

October 25, 1999

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

Monday, October 25, 1999

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Room, second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and
Commissioners William V. Bell, Joe W. Bowser, and Becky M. Heron

Absent: None

Presider: Chairman Black

Opening of Regular Session

Chairman Black called the Regular Session to order with the Pledge of Allegiance.

October 25, 1999

Agenda Adjustments

County Attorney Chuck Kitchen said the Closed Session has been modified to add two items pursuant to G.S. § 143-318.11(a)(3) and (5) in order to discuss matters relating to the possible acquisition of real property and to preserve the attorney-client privilege.

Commissioner Heron requested time on the agenda to discuss the United Way campaign policy for County employees. This item was added to follow the consent agenda.

County Manager Thompson said Commissioner Bowser had brought forward the proposal of giving surplus vehicles to the flood victims in eastern North Carolina. County Manager Thompson requested this item be placed on the agenda.

Minutes

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the September 13, 1999 Regular Session Minutes of the Board as submitted.

The motion carried unanimously.

Chamber of Commerce City of Medicine Program—High School Awards

Chairman MaryAnn E. Black requested the winners and runners-up of the Durham City of Medicine High School Awards be placed on the agenda so the Commissioners could recognize the accomplishments of the four seniors.

Dr. William Anlyan, Chairman of the City of Medicine Board of Directors, introduced the winners and runners-up in the categories of medical specialist and medical technician.

The winner in the medical specialist category is Romelia Perez-Marco of Southern High School. The medical technician winner is Christina C. Rathinam of Jordan High School. The runner-up in the medical specialist category is Jessica C. A. Taylor of Hillside High School. Heidi M. Adams of Southern High School is the runner-up in the medical technician category.

The four winners were asked to make remarks about their work and their future plans after graduation from high school.

Chairman Black asked the parents of the four young people to stand to be recognized.

The five County Commissioners made remarks of congratulations and praise to the four young people.

Resolution From City of Durham Recognizing Durham County Government Efforts During Hurricane Floyd

Durham Mayor Nick Tennyson made comments and presented a resolution in appreciation for the efforts of Durham County Government administration and staff during Hurricane Floyd.

County Manager's Recommendation: Accept the resolution on behalf of Durham County Government.

Chairman Black accepted the resolution on behalf of Durham County Government.

Mayor Tennyson read the resolution into the record.

October 25, 1999

RESOLUTION THANKING THE EMPLOYEES OF THE CITY AND COUNTY OF
DURHAM FOR THEIR SERVICE DURING HURRICANE FLOYD

Whereas, on September 15 and 16, 1999, Hurricane Floyd reached the coast of North Carolina and continued on a north-north westerly path for several hours, threatening the central North Carolina counties including Durham County; and

Whereas, in light of the storm's predicted path and intensity, Durham City and County personnel were well prepared and had developed a coordinated plan to ensure timely and effective response to any and all emergencies and interruptions in public services that may have arisen due to this storm; and

Whereas, numerous individuals from both jurisdictions worked throughout the event to serve citizens in shelters, keep roads clear of debris, and maintain the public infrastructure to continue to meet the needs of Durham residents; and

Whereas, Durham City and County personnel collaborated to provide accurate and timely information to the citizens of Durham, and to connect residents to vital services through the Joint Information Center; and

Whereas, all of these individuals performed these acts in the spirit of service to this community:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham City Council, do hereby resolve to pay tribute to the employees of the City and County of Durham who performed their duties during Hurricane Floyd for their cooperation, responsiveness, professionalism, and expertise in responding to this potential emergency. We call upon all citizens of Durham to recognize these employees for their outstanding performance.

Consent Agenda

Commissioner Bowser moved, seconded by Commissioner Bell, to approve the following consent agenda items:

- * (a) Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- (b) Application for Property Tax Exemption for United for Christ Church Inc. (approve the application for exemption for property located at 5112 Lazywood Lane);
- * (c) Environmental Engineering—approve Budget Ordinance Amendment No. 00BCC000013 (to recognize a grant of \$35,300 for partial funding of a streambank restoration project along the banks of the Little River by Treyburn, LLC);
- * (d) Sheriff's Department—approve Budget Ordinance Amendment No. 00BCC000014 (to accept the incorporation of \$25,000 in deferred revenues into the department's current operations budget);
- * (e) Public Health—approve Budget Ordinance Amendment No. 00BCC000015 (to recognize a \$1,350 grant for Public Health nurse training provided by the North Carolina Center for Nursing); and
- * (f) Public Health—approve Budget Ordinance Amendment No. 00BCC000016 (to recognize a \$3,374 grant to encourage the enrollment of children in the NC Health Choice insurance program).

October 25, 1999

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda 6(a). Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report).

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings and clerical errors, etc., the reports detail releases and refunds for the months of August and September 1999.

FY 99-00, releases and refunds amounted to \$19,214.75 (Aug) and \$52,181.43 (Sept) in taxes for real property, \$30,223.63 (Aug) and \$93,104.94 (Sept) in taxes for personal property, \$74,204.02 (Aug) and \$47,013.90 (Sept) in taxes for registered motor vehicles, \$1,715.00 (Aug) and \$1,370.00 (Sept) in city vehicle fees, and \$825.00 (Aug) in solid waste fees.

For prior years, releases and refunds amounted to \$56,917.50 (Aug) and \$76,367.04 (Sept).

(Recorded in Appendix A in the Permanent Supplement of the October 25, 1999 Minutes of the Board.)

Consent Agenda 6(c). Environmental Engineering—approve Budget Ordinance Amendment No. 00BCC000013 (to recognize a grant of \$35,300 for partial funding of a streambank restoration project along the banks of the Little River by Treyburn, LLC).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000013

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Environmental Engineering.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|-----------------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u> | | | | |
| Intergovernmental | \$172,701,532 | \$35,300 | | \$172,736,832 |
| <u>Expenditures</u> | | | | |
| Environmental Protection | \$ 1,864,210 | \$35,300 | | \$ 1,899,510 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(d). Sheriff's Department—approve Budget Ordinance Amendment No. 00BCC000014 (to accept the incorporation of \$25,000 in deferred revenues into the department's current operations budget).

The budget ordinance amendment follows:

October 25, 1999

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000014

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for the Sheriff's Department.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u> | | | | |
| Intergovernmental | \$172,736,832 | \$25,000 | | \$172,761,832 |
| <u>Expenditures</u> | | | | |
| Public Safety | \$ 29,379,808 | \$25,000 | | \$ 29,429,808 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(e). Public Health—approve Budget Ordinance Amendment No. 00BCC000015 (to recognize a \$1,350 grant for Public Health nurse training provided by the North Carolina Center for Nursing).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000015

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Public Health.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u> | | | | |
| Intergovernmental | \$172,761,832 | \$1,350 | | \$172,763,182 |
| <u>Expenditures</u> | | | | |
| Human Services | \$205,799,150 | \$1,350 | | \$205,800,500 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(f). Public Health—approve Budget Ordinance Amendment No. 00BCC000016 (to recognize a \$3,374 grant to encourage the enrollment of children in the NC Health Choice insurance program).

The budget ordinance amendment follows:

October 25, 1999

DURHAM COUNTY, NORTH CAROLINA
FY 1999-2000 Budget Ordinance
Amendment No. 00BCC000016

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1999-2000 Budget Ordinance is hereby amended to reflect budget adjustments for Public Health.

GENERAL FUND

| | <u>Current Budget</u> | <u>Increase</u> | <u>Decrease</u> | <u>Revised Budget</u> |
|---------------------|---------------------------|-----------------|-----------------|---------------------------|
| <u>Revenues</u> | | | | |
| Intergovernmental | \$172,763,182 | \$3,374 | | \$172,766,556 |
| <u>Expenditures</u> | | | | |
| Human Services | \$205,800,500 | \$3,374 | | \$205,803,874 |

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 25th day of October, 1999.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Triangle United Way Campaign—Durham County Government

County Manager David F. Thompson presented to the Commissioners an overview of the entire campaign. There have been some changes as to how the campaign has been handled. In the past, we have had employees with some concerns relative to other federations participating. The County has received a letter endorsing Triangle United Way as the campaign manager for the 1999-2000 Durham County Government Employee Campaign. All the federations are participating this year. Therefore, the employees can give to any federation by coding the federation they want to or any other 501(c)3 nonprofit organization they want to give to. The code needs to be put on the designation form.

County Manager Thompson gave the Commissioners information about the Durham County campaign in reference to the newspaper article. Emphasis was put on the "paid day off" if an employee gave his/her fair share. Last year 45 employees gave their fair share. Using the average salary of \$30,000 per year for a County employee and 1 percent of that as the fair share contribution of 45 employees, it would cost the County \$5,194 for a paid day off. That is a big difference from a projection that could be a \$184,000 cost to the County if all employees gave a fair share. The incentive policy is heavily rated to benefit the lower income employees. The incentive policy is designed to get people into the habit of giving their fair share. I approved the policy for the last three years. There were some questions about the authority the Manager has to make the policy decision. County Attorney Kitchen said the personnel ordinance, under Section 18.4, states that the Board of Commissioners have granted to the County Manager the ultimate and final authority and responsibility for recognition programs subject to any budget limitations and subject to any policy directives that the Board would pass. The Manager does have the authority unless the Board decides otherwise.

Vice-Chairman Reckhow said she was comfortable with this overview and the joint campaign that is in place.

Commissioner Bell said this is a worthwhile campaign and what I have heard this evening confirms my feeling about that.

October 25, 1999

Commissioner Heron liked the designation aspect of the campaign. She was unaware of the paid day off policy being in place.

County Manager Thompson said that in the future a memorandum would be sent out to the Board outlining any type of pay exemptions.

Commissioner Heron said she does not approve of the paid day off policy for contributions to the Triangle United Way. She suggested the Board reconsider this policy at the appropriate time.

Commissioner Bowser said the Triangle United Way is a great organization and it serves a very useful purpose in Durham County. This policy (paid day off) caught me by surprise. He said he disapproves of the policy because we are not giving a direct service or providing a service to the citizens in Durham County. Commissioner Bowser wants the Board to revisit this policy and see if we can come up with another way to get participation without offering this one-day pay.

The Commissioners wanted to be informed of any policy dealing with financial incentives given to the employees.

Chairman Black encouraged everyone to give to the United Way campaign.

Commissioner Bowser said in his opinion this is not micromanaging.

Public Hearing to Consider the Transportation Improvement Program [TIP] FY 2002-2008

The Transportation Improvement Program [TIP] determines how state and federal transportation funds will be spent throughout Durham County and the State of North Carolina in upcoming years. The bi-annual TIP preparation begins with a process of setting of priorities by local jurisdictions. Each jurisdiction gives a priority recommendation for transportation projects which have not been funded or which are partially funded. The City Transportation staff made a presentation on a draft list of priority transportation projects at the October 4, 1999 Worksession. At that meeting, the Board of County Commissioners scheduled a public hearing to receive comments on the proposed list of road, pedestrian, and bicycle improvements to be included in the state's updated Transportation Improvement Program for Fiscal Years 2002 through 2008. Following the public hearing, the Board should adopt a TIP priority list.

Bonnie Estes, Planning Manager, Durham City/County Planning Department, and Wesley Parham, Senior Transportation Engineer, City Transportation Division, presented this item to the Board of County Commissioners.

County Manager's Recommendation: Hold the public hearing and adopt the resolution and recommended list of TIP priorities.

DRAFT TIP Project Priority List
FY 2002-2008
County of Durham
Revised 10/04/99

Priority

Project Description

1. US 15-501 (Chapel Hill Blvd.)--Make corridor improvements consistent with the recommendations of the Major Investment Study which include converting US 15-501 to an urban freeway from M. L. King, Jr. Parkway west to I-40 (partially funded) and other road, transit, bicycle, and pedestrian projects and transportation demand management strategies.
2. Roxboro Road (US 15-501)/Latta Road/Infinity Road intersection improvements with bicycle and pedestrian features.

October 25, 1999

3. East End Connector--construct freeway connector linking US 70 East to the Durham Freeway (NC 147), including upgrades to US 70 from Lynn Road and NC 98, and Holloway Street from Junction Road to N. Miami Blvd. (Project is partially funded).
 4. Hillandale Road--Widen facility to a four-lane divided roadway from I-85 to Carver Street.
 - *5. Miami Blvd.--Widen four-lane facility to provide center turn lane from Bethesda Avenue to near Methodist Drive, including sidewalks, pedestrian signals at Ellis Road, and wide outside lanes for bikes. (Project is partially funded).
 - *6. NC 54 (I-40 east to NC 55)—Widen existing two-lane facility to multi-lanes with a divided median where feasible. Include bicycle and pedestrian features.
 7. NC 54 (Davis Drive to Miami Blvd.) and Page Road (Miami to I-40)--Widen existing two-lane facility to four-lane divided section with bicycle and pedestrian features. (Project is partially funded). Project is to include reconstruction of the N. C. Railway bridge to accommodate both a widened roadway and track expansions for the TTA regional rail project.
 8. NC 55—Widen exiting two-lane roadway from Cornwallis Road south to the Wake County line, *including additional lane capacity from Meridian Parkway to south of NC 54.* (Project is partially funded.)
 9. Davis Drive--Widen roadway to four-lane divided facility from NC 54 to the Wake County line.
 10. NC 54 (Page Road south to Wake County line) widen roadway two-lane roadway to multiple lanes.
 - **11. Northern Durham Parkway and associated improvements as described in the BOCC's resolution approved on June 14, 1999 (including Carver Street Extension).
 - *12. I-40--Widen existing six-lane freeway to eight lanes from the Durham Freeway to the Wake County line.
- * New Project Request
** New Project Request - Designated Funding Source

Mr. Parham said this priority list has gone to the Planning Committee of the Durham Planning Commission. Comments were solicited from the Bicycle Committee.

The Bicycle Committee was supportive of the priority list. The committee was glad to see the NC 54 (I-40 East to NC 55) widening project.

The following statement summarizes the position statement passed by the Planning Committee of the Durham Planning Commission:

At its October 13, 1999 meeting, the Planning Committee of the Durham Planning Commission received a presentation on the Draft Transportation Improvement Program (TIP) Project Priority List for FY 2002-2008. After receiving the presentation, the committee voted unanimously to accept the draft priority list with the exception of the North Durham Parkway project. The committee recommends that the North Durham Parkway item be removed from the list until an alternative route is identified which has less neighborhood impact.

Chairman Black opened the public hearing that was properly advertised.

Patrick Byker, 2614 Stuart Drive, read the following statement: "On behalf of the over 1,400 members of the Durham Chamber of Commerce, thank you for the opportunity to comment on the 2002-2008 Transportation Improvement Program (T.I.P.). The Chamber also wishes to thank our Durham Transportation Division for their work in identifying this list of projects before the Commissioners this evening. We certainly think this priority list reflects the widespread needs facing Durham, and the Chamber definitely sees the merit in these projects and their respective rankings. If we could make one

October 25, 1999

relatively small suggestion, it would be that we as a community continue our advocacy for the Northern Durham Parkway. I think all of us are aware that Durham has not received our fair share of highway trust fund dollars over the past decade. Moreover, the Northern Durham Parkway is an investment that will strongly support our recent success in economic development with the new Aisin AW and Freudenberg plants currently under construction. Last, I hope that we will also emphasize the multi-modal aspects of this project, in that it is designed to promote transit, bicycle, and pedestrian use. Thank you so much for your hard work on the important transportation issues facing Durham County. The Chamber of Commerce greatly appreciates it.”

Edward Harrison, 58 Newton Drive, 27707, representing the Sierra Club, Head Waters Group, said most conversation among the members this month is transportation relative to new innovations. This is the first plan that I have seen that has some new thinking in it. I would like to add a little more. He talked briefly about travel demand management as it relates to the Sierra Club’s national policy. Bike and pedestrian features are the best things about the proposed road improvements. These projects will be a very long time in coming. Travel demand management is very important to manage the traffic lanes and traffic options. He urged the Board of Commissioners to consider travel demand management, bike, and pedestrian features.

Jackie Brown, 3005 Davie Drive, 27704, said we do not need the Northern Parkway. The Northern Parkway should not go through neighborhoods. The environmental impact on Falls Lake will be tremendous. You can not solve traffic problems by building more roads. We have to get people out of their cars. The Northern Parkway will be a nightmare. We need to look at alternatives to building roads and how to get people out of their cars.

As no one else asked to speak at the public hearing, Chairman Black closed the hearing and referred the item to the Commissioners for consideration.

The Commissioners asked questions and made comments about the transportation improvement plan. Mr. Parham responded to the questions and comments.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the priority list with the suggested change to the wording for No. 6.

The motion carried unanimously.

The approved resolution and priority list follow:

RESOLUTION CONCERNING THE TRANSPORTATION PROJECTS CONTAINED
IN THE FY 2000-2006 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
AND TO ENDORSE A PROJECT PRIORITY LIST FOR THE FY 2002-2008 TIP

WHEREAS, The Board of County Commissioners recognizes the importance of transportation to the economic and social well-being of the community; and

WHEREAS, A Transportation Improvement Program which identifies transportation projects scheduled for State and Federal funding over the next seven years is prepared annually by the N. C. Board of Transportation and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization; and

WHEREAS, The North Carolina Board of Transportation and the Transportation Advisory Committee solicit input for identifying transportation projects of local and regional importance to be included in the TIP; and

WHEREAS, The identification of locally important transportation projects includes projects in the current TIP and additional priority projects to be considered for inclusion in the development of the 2002-2008; and

WHEREAS, The Board of County Commissioners strongly encourages extensive and meaningful public participation in the design and construction of all programmed transportation projects to ensure consistency with goals and objectives of the local community; and

WHEREAS, The Board of County Commissioners strongly encourages the provision of

October 25, 1999

bicycle and pedestrian facilities and protection of residential neighborhoods as transportation improvements are designed and implemented; and

WHEREAS, On June 14, 1999 the Board of County Commissioners approved the *Resolution Concerning the Durham Northwest and Northeast Loop ("Eno Drive") and to Endorse the Northern Durham Parkway and Innovative Measures to Increase Transportation Options.*

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, DURHAM, NORTH CAROLINA THAT:

1. The Board of County Commissioners endorses and supports local transportation projects contained in the FY 2000-2006 TIP, with the provisions included in section 2 below; and
2. The Board of County Commissioners requests that the State and the MPO substitute the Northwest Loop (R-2630) and Northeast Loop (R-2631) projects with the Northern Durham Parkway and associated improvements, as specifically identified in the Board's June 14, 1999 resolution; and
3. The Board of County Commissioners endorses the attached project priority list of transportation projects to be considered for inclusion in the FY 2002-2008 TIP; and
4. The Board of County Commissioners urges the NC Department of Transportation and the MPO to fully fund the partially-funded highway projects in the FY 2000-2006 TIP, with the provisions included in section 2 above, and to fund the attached priority project requests before funding other major projects in the urban area; and
5. The Board of County Commissioners will review environmental assessments and design documents for all road projects outside the City limits.

DRAFT TIP Project Priority List
FY 2002-2008
County of Durham
Revised 10/25/99

| <u>Priority</u> | <u>Project Description</u> |
|-----------------|--|
| 1. | US 15-501 (Chapel Hill Blvd.)--Make corridor improvements consistent with the recommendations of the Major Investment Study which include converting US 15-501 to an urban freeway from M. L. King, Jr. Parkway west to I-40 (partially funded) and other road, transit, bicycle, and pedestrian projects and transportation demand management strategies. |
| 2. | Roxboro Road (US 15-501)/Latta Road/Infinity Road intersection improvements with bicycle and pedestrian features. |
| 3. | East End Connector--construct freeway connector linking US 70 East to the Durham Freeway (NC 147), including upgrades to US 70 from Lynn Road and NC 98, and Holloway Street from Junction Road to N. Miami Blvd. (Project is partially funded). |
| 4. | Hillandale Road--Widen facility to a four-lane divided roadway from I-85 to Carver Street. |
| *5. | Miami Blvd.--Widen four-lane facility to provide center turn lane from Bethesda Avenue to near Methodist Drive, including sidewalks, pedestrian signals at Ellis Road, and wide outside lanes for bikes. (Project is partially funded.) |
| *6. | NC 54 (I-40 east to NC 55)--Widen existing two-lane facility to multi-lanes with a divided median with consideration for a transit corridor. Include bicycle and pedestrian features. |
| 7. | NC 54 (Davis Drive to Miami Blvd.) and Page Road (Miami to I-40)--Widen |

October 25, 1999

existing two-lane facility to four-lane divided section with bicycle and pedestrian features. (Project is partially funded.) Project is to include reconstruction of the N. C. Railway bridge to accommodate both a widened roadway and track expansions for the TTA regional rail project.

8. NC 55--Widen exiting two-lane roadway from Cornwallis Road south to the Wake County line, *including additional lane capacity from Meridian Parkway to south of NC 54*. (Project is partially funded).
 9. Davis Drive--Widen roadway to four-lane divided facility from NC 54 to the Wake County line.
 10. NC 54 (Page Road south to Wake County line) widen roadway two-lane roadway to multiple lanes.
 - **11. Northern Durham Parkway and associated improvements as described in the BOCC's resolution approved on June 14, 1999 (including Carver Street Extension).
 - *12. I-40--Widen existing six-lane freeway to eight lanes from the Durham Freeway to the Wake County line.
- * New Project Request
** New Project Request - Designated Funding Source

Public Hearing on Coordinated Transportation--EDTAP and Work First Transportation Assistance Program Approval

The Cooperative Extension Service requested Board approval of an application to the NC Department of Transportation Rural Operating Assistance Program (ROAP) for funds to transport elderly and disabled citizens. A public hearing, required by DOT, has been scheduled to precede consideration of approval of the application by the Board.

The application proposes \$91,788.00 of intergovernmental revenue be sub-allocated to support transportation for Durham County Elderly and Disabled Residents through the Elderly & Disabled Transportation Assistance Program (EDTAP) and \$19,604.00 to support transportation for Work First Transitional/Employment. The total, \$111,392.00, is an increase of .92 percent over the amount received in the past fiscal year by Durham County. These funds require no local match while supporting the transportation needs of citizens through county and non-profit human service agencies. Funding will be used to assist with transportation services from July 1, 1999 through September 31, 2000.

Approval of this application will increase the current budget for Coordinated Transportation from \$174,399.00 to an amended \$222,791.00. Funds shall be used to provide services for the noted agencies:

Agency

Council of Senior Citizens
Dept. of Social Services (Adult)
Durham Exchange Club Industries
North East Central Durham
Piedmont Consortium
Retired and Senior Volunteer Program
Services for the Blind

1998 and 1999 funding for the EDTAP and Work First Transitional/Employment Transportation Assistance Programs were administered under two separate Department of Transportation programs. Beginning with FY99-00, DOT consolidated these programs into a single application package. DSS administered these funds in the previous years and will continue to do so. The Department of Social Services' proposal for the use of Work First funds has been incorporated in the consolidated ROAP Application.

October 25, 1999

Resource Persons: Cheryl Lloyd, County Cooperative Extension Director, and Delphine Sellars, Community Outreach Coordinator

County Manager's Recommendation: Conduct a public hearing on the Department of Transportation Rural Operating Assistance Program (ROAP) application for Coordinated Transportation services to the Elderly and Disabled and Work First Transitional/Employment. Authorize the Board Chairperson and County Manager to sign the certification statement agreeing to the conditions of the ROAP grant.

Ms. Lloyd presented the Commissioners an overview on the Department of Transportation Rural Operating Assistance Program (ROAP) application for Coordinated Transportation services to the Elderly and Disabled and Work First Transitional/Employment.

The Commissioners asked questions and made comments to which Ms. Lloyd responded.

Chairman Black opened the public hearing that was properly advertised.

As no one signed to speak at this public hearing, Chairman Black closed the public hearing and referred the item back to the Commissioners.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to authorize the Board Chairperson and County Manager to sign the certification statement agreeing to the conditions of the ROAP grant.

The motion carried unanimously.

The certification statement follows:

State of North Carolina
County of Durham

APPENDIX B
CERTIFIED STATEMENT

RURAL OPERATING ASSISTANCE PROGRAM

Whereas, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation as the agency responsible for administering all federal and/or state programs related to public transportation, and grants the department authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina; and

Whereas, G.S. 136-44.27 established the Elderly and Disabled Transportation Assistance Program; and

Whereas, funds will be used for transportation related expenditures as specified in the FY 1999-00 Rural Operating Assistance Program (ROAP) application.

This is to certify that the undersigned is duly elected, qualified, and acting chairperson of the Board of County Commissioners of the County of Durham, North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 135-44.27 will be used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to receipt of the funds.
2. The funds will not be used to supplant existing federal, state, or local funds designated to provide elderly and disabled transportation services in the county.

October 25, 1999

3. The funds received will be used in a manner consistent with the local Transportation Development Plan (TDP) or Community Transportation Services Plan (CTSP) and application approved by the North Carolina Department of Transportation and the Board of Commissioners.

Work First Transitional/Employment Transportation Assistance Program

1. The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/other specified employment transportation needs.
2. The funds are limited to use by the designated local entity(s) specified in the ROAP application, or any revisions or amendments thereto.

Rural General Public Program

1. The funds will be used in a manner consistent with the local General Public Services Plan.

Information regarding use of the funds will be provided at such time and in such a manner as the department may require.

ROAP funds will be used to provide eligible services during the period July 1, 1999 – September 30, 2000.

Any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application.

The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

WITNESS my hand and official seal, this 26th day of October, 1999.

Attest:

/s/ Garry E. Umstead
Certifying Official

/s/ MaryAnn E. Black, Chairman
Durham County Board of Commissioners

State of North Carolina
County of Durham

/s/ David Thompson
County Manager/Administrator

Selection of Liaison to Managers' Task Force on Bicycling in Durham

The Bicycle Committee of the Durham Open Space and Trails Commission (DOST) asked the City and County Managers to create a joint Task Force on Bicycling in Durham, and they have agreed. The task force has been given the goal of presenting the City and County with recommendations on how to provide a safe and attractive environment to promote bicycling as a transportation mode.

This task force will undertake a comprehensive review of the many aspects of policies, procedures, practices, and the physical infrastructure of the City and County that affect bicycling. It will make recommendations on a range of efforts, potentially including street improvements, bicycle parking facilities, new City and County policies, educational programs, promotional efforts, and improved transit access. While being aware that its recommendations may need to be phased due to funding constraints, it will create a plan and a timetable to implement its projects to ensure that bicycling becomes an increasingly safer and more feasible mode of transportation in Durham. The task force would benefit from having a person who is designated as a liaison from the Board of County Commissioners to carry the Board's issues and questions to the task force and to report back to the Board as needed.

October 25, 1999

Resource Person: Beth Timson, Senior Planner, Durham City/County Planning Department, will be present to answer questions regarding this request.

County Manager's Recommendation: That the Board appoint a representative to this task force. Of course, the liaison may be a Commissioner, a Commissioner appointee, or you may request that the Manager appoint a staff person.

Ms. Timson presented the Commissioners an overview on the Selection of Liaison to the Manager's Task Force on Bicycling in Durham.

County Manager David F. Thompson commented he is going to establish a Transportation Demand Management (TDM) Committee internal to County Government with a November or December beginning date. The Commissioners should find an avid bicyclist that is also interested in transportation demand that could serve on the Bicycle Committee and the Transportation Demand Management Committee to represent the Commissioners.

Commissioner Heron suggested that Ed Harrison has shown a great interest in bikeways. He knows many of the problems.

Chairman Black suggested the Board agree with the County Manager's recommendation since Ed Harrison is on the Bike Committee.

County Manager Thompson said Ed Harrison could be the liaison to the Board of County Commissioners. I will appoint another staff member to work with my Transportation Demand Management Committee.

The Commissioners made comments about the Task Force on Bicycling in Durham.

Chairman Black asked that County Manager Thompson contact Ed Harrison to ask if he will serve as liaison to the Manager's Task Force on Bicycling in Durham.

Commissioner Heron offered to serve if Mr. Harrison declines.

The motion carried unanimously.

Offer to Purchase County Property (308 N. Guthrie Avenue)

Durham County obtained the property located at 308 North Guthrie Ave. through a tax foreclosure sale on April 8, 1999. Ms. Anita Mays has submitted a request to purchase the vacant property for \$3,000.00. Ms. Mays' interest in the vacant lot is solely to maintain the surrounding looks of her property. As evidence in the photograph, the retaining wall is in need of repair.

The County investment in this property is \$4,430.83 (taxes 93-97 and legal costs). The assessed fair market tax value from the 1993 valuation of this parcel is \$12,592.00.

City and County departments were informed of the availability of this property and there have been no inquiries by governmental departments.

Resource Person: Sandra Phillips, Purchasing Director

County Manager's Recommendation: While the Manager recognizes the offer is \$1,430.83 below the County's investment and substantially below the tax value, the recommendation is to pursue the upset bid process at this time. A resolution to offer the property in an "upset bid" sale is included in this package. The Board will have the authority to accept or reject any offer at the conclusion of the tax upset bid process as it so desires.

October 25, 1999

Ms. Phillips made the presentation to the Commissioners.

Chairman Black requested that we have a policy that we start the offer where the County's investment is in the property.

Vice-Chairman Reckhow requested that we put a sign on the property to let the citizens know the property is for sale and the County is receiving offers to purchase.

County Attorney Chuck Kitchen said the property can be put on the Internet, County's Website, advertised in the newspaper, and put a sign on the property.

Attorney Kitchen commented contracting realty firms is problematic in that we don't pay the commission. This Board has always required that the sales price be for at least what the County has invested in the property.

Vice-Chairman Reckhow said more complete information should be put on the County Commissioners' agenda items such as: was a structure on property, square footage, current zoning, if it is a buildable lot under the current zoning, and valuation. This type of information could be put on the Internet, Website, and newspaper. A display ad could be put in the newspaper. Signs could be put in high traffic areas.

County Manager Thompson said the increased information and advertising would be done.

Commissioner Bell asked if the County has an inventory of surplus property that is available for sale. He said all surplus property that is for sale should be put on the Website.

Commissioner Bell wants to put something in place to see how the sale of surplus property would increase if this stepped-up advertising on the Internet, Website, and posted property were used.

County Manager Thompson said that the property at 308 N. Guthrie Avenue would be used as a test to see if the property will sell sooner.

County Attorney suggested the Board adopt a policy to start the offer to purchase real estate for the amount the County has invested in the property.

Chairman Black and the Commissioners agreed with the Attorney's suggestion.

Commissioner Heron moved, seconded by Commissioner Bowser, to reject the request of Ms. Anita Mays to purchase the property at 308 North Guthrie Avenue for \$3,000.

The motion carried unanimously.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to readvertise the property at 308 North Guthrie Avenue for \$4,430.83.

The motion carried unanimously.

Approve Contractual Service Agreement between Administrative Offices of the Courts and the Criminal Justice Resource Center

The Administrative Offices of the Courts (AOC) wants to enter into a contractual service agreement with the Criminal Justice Resource Center (CJRC) to purchase substance abuse treatment services, educational services, and employment assistance services for clients enrolled in the Durham Drug Treatment Court Program. With approval of the

October 25, 1999

contractual agreement, the Board of County Commissioners will support the newly established Drug Treatment Court program in Durham County. CJRC staff was involved in the development of the Agreement and concurs with the contract's terms.

AOC will pay the salary and benefits of at least one substance abuse counselor, furniture and equipment associated with the position, as well as a portion of the center's expense for employment services. The number of substance abuse counselors funded through the contract is contingent upon the number of clients. The contract will also assume a portion of the Criminal Justice Resource Center's expense in contracting for employment services. The Criminal Justice Resource Center will save up to \$8,987 during FY 99/00 by sharing employment services resources with the Drug Treatment Court program.

Salary, benefits, and equipment related to this contract were included in the department's FY 99/00 budget request; no additional County funds are needed to support the contract. The County attorney's office has reviewed and approved the agreement.

Gudrun Parmer, Director of the Criminal Justice Resource Center, was available to answer questions about the agenda item.

County Manager's Recommendation: Approve the contract with Administrative Offices of the Courts in the amount of \$59,697 and authorize the County Manager to execute the Agreement.

Ms. Parmer presented the Commissioners an overview of the agenda item.

The Commissioners asked questions to which Ms. Parmer responded.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the contractual service agreement between the Administrative Offices of the Courts and the Criminal Justice Resource Center.

The motion carried unanimously.

Surplus Vehicles for Eastern NC Towns and Counties

County Manager David F. Thompson said Commissioner Bowser brought up the idea to donate our surplus vehicles to the counties in Eastern North Carolina that were flooded during Hurricane Floyd.

County Manager Thompson distributed a list of the vehicles to the Commissioners that will be auctioned off on November 19, 1999. County Attorney Chuck Kitchen is of the opinion that Durham County can transfer these vehicles to a government agency or nonprofit agency for use by the agency. The vehicles cannot be transferred for individual citizen use.

County Manager Thompson recommended that a letter be drafted to the cities and counties that have been impacted by the floods offering them the ability to come to Durham and look at the vehicles and to utilize any of them for government purposes or nonprofit organizations in their committees. The vehicles will have to be picked up by November 19, 1999 before the auction.

County Manager Thompson wanted permission to send the letter and to transfer these vehicles if so needed.

The Commissioners gave the Manager authority (by concurrence) to send the letter with the list attached.

October 25, 1999

National Appointments

Chairman Black announced that County Attorney Chuck Kitchen has been appointed to a national steering committee. NACo President Herman Grey has appointed him to the Taxation and Finance Steering Committee.

Vice-Chairman Reckhow has been reappointed to the Environment Energy and Land Use Steering Committee of NACo.

Commissioner Heron was also reappointed to the Environment Energy and Land Use Steering Committee of NACo.

Chairman Black was reappointed to the Education and Human Service-Mental Health Steering Committee for NACo.

Closed Session

The Board is requested to adjourn to Closed Session pursuant to G.S. § 143-318.11(a)(4) in order to discuss matters relating to the location or expansion of an industry or other business.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to adjourn into Closed Session pursuant to G.S. § 143-318.11(a)(3)(4) & (5).

The motion carried unanimously.

Reconvene Into Public Session

Chairman Black said the Commissioners discussed a real estate matter.

The second item discussed was an industrial project and gave directions to the Manager.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to set a public hearing for November 8, 1999 on a proposed project.

The motion carried unanimously.

The Commissioners gave the County Attorney directions on another matter.

Adjournment

Chairman Black adjourned the meeting.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board