

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

Monday, June 11, 2001

Budget Worksession Agenda

9:00 - 10:00 **Volunteer Fire Districts**

10:00 - 10:30 **Emergency Medical Services**

10:30 - 11:15 **Community Health Trust Fund and Nonprofits**

11:15 - 12:00 **FY 02 Capital Improvement Program & Capital Finance Plan**

12:00 - 1:30 **Lunch (on your own)**

1:30 - 4:00 **Manager's Report on Budget Issues and Board Discussion**

Hearing on Possible Removal of ABC Board Members

The Board of Commissioners is requested to make a decision on the possible removal of the Alcohol Beverage Control Board members. The hearing on the removal is now complete and closed. The one remaining item was the request for two of the ABC Board members to furnish evidence that they had reimbursed the ABC System for personal expenses. A copy of a letter from John G. Horton in reply to this request is attached.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: Make a determination as to the removal of the ABC Board members, and direct the County Attorney to draft an order for the Board's approval.

The Commissioners individually reported their findings on the evidence presented at the ABC Board hearing. The Chairman asked the Commissioners for direction.

Commissioner Bowser made a substitute motion, seconded by Commissioner Cousin, to leave the current ABC Board in place.

The motion failed with the following vote:

Ayes: Commissioners Bowser and Cousin

Noes: Commissioners Black, Heron, and Reckhow

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to ask the County Attorney to prepare the proper order to dissolve the current ABC Board.

The motion carried with the following vote:

Yeas: Commissioners Black, Heron, and Reckhow

Noes: Commissioners Bowser and Cousin

The County Attorney will draft the order and bring it before the Commissioners at the June 25 Regular Session. The current ABC Board will continue in office until the order is brought before the Commissioners.

Vice-Chairman Reckhow moved, seconded by Commissioner Cousin, that the Board go on record to support legislation to increase the ABC Board to five members.

The motion carried unanimously.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to adjourn into Closed Session.

The motion carried unanimously.

Closed Session

The Board is requested to adjourn into closed session to instruct the staff in negotiating a price for the acquisition of real property pursuant to G.S. § 143-318.11(a)(5).

7:00 P.M.

Regular Session Agenda

1. **Opening of Regular Session** Pledge of Allegiance
2. **Agenda Adjustments**
3. **Minutes**

May 7, 2001 Worksession Minutes

4. **Recognition of 22 Years of Service by Gussie Stubbs**

Cooperative Extension requests that the Board of County Commissioners recognize Mrs. Gussie M. Stubbs, Expanded Food and Nutrition Program Assistant, for 22 years of dedicated service to lower income families with children in Durham County. Mrs. Stubbs, while employed through Cooperative Extension, is not a county employee; thus ineligible for county recognition. She has visited the homes of thousands of families in Durham County over the past years teaching women and men to prepare healthy meals for their children, to maintain good eating habits, and to get the most from their food stamps, WIC vouchers, and money. Conducting classes in homes, community centers, and shelters, families have learned not only to prepare and eat new food items, but also to work with others to reach their goals.

Mrs. Stubbs will retired on June 1, 2001 after 22 years of service to Durham County through the federally funded Expanded Food and Nutrition Education Program. The program serves low-income

families in 30 counties in North Carolina, focusing on improving the diets of pregnant women and families with young children.

Cooperative Extension will provide a plaque for presentation to Ms. Stubbs by the Board.

Resource Person(s): Cheryl Lloyd, Cooperative Extension Service Director

County Manager's Recommendation: The Manager recommends that the Board recognize Gussie Stubbs for 22 years of service to Durham County families with young children and for her dedication to improving their health through diet.

5. **Consent Agenda**

- a. Street Annexation Petition Bagpipe Way (Lane) (Callander Estates) (approve the addition to the state's road maintenance system subject to the certification of eligibility by the appropriate officials of the NC Department of Transportation);
- b. b. Budget Ordinance Amendment No. 01BCC000066?EMS?Grant (approve in the amount of \$10,000 to recognize a grant received from the Fletcher Foundation);
- c. c. Budget Ordinance Amendment No. 01BCC000067?Cooperative Extension Durham Merchants Association Foundation Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$5,000 in organization 101.495.2315 for disbursement by Cooperative Extension);
- d. d. Budget Ordinance Amendment No. 01BCC000068Cooperative Extension NCSU Health and Human Services Grant to Support Youth Summer Programs (accept on behalf of the Cooperative Extension Service and appropriate \$15,000 in organization 101.495.2315 for disbursement by Cooperative Extension);
- e. e. Budget Ordinance Amendment No. 01BCC000069?DSS?Request to Accept New DSS CIP Revenues (approve to accept \$300,000 in new DSS Crisis Intervention Program funds);
- f. f. Budget Ordinance Amendment No. 01BCC000070?Recognition of Medicaid Pass Through Dollars (approve to allocate \$9,000,000 as there are no additional local dollars required to recognize these revenues);
- g. g. Resolution Approving Board of Education Multi-Year Contract for Capital Outlay (approve the contract);
- h. h. Adoption of Resolution Supporting Regional Transportation Strategy (adopt the resolution supporting the findings of the study);
- i. i. Approval of a Utility Pipeline Easement at Durham Regional Hospital (approve the easement);
- j. j. North Carolina Hazardous Materials Regional Response Team #4 (adopt the resolution and approve the contract and Hold Harmless and Indemnification Agreement as presented);
- k. k. Agreement Between Freudenberg Spunweb Co. and County of Durham (enter into the agreement with Freudenberg Spunweb Company); and
- l. l. Cancellation of July 9 and July 23, 2001 Meetings of the Board of County Commissioners (cancel the July 9 and July 23 meetings).

Note: The purpose of a consent agenda is to handle consensus items with one motion to save time on meeting agendas. Any item a Board member pulls for discussion should be placed at the end of the agenda so public hearings can be concluded as early as possible. This will provide for the least inconvenience to the general public attending the public hearings.

6. **Public Hearing on the 2001-02 Recommended Budget**

The Board of County Commissioners will conduct a public hearing to receive input from citizens on the FY 2001-2002 recommended budget. To be able to hear from all interested citizens, the Commissioners usually set a time limit of three minutes for each speaker.

County Manager's Recommendation: The Manager recommends that the Board receive input from speakers and incorporate in the deliberations prior to finalization of next fiscal year's budget.

Speakers at the public hearing and their areas of concern follow:

Durham Public Library: John Lubans, Lauren Singdahlsen, Maddy Wells, Harlan Brown, Altha Trowell and sons Joseph and Charles, Shelley Williamson, Andrew Scott, and Harriette Brinkley.

General Budget: Ralph McKinney

School System and Nonprofits: Jack Steer

EMS Wheelchair Service: Trannis Brewer and Troy Knowles

Continuation of the STARR Program: Judge Craig Brown

There being no other speakers, the Chairman closed the public hearing.

7. **Public Hearing Durham Trails and Greenways Master Plan**

To receive public comment and adopt the Durham Trails and Greenways Master Plan.

This plan will replace the 1988 Durham Trails and Urban Greenways Master Plan. It combines City and County trail plans into one (allowing for future development of County Open Space Corridor Plans). Its features include (1) coordinating Durham trails with routes on private lands and other public lands; (2) increasing the trails' transportation viability by making connections between trail routes and proposed TTA transit stations; (3) connecting Durham trails into a larger network of regional, state, and national trails; (4) summarizing ten years of accomplishments on trails and greenways by the Durham community; (5) updating and reaffirming goals of the 1988 plan, with new policies recommended for implementing those goals; (6) naming all proposed trails and including them into a larger system, with trail construction specifications defined and standardized; (7) detailed maps of proposed trail routes, with maps are now available on GIS for other uses; and (8) explanation of policies and adopted plans which affect the trails and greenways program.

Resource Person(s): Beth Timson, Senior Planner

County Manager's Recommendation: The Manager's recommendations is that the Board receive public comment and adopt the plan, if appropriate, based on public comment.

Chairman Black opened the public hearing. There being no speakers, the public hearing was closed.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to adopt the Durham Trails and Greenways Master Plan.

The motion carried unanimously.

8. Public Hearing--An Amendment to the Zoning Ordinance Expanding Requirements for Cellular Towers Regarding Location and Aesthetics

The Planning Department is proposing an amendment to Section 7.39 of the Zoning Ordinance which establishes regulations for cellular and other types of towers. The proposed amendment clarifies certain existing regulations, as well as adding new language which allows the approving authority to (a) require more extensive documentation regarding availability of existing towers and structures in the proposed tower area to help decrease the number of towers, (b) consider, to an extent, the aesthetics of the proposed tower in relation to the surrounding area, and (c) have an independent consultant available to review the documentation provided by the tower applicant and advise the approving authority on its accuracy.

Resource Person(s): Dennis Doty, Planner, and Dick Hails, Interim Planning Director

County Manager's Recommendation: The Manager's recommendation is that the Board approve these recommended amendments.

Chairman Black opened the public hearing. William Brian addressed the agenda item, representing the Durham Board of Adjustment. There being no other speakers, the public hearing was closed.

Chairman Black directed Planning staff to investigate cellular tower ordinances in surrounding counties which appear to be successful.

Vice-Chairman Reckhow moved, seconded by Commissioner Cousin, to approve the amendment to the zoning ordinance expanding requirements for cellular towers regarding location and aesthetics.

The motion carried unanimously.

9. Public Hearing To Consider Adoption of an Amendment to the Zoning Ordinance to Change the Definition of Service Stations and Update Standards for Service Stations and Vehicle Repair Shops

To conduct a public hearing and consider adopting the amendment to the zoning ordinance.

Resource Person(s): Bonnie Estes, Assistant Planning Director, and Dick Hails, Interim Planning Director

County Manager's Recommendation: Adopt the zoning ordinance after conducting the public hearing.

Chairman Black opened the public hearing. There being no speakers, the public hearing was closed.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approved Section 2 of the Zoning Ordinance amendment.

The motion carried unanimously.

Section 1 of the Zoning Ordinance Amendment was denied.

10. **Public Hearing on Proposed General Obligation Bond Issue**

The Board of Commissioners is requested to hold a public hearing on the Bond Orders which have previously been introduced. Following the public hearing, the Board would approve the Bond Orders if the Board, in its discretion, believes the issuance of the debt to be necessary. Also, the Board would adopt a resolution calling the referendum on the Bond Orders for November 2001.

Bond Counsel is preparing a suggested form of minutes which should be available by the end of the week.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: Hold the public hearing on the Bond Orders and approve, if appropriate. Adopt the resolution calling for the referendum on the Bond Orders for November 2001.

Chairman Black opened the public hearing. Speakers included Andre D. Vann, George Conklin, and Herb David. All supported library facilities bonds. There being no other speakers, the public hearing was closed.

Commissioner Cousin moved, seconded by Commissioner Bowser, to approve the Order Authorizing \$51,800,000 School Bonds.

The motion carried unanimously.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the Order Authorizing \$10,270,000 Library Facilities Bonds.

The motion carried unanimously.

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approve \$5,840,000 Museum Bonds.

The motion carried unanimously.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve \$5,550,000 Recreational Facilities Bonds.

The motion carried unanimously.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve \$1,200,000 Health Care Facilities Bonds.

The motion carried unanimously.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the Resolution Calling a Special Bond Referendum for Tuesday, November 6, 2001 between 6:30 a.m. and 7:30 p.m..

The motion carried unanimously.

11. **Request to Approve Durham's Home and Community Care Block Grant Funding Plan**

The Home and Community Care Block Grant (HCCBG), as authorized in G.S. 143B-181.1(a)(11), is designed to improve the planning and coordination of in-home and community based services provided to North Carolina's older adults. It is also intended to promote the visibility of aging programs at the local level by giving counties increased flexibility with respect to funding aging services available through the Block Grant. The majority of funding comprising the HCCBG is authorized by the federal Older Americans Act. There are federal mandates and priorities established by the Older Americans Act. However, the legislation provides for state and local discretion in the funding of particular services and programs.

The organizations with co-lead responsibility for planning and coordinating Durham County's HCCBG funding plan are the Council for Senior Citizens and the Department of Social Services. Durham's total FY 2002 grant is \$801,314 with a required local match of \$89,037. The Durham County DSS share is \$307,528, and the Council for Senior Citizen's share will be \$493,786. Durham's Keeping in Step Committee, an advisory committee that provides citizen input to service planning for Durham's older citizens, approved this plan on May 11, 2001. Services to be funded through the FY2002 HCCBG include home delivered meals, in-home aide, adult day care, information and case assistance, transportation, senior center operation, and congregate meals.

Resource Person(s): Joan Pelletier, Executive Director, Durham Council for Senior Citizens, and Gloria Green, Adult Services Program Manager for Durham DSS, will be available as resource persons for this agenda item.

County Manager's Recommendation: The County Manager recommends approval of the Home and Community Care Block Grant Funding Plan as presented. Funding for the Plan has already been incorporated into the Manager's proposed FY 2002 Budget.

Chairman Black adjourned the meeting at approximately 9:35 p.m.