be, but if it is, it would be limited to the area that has voted; that there might be some possibility or if the Board decided to serve outside of the limits of the districts, it would have to be figured out what the appropriate share for the people outside the district would be and a rate set based on it.

Commissioner Morgan stated that there was some property in there that has an option for future subdivisions; that he would hate to see that water be served by anyone other than Chatham County; that if the County needs the loops and "x" amount of customers to keep the flow and if that particular Northwest District does not pass for the flow that is needed, that he would like to see whatever it takes to change it; and that it can be redefined at a public hearing. He asked what the state board would say if the Board of Commissioners revised it and then changed the rules.

The County Attorney stated that he felt it would bother them; that if there had been no protests, they could have started all over and included all the areas; that now that the protest has been filed and a hearing held, it wouldn't be an option; that had there been no protest, the County could have started all over; that there is a provision for abolishing districts; that it might be a possibility to do that and start all over and include all those areas to form a new Northwest District that includes the old area.

After further discussion, Commissioner Morgan moved, seconded by Commissioner Pollard, to leave the three water districts as is but that each one that passes in the future will serve up to the ETJ lines. The motion carried five (5) to zero (0).

The Chairman reminded those in attendance of the water district meeting to be held in Moncure on Tuesday, August 17, 2004.

Management or Control of Utility Services Providers:

The County Attorney explained that he had not been able to find anything that would empower the Board of Commissioners to control it; that if there are a certain number of customers served, a certificate would need to be gotten from the Utilities Commission; that he felt that he has nearly exhausted his research on the matter, but would again try to pursue it further.

Commissioner Morgan stated that he would like the option of saying that a private company could do it or that there is a county line; that the ordinance now states that if a subdivision is within a mile, that they have to tap on to County water. He asked how the County could do that and not do the other.

The County Attorney explained that the General Statute may provide for disestablishing

districts/boundaries and reestablishing new ones.

Pea Ridge Road Line:

The "Group B" projects have been cleared for final review for the public meeting to receive public comments on the "Finding of No Significant Impact" (FONSI) on the project to provide water from the Jordan Lake Water Treatment Plant to supply the existing Chatham County Water systems in the southern and western portions of Chatham County. The public meeting will be held on September 7, 2004, after which there are no adverse comments, the construction documents should be ready for bidding shortly thereafter.

Fred Hobbs of Hobbs, Upchurch & Associates, noted that his firm will continue to look for additional funds to help the project.

Wastewater:

Commissioner Morgan voiced concern with regard to having adequate sewer disposal in the County in order to have affordable housing.

Commissioner Morgan moved, seconded by Commissioner Atwater, to apply for the grant study with the Rural Center with the matching funds required to be taken from the Economic Development Commission budget. The motion carried five (5) to zero (0).

E-911 Addressing:

Tony Tucker, Emergency Operations Director, informed the Board of E-911 addressing problems including roads which need to be named, change of addresses, incorrect addresses, addresses not being displayed, and conflicts regarding proper road names.

Commissioner Morgan moved, seconded by Commissioner Pollard, to authorize the expenditure of funds up to \$15,000.00 to come from Fund Balance/contingency to wire the Council on Aging building for emergency generators. The motion carried five (5) to zero (0).

Security at Harris Plant:

A discussion ensued regarding placing extra security at the Harris Plant.

After considerable discussion and by consensus, the Board agreed that security at the Harris Plant was adequate.

Imaging Consultant:

Jake Jacobstein presented an overview of the services he could provide as an imaging consultant. Those services include conducting a needs assessment, writing an RFP, evaluating proposals, contract negotiations, and post contract follow up. Mr. Jacobstein noted his firm's expertise in the field of technology and their neutrality.

RECESS

- Commissioner Morgan moved, seconded by Commissioner Pollard, that the meeting be recessed to the regularly scheduled Board of Commissioners' meeting in the Superior Courtroom. The motion carried five (5) to zero (0), and the meeting was recessed at 5:46 PM.

Thomas J. Emerson, Chairman

ATTEST:

Sandra B. Sublett, CMC, Clerk to the Board
Chatham County Board of Commissioners