

**DURHAM COUNTY BOARD OF COMMISSIONERS
DURHAM CITY COUNCIL**

Thursday, June 13, 2002

7:00 P.M. Special Session

Place: Staff Development Center, 2107 Hillandale Road, Durham, NC

Present: Mayor William V. Bell; Mayor Pro Tempore Lewis A. Cheek; Council Members Cora Cole-McFadden, A. J. Howard Clement III, John Best Jr., Thomas Stith, and Tamra Edwards; City Manager Marcia Conner; City Clerk D. Ann Gray; City Attorney Henry Blender; and City of Durham Transportation Staff Mark D. Ahrendsen and Wesley Parham

Commission Chairman MaryAnn E. Black; Vice-Chairman Ellen W. Reckhow; Commissioners Joe W. Bowser, Philip R. Cousin Jr., and Becky M. Heron; County Manager Mike Ruffin; County Attorney Chuck Kitchen; and Clerk to the Board Garry E. Umstead

NC House Representative Paul Luebke

Call to Order

MaryAnn E. Black, Chairman, Durham County Board of Commissioners, called the meeting to order in the absence of Mayor William V. Bell, who was en route.

Introductions

At Chairman Black's request, everyone introduced himself/herself.

Agenda Comments

Mr. Mark D. Ahrendsen, Transportation Manager, City of Durham, came forward to make introductory remarks about the meeting. He highlighted the agenda for the evening.

Presentation—H.W. Lochner and Associates

Mr. Ahrendsen introduced Mr. Roy Bruce, Transportation Advisor at H. W. Lochner and Associates. Mr. Bruce presented "Supplemental Evaluation Information" for the Northern Durham Parkway Alternative and the Northwest/Northeast Loop. The "Supplement Report Information" was provided to the City Council and County Commissioners on June 7, 2002.

Mr. Bruce made the presentation and answered technical questions that were raised at the joint City Council and Board of County Commissioners meeting on April 29, 2002. The Public Hearing at the Joint City Council and Board of County Commissioners meeting dealt with the Northern Durham Parkway Alternative Evaluation.

The points covered during the presentation follow:

- Purpose of the meeting
- Purpose of the presentation
- An evaluation of the Northern Durham Parkway based on three key factors
- The Northern Durham Parkway's possible eligibility for funding by the 1989 Highway Trust Fund Act as a "loop project" (Based on the current legal definitions, the Northern Durham Parkway is not eligible for funding under the 1989 Highway Trust Fund Act as a loop project.)
- Actions since the April 29 meeting
- Whether the Northwest/Northeast Loop meets the requirements of the Highway Trust Fund Act
- Whether the Northern Durham Parkway is supported by the federal and state environmental regulatory and resource agencies (Based on the agency comments and environmental impacts, it is unlikely that the Northern Durham Parkway would be supported and permitted as the "least environmentally damaging practicable alternative" for a loop project in northern Durham.)
- The impact of the Northwest/Northeast Loop
- Comparison of impacts
- Environmental Review Agency Comments on the Northwest/Northeast Loop
- Whether the Northern Durham Parkway would meet the purpose of reducing travel demand and relieving traffic congestion on the existing and planned arterial roadway network (The Northern Durham Parkway would not significantly reduce travel demand or relieve traffic congestion on existing and planned arterial routes. Therefore, the Northern Durham Parkway is inconsistent with the purpose and need for a roadway in northern Durham.)

Mayor Bell stated the next phase of the meeting was to move into the public hearing and public comment section of the Special Session.

Motion—Time Allotted to Each Speaker

The Commissioners and City Council had a lengthy discussion about the length of time each speaker would be given.

After the discussion the following motions were made:

Commissioner Bowser moved, seconded by Commissioner Heron, to allow the representative(s) 20 minutes to present the Eno River Association report and to allow three minutes for each person that had signed the speaker list.

Chairman Black called for a vote on the motion.

The motion carried unanimously by the County Commissioners.

Councilman Cheek moved, seconded by Councilman Clement, to allow the representative(s) 20 minutes to present the Eno River Association report and to allow three minutes for each person that had signed the speakers list.

Mayor Bell called for a vote on the motion.

The motion carried with the following vote:

Ayes: Mayor Bell, Mayor Pro Tempore Cheek, and
Council members Cole-McFadden, Clement, and
Stith

Noes: Best

Absent: Edwards

Eno River Association Report

The “Eno Drive and Transportation in Northern Durham County: Alternatives” work report was prepared for the Eno River Association by Brian J. Morton, Ph.D., of E. H. Pechan & Associates, Inc.

Before Mr. Morton presented the report, Mayor Bell called on Representative Paul Luebke for comments. Representative Luebke stated for the record that ten legislators had added pertinent language in the 1999 Session. He read the added amendment into the record:

Prior to a decision on the proposed Durham Northern loop, the Department of Transportation shall consider all alternatives advanced by interested parties including improvements to existing corridors and consider neighborhood growth, economic development patterns and trends, the best protection for the environment, and limitation on encroachment upon state parks.

Representative Luebke made comments about the amendment and presented the history behind it.

On behalf of the Eno River Association, Brian J. Morton, Ph.D., presented the report he authored to the County Commissioners and the City Council.

He stated in the executive summary that the study examines the Department of Transportation's "fatal flaw analysis" of the Northern Durham Parkway, the primary alternative to Eno Drive, which was developed by the Durham community in 1999. The present study also documents the need to better understand the demand for travel that future investment in transportation could or should serve, and the need to continue the search for an effective and environmentally-sensitive approach to solving transportation problems in northern Durham County.

The study reaches six major conclusions.

1. The Department of Transportation exaggerates future transportation problems in northwestern Durham County (west of Roxboro Road), which are being alleviated by facilities that have recently been built or started. The implication is that an additional highway west of Roxboro Road is unnecessary.
2. The Department of Transportation's dismissal of the transportation benefits of the Northern Durham Parkway is not compelling.
3. The potential environmental impacts of the Northern Durham Parkway and the impacts of Eno Drive have not been consistently and accurately assessed. The Department of Transportation does not explain why it dismisses the impacts of the Eno Drive on Eno River parklands, especially the state park.
4. The Department of Transportation's "purpose and need" for Eno Drive is too narrow to adequately describe the demand for transportation that could or should be addressed.
5. Better information on transportation demand in northeastern Durham County is needed to determine the best solution to transportation problems.
6. Many new alternatives to Eno Drive can be imagined and should be evaluated before rejecting the Northern Durham Parkway and accepting Eno Drive.

Public Hearing and Public Comment Session

The following citizens spoke about the proposed Eno Drive and transportation alternatives in northern Durham County. Mayor Bell called the speakers to the podium for their comments.

Floyd McKissick, Jr.
Ann Peele
Donna Deal
Larry Holt
Caleb Southern
Steve Bocckino
Tiara Johnson

PO Box 51608, 27717
Chamber of Commerce
373 Knollwood Drive, 27712
5110 Stardust Drive, 27712
604 W. Morgan Street, Apt. 304, 27701
7340 Abron Drive, 27713
4313 Dula Street, 27705

Karen Wilson	3301 Marywood Drive, 27712
Kitty Lynn	2716 Highland Avenue, 27704
Joanne Abel	1507 Tyler Court, 27701
John Pye	4915 Howe Street, 27705
John Schelp	1022 Rosehill Avenue, 27705
Todd Patton	4512 Brocada Drive, 27705
Dabney Hopkins	1700 Sprunt Street, 27705
Ann Marie Mitchell	8414 Polaris Drive, Bahama, 27503
Dorra Church	7705 Johnson Mill Road, 27712
Dan Eason	4212 Valley Springs Road, 27712
Jan Smith	3812 Rivermont Road, 27712
Wayne Smith	3812 Rivermont Road, 27712
Roberta Wallace	2921 Beech Grove Drive, 27705
Don Moffitt	2114 Wilson Street, 27705
Virginia A. Brooks	114 Nancy Rhodes Drive, 27712
Michael Orr	1 S. Wilmington Street, Raleigh, NC
Milo Pyne	806 Vickers Avenue, 27701
Erik Daubert	2917 Beech Grove Drive, 27705
Loretta Waller	904 Wyldeewood Drive, 27514
Marjorie A. Ridinsky	430 S. Riverdale Drive, 27712
Kay Hesse	3027 Alabama Avenue, 27705
Bill Patrick	427 Olive Branch Road, 27703
Karey Lincoln	Orange County Planning
Alice Gordan	Orange County Board of Commissioners
Jim Conner	507 Continental Drive, 27712
Wayne Cash	3706 Snow Hill Road, 27712
Lori Olson	4419 Guess Road, 27712
Veronica Knisley	1924 Snow Hill Road, 27712
Noland Martin	2115 Pershing Street, 27705
Joseph Zawadowski	503 Valley Drive, 27704
St. Clair Williams	1107 Alabama Avenue, 27705
Joshua Rose	108 West Lynch Street, 27701
Brian Van Horn	4 Foxlair Court, 27712
Kathy Wright Moore	5117 Sourwood Road, 27712
Lou Goetz	3531 Stoneybrook Drive, 27705
Judy Teague	411 Monticello Avenue, 27707
Hazel Cash	3706 Snow Hill Road, 27712
Brian Morton	4417 Sunny Court, 27705
Jeffrey LaCosse	214 Argonne Drive, 27704
Marcia Eickmeier	5515 Gray Road, 27701
Representative Paul Luebke	1507 Oakland Avenue, 27705
Patrick Byker	2614 Stuart Drive, 27707
John Dagenhart	1409 Dollar Avenue, 27701
Alan Williams	3019 Mary Wood Drive, 27712
Caroline Long	(Unknown)
James Hayslett	606 Saddle Ridge Avenue, 27704

Ted Conner
Jonathan Davis

Park Overlook Drive, 27712
(Unknown)

Mayor Bell requested that the record reflect that everyone who wanted to speak was given the opportunity.

As no one else signed to speak, Mayor Bell closed the public hearing and referred the matter back to the elected officials.

Staff Report

Mayor Bell said that he would like to hear the staff report. He stated for the record that the City Council and County Commissioners had made the decision, but were back to reconsider the situation in order to draft a new alternative.

Mr. Mark D. Ahrendsen, Transportation Manager, City of Durham, presented the staff report to the City Council and Board of County Commissioners. In his presentation, he reviewed the four options that were drafted. The four options were Option A; Option B; Option C; and Options D-1, D-2, D-3, D-4, and D-5.

Council and Commissioner Comments and Questions

The City Council and Board of County Commissioners discussed the administration's recommendations.

Mayor Bell said he wanted to move into the question and comment time for the City Council and the Board of County Commissioners. The Mayor recommended that this first round of questions and comments be as brief as possible.

The City Transportation Department, the North Carolina Department of Transportation staff, and other officials responded to the questions and comments. Mr. Roy Bruce, consultant representing H. W. Lochner and Associates, also assisted with the responses to the questions and comments.

Mayor Bell stated that many good ideas had come forward in the discussion. He suggested a different type of committee. The committee would consist of representatives from the City Council, Board of County Commissioners, and two non-governmental agencies. Committee members would include the elected representatives to the Transportation Advisory Committee (TAC). They are Commissioners Becky M. Heron and Ellen W. Reckhow, City Council members Lewis Cheek and John Best Jr., and Mayor Bell. He stated he would also like to see representatives from the Eno River Association and the Durham Chamber of Commerce on the Committee. This membership on the Committee would give it a broad representation. This would be an ad hoc committee working to bring a recommendation back to the TAC.

The Committee would draft a recommendation to be presented to the Transportation Advisory Committee as early as possible so that a recommendation could be made to address the issues before City Council and the County Commission. The recommendation would also include Commissioner Black's request to ask Senator Wib Gulley, Representative Paul Luebke, and Representative Jim Crawford if they would be willing to support the necessary legislation that would enable Durham City and County to accomplish its transportation goals. This would be done in conjunction with the North Carolina Department of Transportation staff. This action would send it back to the TAC since the recommendation has to come from the TAC. It would have the support of the elected officials from the two governing bodies. The Committee is small enough to accomplish the goal.

Mayor Bell remarked that if a vote were taken tonight, it would be against the Eno River Drive. The best approach is through the TAC.

Commissioner Heron, Chairman of the Transportation Advisory Committee, said the recommendation must be ready to go to the June 26, 2002 TAC meeting. She recommended that Mayor Bell and Chairman Black convene a group to meet with Senator Gulley, Representative Luebke, and Representative Crawford to advise them of the goal set by City Council and the County Commission.

Commissioner Heron thanked Representative Luebke for attending the meeting.

Councilman Clement said the two governing bodies should take a vote to authorize the ad hoc committee outlined tonight by Mayor Bell.

Councilman Clement moved, seconded by Councilwoman Cole-McFadden, that the City Council adopt the Mayor's proposal to set up the ad hoc committee and to move forward.

The motion carried unanimously by City Council.

Commissioner Reckhow moved, seconded by Commissioner Bowser, that the County Commissioners support the creation of the ad hoc committee as described by Mayor Bell. The Board would also instruct the Mayor and Chairman of the Board to write a letter to the legislative delegation and to meet with appropriate legislators to move forward with legislative changes.

Chairman Black noted that the County Commission's motion was a little different from that of the City Council. She asked if there was discussion on the motion and called for a vote.

The motion carried unanimously by the County Commissioners.

Councilman Clement moved, seconded by Councilwoman Cole-McFadden, to write a letter to the legislative delegation.

The motion carried unanimously by City Council.

Mayor Bell recognized Mr. Ty Cox, Durham's representative from the Department of Transportation. He requested that Mr. Cox make himself available for these discussions.

Adjournment

Mayor Bell adjourned the meeting at 11:05 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board