

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

Monday, April 5, 2004

9:00 A.M. Worksession

Minutes

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

Present: Chairman Ellen W. Reckhow and Vice-Chairman Joe W. Bowser and Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D. Jacobs

Absent: None

Presider: Chairman Ellen W. Reckhow

Announcement

Chairman Ellen W. Reckhow announced that County Manager Michael M. Ruffin will not be with us today due to a family emergency. Deputy County Manager Carolyn P. Titus will be filling in for him.

Chairman Reckhow announced that the transportation funding item will be moved up to the front of the agenda since Mark Ahrendsen cannot be here this afternoon. We will begin with the transportation funding issues and proceed with the agenda as printed.

Citizen Comments---Ralph McKinney Jr.

Mr. Ralph McKinney Jr. requested time on the agenda to speak to the County Commissioners.

Chairman Reckhow announced that Mr. McKinney sent a note requesting he be permitted to make his comments at 10:15 a.m. in lieu of 9:00 a.m.

Chairman Reckhow requested that Mr. McKinney be asked to come back to the May worksession for his comments, if that is agreeable.

Transportation Advisory Committee (TAC) Recommendations for New Sources of Revenue to Implement the Long-Range Transportation Plan

Commissioner Becky Heron requested the opportunity to review a March 10, 2004 Transportation Advisory Committee recommendation to support legislation that would create two additional sources of revenue to assist with the implementation of the long-range transportation plan. The two additional sources are a five-percent (5%) increase to

the gasoline tax and a \$20 increase to the motor vehicle registration fee, both of which would be phased-in over a period of years.

RESOURCE PERSON(S): Becky Heron, Durham County Board of Commissioners' representative to the Transportation Advisory Committee; Mark Ahrendsen, Transportation Manager, City of Durham

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board review the TAC recommendation and advise Commissioner Heron regarding its position on the two additional sources of revenue.

Chairman Ellen W. Reckhow recognized Mark Ahrendsen, Transportation Manager, City of Durham and Andrew Henry, City Transportation Department, for their remarks.

Mark Ahrendsen said his remarks will be an overview of the 2025 Long Range Transportation Plan. His presentation consisted of comments about the elements of the plan and then he discussed the financing of the 2025 Long Range Transportation Plan. Mark Ahrendsen said the Key Features of the 2025-DCHC – MPO LRTP are as follows:

- Multi-modal: highways, including HOV lanes, bus transit, fixed guideway (rail), bicycle and pedestrian facilities, TDM, and ITS
- Balanced transportation investments: highway constitutes 52% of total investments and non highway 48 %
- New Highway Trust Fund Projects for Durham: East End Connector, US 70 Freeway upgrade, I-85 North widening, Northern Durham Parkway, and US 501 N widening
- 1137 lane-miles of highway improvements
- 1,106,503 annual transit service hours
- 652 miles of bicycle facilities and improvements

The total estimated cost of the plan is \$5,619,165,740.

The remainder of the presentation dealt with the following information:

- Adopted 2025 LRTP Expenditures
- 2025 LRTP Measures of Effectiveness
- Highway Element of 2025 LRTP
- Distribution of 2025 LRTP Highway Investment
- 2025 LRTP Highway Investments By Facility Type
- Distribution of 2025 LRTP Highway Improvements – lane miles
- 2025 LRTP Highway Measures
- 2025 Long Range Transportation Plan Recommended Highways

- Distribution of 2025 LRTP Transit Investments
- Bus Transit Element of 2025 LRTP
- Fixed Guideway Element of 2025 LRTP
- 2025 LRTP Transit Service Characteristics
- Recommended Transit Component
- Major Projects
- Bicycle Element of 2025 LRTP
- Distribution of 2025 LRTP Bicycle Facilities Investments
- Recommended Bicycle Component

Financing the 2025 LRTP

- Total Estimated Costs = \$5,619,165,740
- Total Revenue Forecast = \$4,997,450,230

- Shortfall = \$621,715,510

- Recommended Non -Traditional Revenue Sources:
 - Motor Fuel Tax (5%) = \$423,391,365
 - Vehicle Registration (\$20/vehicle/year) = \$148,243,365

Mark Ahrendsen said that when the Transportation Advisory Committee (TAC) was looking at the shortfall they had only two choices. They could cut out the shortfall of \$621,715,510 of the plan or look for alternate revenue sources to help fund these needed improvements. They looked at a variety of different revenue sources and chose to support two sources that would help implement these needed improvements. The new revenue sources included a motor fuel tax that would generate \$423,391,365 over this time frame and additional vehicle registration that would generate \$148,243,365. These are the recommendations that the TAC included in the plan to help finance these improvements that they felt are needed to help the mobility needs of this community over the next 25 years. The other revenue sources assumed a continuation of the existing federal, state, and local revenue streams. The bottom line is that without these revenue sources, the \$621,715.510 of the plan could not be implement by 2025. Many of these improvements are on the transit side. The dollars are not there. The TAC was looking for revenue to fund the needed transit improvements.

Mark Ahrendsen said there are two commissions at the state level, The Highway Trust Fund Study Commission and the Blue Ribbon Commission that are looking at financing needs for urban areas. The two commissions are looking at several revenue sources including the motor fuel tax and the vehicle registration. These revenue sources can be implemented over time.

Commissioner Heron said that Mark Ahrendsen's presentation was put on the agenda so he could explain to the Commissioners the transportation and financing needs up to 2025. A vote was taken at the last TAC meeting to approve the additional vehicle registration tax and to increase the gasoline tax. It passed the TAC with one "no" vote. Commissioner Heron was the "no" vote. She said that she did not want to vote for an increase in the gasoline tax and the vehicle registration without authorization from the

Board of County Commissioners. Commissioner Heron said she could change her vote if that is what the Board of County Commissioners wants her to do. She is looking for direction from the Board.

Vice-Chair Bowser said that he would vote for Commissioner Heron to vote against the TAC proposal relative to gasoline tax and vehicle registration increases.

Vice-Chairman Bowser wanted to know if Durham is getting its “bang for our buck” for transportation. The citizens in Durham should not have to pay for the congestion on the highways in Durham County. He commented that the roads and streets in Durham have crumbled and they should be repaired before new roads and streets are built. We should not raise gasoline taxes at this time due to the increase in retail prices, which the citizens are having to pay for. We don’t know what is going to happen concerning the gasoline prices. We don’t need to raise gasoline taxes at this time. Let’s talk about that at a later time. Revenue sources were adopted last year. If we don’t support it, we need to decide on projects that could be deleted from the plan or find a different revenue source to look at. Otherwise, we are going to have a plan that is not in compliance with the non-attainment announcement that is coming out in a couple of weeks. We are going to have a very serious situation and within a year our plan and model go through a conformance analysis. If we don’t pass, we could lose all of our federal transportation money. The transit component in our plan last year is what made us pass. If those are taken out, due to a lack of funding, we could end up not passing and losing all of our federal transportation funding. This is a very serious matter.

Vice-Chairman Bowser said we should look at a vehicle sales tax. Toll roads should also be looked at. There are many other options that could be studied to raise revenue.

Commissioner Cousin said that the Board of County Commissioners should look at several alternatives to raise revenue for transportation.

Chairman Reckhow said that we could ask the staff to look at what some of these alternative revenue sources would generate in Durham. We could look at sales tax on new cars. We could look at the toll road idea. We also need to write a letter to the Blue Ribbon Commission, suggesting that they look at further alternatives that would be more progressive in terms of funding options.

The Board of County Commissioners asked several questions about the presentation that Mark Ahrendsen made.

Mark Ahrendsen responded to the questions and comments.

No official action was taken on this agenda item.

ABC Board Report

The Durham County ABC Board filed a financial report with the County for the past three fiscal years, as well as the first eight months of FY 2004. The Chairman and General Manager were present to answer questions and discuss long-term strategies to

increase the system's financial viability, real estate initiatives, and new nonprofit agency grant policies.

RESOURCE PERSON(S): E'Vonne Coleman, Chairman, Durham County ABC Board, and Randy Mills Jr., General Manager, Durham County ABC System

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive the report and advise staff if any additional action is necessary.

Chairman Ellen W. Reckhow recognized E'Vonne Coleman, Chairman of the ABC Board, to make a report to the Board of County Commissioners. Chairman Reckhow asked E'Vonne Coleman to introduce the ABC Board Members present. She introduced Lucy V. Zastrow, Charles D. Watts, General Manager Randolph Mills Jr., Charles T. Wilson Jr., and George Miller, ABC Board Attorney.

E'Vonne Coleman provided a brief update on the activities and accomplishments the Board, General Manager, and the Chief of Law Enforcement have all been focused on improving the operation, responding to customer demand, maximizing efficiencies, and taking very deliberate steps to ensure the long-term variability of the organization.

E'Vonne Coleman said the ABC system is a profitable organization. Several months ago, the Board and senior staff attended a retreat where we looked at the long-term growth patterns in Durham County, transportation patterns and commercial growth areas. We envisioned a bright future and potentially more stores in Durham County. The Board is focused on the long-term. We have set goals to transition from leased facilities to ownership. We have purchased the Chapel Hill Boulevard location and the store on Guess Road. The Chapel Hill Boulevard location will allow us to combine the administration and the law enforcement staff in one location. The net results of these and other pending real estate transactions will be a stronger balance sheet and will reduce the operating cost. The inventory has been reduced based on the customers' purchasing patterns. The Board is looking at reducing the store hours in one of the stores. The organization has been restructured internally and the Board is providing ongoing staff development opportunities. The staff is instructing the Spanish speaking customers about the ABC laws of North Carolina. The Board must protect our assets and people. The Board has enhanced the security and safety of each one of the stores during the last two years. We have focused on establishing and clarifying our policies. Each month we review ourselves with other agency systems. The Board is in the process of developing a website for the ABC system. Directions to each ABC store are posted in every hotel in Durham County.

Chairman Reckhow thanked E'Vonne Coleman for the report.

The Board of County Commissioners asked several question about the ABC system.

E'Vonne Coleman responded to the questions and comments.

Presentation by Threshold—A Clubhouse Model Rehabilitation Program

Since 1985, Durham County Advocates for the Mentally Ill, a private nonprofit organization, has provided an expanding network of coordinated support and rehabilitation services to Durham County adults with serious mental illness. Threshold is the name of the clubhouse model rehabilitation program that provides this network of vocational and social/recreational opportunities. The mission of Threshold is to improve the quality of life for adults in Durham with serious mental illness by facilitating meaningful work and meaningful relationships. In the spirit of that mission, the organization offers the following programs and services: an ordered day program, vocational programs, social and recreational programs, educational activities, case management, and community support services.

RESOURCE PERSON(S): Susie Deter, Director, Threshold

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive the report and advise staff if any additional information is necessary.

Chairman Reckhow recognized Susie Deter, Director, Threshold, to introduce the Chairman of their Board, Mr. Robert Otterbourg and to make a presentation.

Susie Deter presented a detailed report to the Board of County Commissioners about Threshold, a Clubhouse Model Rehabilitation program. The presentation covered the total program about Threshold:

1. Ordered Day Program
 - Clerical Unit
 - Kitchen Unit
 - Snack Bar Unit
 - Member Services Unit
2. Vocational Programs
 - Evaluation
 - Group Employment
 - Transitional Employment
 - Independent Employment
 - Working Members Support/Recognition
 - Informational/Referral
3. Social and Recreation Programs
4. Educational/Informational Activities
5. Casemanagement /Community Support Services

Chairman Reckhow asked if there were any questions or comments for Susie Deter.

The County Commissioners made several positive comments about the program.

Annual Report of the Durham Bicycle and Pedestrian Advisory Commission

The Durham Board of County Commissioners and Durham City Council established the Durham Bicycle and Pedestrian Advisory Commission (BPAC) through an Interlocal Agreement. The Annual Report for 2003 is in conformance with the requirements of that Interlocal Agreement. The BPAC is charged with integrating bicycling and walking to local transportation practices. The Annual Report outlines the BPAC's activities for the past year in accomplishing that mission. These activities include, among other things, reviews of the proposed Durham Unified Development Ordinance, the proposed Durham Comprehensive Plan, and many proposed transportation improvement projects.

A BPAC representative was available to speak about the Annual Report.

RESOURCE PERSON(S): Andy Henry, Transportation Division of Durham Public Works

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommended that the Board hear the comments of the Bicycle and Pedestrian Advisory Committee representative and receive the Annual Report for 2003.

Chairman Reckhow recognized Aaron Cain, Advisory Commission Member, to make the annual report to the Board of County Commissioners for its information. The presentation covered all aspects of the Commission's work. The subjects presented were:

- I. Mission
- II. Structure of BPAC
- III. Presentations Made to BPAC for Discussion
- IV. BPAC Community Activities and Actions
- V. Ongoing BPAC Projects
- VI. Goals Approved for June 2003 – 2004

Chairman Reckhow said that the city should have a challenge to provide the Bicycle and Pedestrian Advisory Commission a \$1,000 grant since Durham County is already providing a \$1,000 grant.

Aaron Cain said that the Commission is going to do a pedestrian plan for the County. The BPAC is going to do a pedestrian plan map for the City this summer. A Bicycle Route Map is also going to be prepared by the Commission.

The Board of County Commissioners asked several questions and made comments about the BPAC.

Aaron Cain responded to the questions and comments.

Andy Henry, City Transportation Division, assisted with the questions and comments relative to impact fees.

Commissioner Heron suggested the BPAC "keep on going" because you have a lot of support here.

Chairman Reckhow said that when you report to the City Council be sure to give the Commissioners' challenge on the \$1,000 grant.

Community Health Assessment

Durham Health Partners and Durham County Health Department recently completed a Community Health Assessment. Data in the assessment were gathered and summarized in accordance with a field model of health and well-being, which used nine domains to provide a framework: social environment, physical environment, genetic endowment, individual response, health and function, disease, health care, well being, and prosperity.

RESOURCE PERSON(S): Tom Gambill, Executive Director, Durham Health Partners, and Brian Letourneau, Health Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive the report and advise staff if additional action is necessary.

Chairman Reckhow recognized Brian Letourneau to introduce the Community Health Assessment presentation.

Brian Letourneau said that every four years all 100 counties in North Carolina are required to do a Community Health Assessment in partnership with the Healthy Carolinians Committee. The purpose of this presentation is to go over the Community Health Assessment to provide the Board an overview of the process of the community health assessment and to review some of the major findings of the assessment. Brian Letourneau, Health Director, introduced Tom Gambill, Executive Director, Durham Health Partners for the presentation.

Tom Gambill presented the 203 Comprehensive Community Health Assessment. The presentation included an overview, primary data analysis, and a secondary data analysis.

A copy of the Durham County, North Carolina 2003 Community Health Assessment is on file in the Clerk to the Board's Office, located at 200 E. Main Street. The document will be archived at the Durham Public Library, Durham Health Partners website, and the Durham County Health Department website.

Chairman Reckhow opened the meeting for questions from the County Commissioners.

The Commissioners asked several questions and made comments about the document.

Tom Gambill responded to the questions and comments.

Brian Letourneau also assisted with the questions and comments.

Chairman Reckhow requested that the presentation be given to the Durham County Mental Health Board and the Durham County Social Services Board.

Chairman Reckhow said it is important enough for the appropriate boards in this community to have this information to use when they are making their plans.

Tom Gamble said all the information is on the website and anyone can download this information for their use.

Vice-Chairman Bowser suggested this information should be given to the Durham City Council for its information. He was of the opinion that the elected boards and appointed boards should have a health summit in this community. A lot of work needs to be done.

Chairman Reckhow said there was a health summit last fall and another one will be held this fall. We need to weave this information into the information for the upcoming health summit. The elected and appointed leaders should meet in order to discuss the community health needs.

Chairman Reckhow instructed Tom Gambill and Brian Letourneau to be sure that the appropriate boards are invited when the summit is held to discuss the health assessment.

No official action was taken on this agenda item.

Governance Extension for the Mental Health Area Authority (The Durham Center)

The Durham Center worked to fulfill state requirements to be certified as an LME effective July 1, 2004. Among the many items to be accomplished were: 1) finalizing a local business plan; and 2) divesting all direct services. To date, The Durham Center has divested of 14 programs. However, at this point, the largest program, Adult Mental Health Services, remains to be transferred to the provider network. Due to the number of people served, this process could take an additional six months beyond July 1, 2004.

The Area Authority requests that the Board of County Commissioners extend the Area Authority status until July 1, 2005, to complete the divestiture of all direct services. The additional year will also provide the time and flexibility necessary to transition and establish the LME's roles and responsibilities in managing the system of services for Durham citizens who have mental illness, developmental disabilities, and substance abuse issues.

RESOURCE PERSON(S): Ellen Holliman, Interim Area Director, and Doug Wright, Area Authority Board Chair

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive the presentation on extending the Mental Health Area Authority for one year and provide direction to staff.

Chairman Reckhow recognized Doug Wright, Chairman, Durham Center Board to introduce the other members of the Mental Health Board. The other members present were Terry McCabe, Nancye Bryan, and George K. Quick.

Doug Wright recognized Ellen Holliman, Interim Area Director, for her presentation.

Ellen Holliman said that the state did give us feedback very recently and we are one of the few Area Programs that are going to be designated and certified as an LME effective July 1, 2004 without any conditions. The other effort is the divesting of all direct services. This process has been ongoing since last January. We have one final program which is our largest that is our adult services which we are still divesting. Because of the size of that program and the number of people being served, we do see that the program will not be completely finalized by July 1, 2004. We need an extension of six months to completely transfer all of our existing clients to other agencies.

Ellen Holliman reviewed for the Board of County Commissioners the highlights of the quarterly report. The highlights are as follows:

- Bed Days Allocation (Adults)
- Children and families served
- Number of Children Residential Treatment
- Developmental Disabilities (Divesture Reform)
- Centralized Assess System

Doug Wright said The Durham Center had received a \$100,000 grant to help start a "Clubhouse" for people with developmental disabilities. Doug Wright said that the Board still believes that divesture is the best course of action. Doug Wright said that we are here today to ask the Board of County Commissioners to delay the Governance Change for one year to allow the Committee to finish what we have started and to be sure the LME is up and running as it should be. The extension of time for the Area Authority will also provide time for us to search out interlocal agreements.

Chairman Reckhow asked if there were any questions and comments.

Chairman Reckhow said The Durham Center Board voted at their last meeting to request the Board of Commissioners to extend the Governance change for one year.

County Attorney Chuck Kitchen reviewed for the Commissioners what would be legally required to approve the action The Durham Center is requesting.

Chairman Reckhow instructed the County Attorney to work out the legal language and put it on the agenda for the April 12, 2004 Regular Session. Chuck said that the Commissioners would have to rescind the prior action and to approve the model under the Area Authority.

No official action was taken on this agenda item.

Fiscal Year 2004-05 Tax Base

The Durham County Tax Base Estimation Team will make a presentation to the Board of County Commissioners regarding the tax base for the upcoming budget year.

RESOURCE PERSON(S): Kenneth L. Joyner, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board of County Commissioners receive the presentation from the tax valuation working group.

Tax Administrator Kenneth L. Joyner presented to the Board of County Commissioners the tax base projections that were developed by members of the Tax Base Estimation Workgroup composed of the Tax Administrator, Finance Officer, Director of Budget & Management Services, Deputy Tax Administrator, and Deputy Assessor.

The Tax Base is composed of the following three items:

- All Taxable Real & Personal Property
- All Taxable Registered Motor Vehicles
- Public Services Valuations

The Committee used the following ways of developing the estimate:

- Growth Estimation
- Historical Estimation
- Reliance on both Growth & Historical

The projected valuations for Fiscal Year 2004-05 are as follows:

Real Property	\$16,251,198,517
Personal Property	\$ 2,348,593,306
Public Service Co.	\$ 525,000,000
Motor Vehicles	\$ 1,513,936,896
Total	\$20,638,728,719

The projected valuation gives us approximately \$540,000,000 in growth over the actual year end figures that we reviewed. This figure is about \$900,000,000 above what was budgeted last year.

Kenneth Joyner said last year the Budget Department used 97% for the collection percentage. This upcoming year the collection percentage will be 97.5%.

Kenneth Joyner will meet with the Commissioners at their June worksession to give the Board some final valuation figures for budget preparation.

Kenneth Joyner answered several questions for the Board of County Commissioners.

Commissioner Heron wanted the Tax Administration Department to be as aggressive on tax collection as possible.

Several of the Commissioners were of the opinion that the County Manager should be a member of the Tax Base Estimation Workgroup.

No official action was taken on this agenda item.

Briefing on Little River Corridor Acquisition Priorities

The Little River Corridor Open Space Plan was adopted by the Board of County Commissioners in August 2001. The Plan included several recommendations for important open spaces to preserve within this watershed. The Plan recommended a flexible approach to open space preservation in this area, including voluntary land management, acquisition of conservation easements or purchase by the County. Based on the adopted plan priorities, staff has been in contact with several property owners within the planning area to gauge their interest in working with the County on permanent open space measures. Experience has shown that it may take several years for an owner to be ready to make a decision on preservation options, thus requiring a flexible approach that works with each landowner's interests, needs, and time frame. As a result, staff will be working with multiple landowners simultaneously. The Board has been provided a table with background regarding current acquisition and preservation priorities. They were identified based on the plan priorities, parcel characteristics, and potential threat.

The County has set aside \$300,000 for open space in the FY 2003-04 budget. An agenda item will be presented at the April 12 Board meeting to appropriate these funds in a capital project account for use for open space and farmland preservation acquisitions. The funds are needed for preliminary land acquisition expenses, such as appraisals, and for specific acquisitions the Board may consider later. Due to the limited amount of available County funding, staff has also considered opportunities to leverage additional funding using grant programs or other funding sources.

RESOURCE PERSON(S): Jane Korest, Open Space & Real Estate Manager

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board receive the briefing and direct staff as appropriate.

Chairman Reckhow recognized Jane Korest, Open Space & Real Estate Manager, to give the Board of County Commissioners an overview of the agenda item.

Jane Korest said the purpose of this presentation is to brief the Board on the background as to what the staff has been doing in the Little River Watershed Area. In the summer of 2001, the Board unanimously adopted the Little River Corridor Watershed plan. This document had extensive public support. The watershed plan highlighted a number of open space preservation priorities. Jane Korest briefly discussed the Little River Corridor Protection Priorities and their open space values. Jane Korest made a general presentation concerning the Little River Corridor Acquisition Priorities.

The County Commissioners asked questions and made comments about the agenda item.

Jane Korest responded to the questions and comments.

No official action was taken on this agenda item.

Briefing on Farmland Protection Program

Since 2002, the U.S. Department of Agriculture has an annual Farmland Protection Grant Program that awards competitive funding to assist with the purchase of permanent conservation easements on eligible farmland. The federal notification of the grant availability was issued on March 17, 2004, with an application deadline no later than May 3, 2004. Funds for \$2,293,600 are available this cycle for North Carolina. Conservation easements are increasingly used around the country to preserve farmland in a cost effective manner. A farmer voluntarily placing a conservation easement on his/her property restricts the property to agricultural or forestry purposes and successive owners are held to that same restriction.

Federal grant funds provide up to 50 percent of the value of a purchased conservation easements on eligible farmlands. The easement's value is determined by an appraisal. The remaining 50 percent is provided in local matching funds or a combination of local match and up to 25 percent in landowner donation, provided through a "bargain sale" where the landowner agrees to sell the conservation easement rights for less than the appraised value. The difference between the two comprises the value of the donation. With a federal farmland grant, if the landowner is willing to provide a 25 percent bargain sale, the County could obtain the agricultural easements by funding 25 percent of the easement's fair market appraised value, enabling Durham County to purchase agricultural easements very cost effectively.

Durham County established agricultural priority areas in November 2003, which identified priority areas within which to target the expenditure of funds for permanent agricultural conservation easements. To date, the County presently holds two agricultural easements—55 acres on Herndon Farm in southern Durham obtained with a state farmland grant and 32 acres within Quail Roost Farm in northern Durham, which was a donated easement. The Durham County Farmland Protection Board and staff have been working with several farmers regarding their potential interest in placing conservation easements on their properties. Many farmers have expressed interest but indicated their need to receive compensation for the value of their lost development rights.

In anticipation of this spring funding cycle for the federal grant, staff has been working with a northern Durham County farmer interested in participating and applying for the federal grant. A separate item was presented to the Board regarding this proposed grant application and necessary approvals at the April 26 meeting. Funding for Durham's portion of the grant match would be open space funds available in the FY 03-04 budget that are proposed to be appropriated to a capital projects account at the Board's April 12 meeting.

RESOURCE PERSON(S): Jane Korest, Open Space & Real Estate Manager, and Mike Giles, Open Space Land Manager

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive the report and requests that staff present an item on the proposed grant application at the April 26 meeting.

Chairman Reckhow recognized Jane Korest for the presentation to the Board of County Commissioners.

Jane Korest said that this potential program is a very positive one for Durham. Jane Korest responded to several questions from the Commissioners.

Chairman Reckhow said the Little River Corridor Acquisition Priorities will be on the April 12, 2004 Regular Session agenda and the proposed grant application for the Farmland Protection program will be on the April 26, 2004 Regular Session agenda.

Closed Session

The Board was requested to adjourn to closed session to discuss matters relating to the location or expansion of industry pursuant to G. S. 143-318.11(a)(4).

Deputy County Manager Carolyn P. Titus advised Chairman Reckhow that the closed session had been deferred.

Chairman Reckhow said the meeting will be recessed and we will return at 1:00 p.m. for the public hearing.

Budget Presentation for Nonprofit Agencies Applying for FY 2004-2005 Funding

The Board was requested to hear presentations from various nonprofit organizations regarding their requests for funding in Budget Year 2004-2005.

RESOURCE PERSON(S): Pam Meyer, Budget Director, and presenters from the nonprofit organizations.

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board receive input from speakers and incorporate in deliberations prior to finalizing next fiscal year's budget.

Chairman Reckhow announced that 37 persons had signed to speak and would be called in the order of sign-up. The following agency representatives spoke about their nonprofit requests:

<u>AGENCY</u>	<u>REPRESENTATIVE</u>	<u>AMOUNT REQUESTED</u>
John Avery Boys and Girls Club	Floyd Laisure 808 Pettigrew Street Durham 27703	\$ 35,000

North Carolina Central University	Khadeejah Salaam and Nan Coleman P.O. Box 19645 Durham, NC 27707	\$ 25,000
Alliance of Aids Services-Carolina	Jacquelyn Clymore and Milford Evans 107 North Driver Street Durham, NC 27707	\$ 10,000
Middle School After School Program	Mike Vadala, Greg Kinnard, and Terry Leitzsey Durham Public Schools 302 Morris Street Durham, NC 27702	\$ 85,500
Child Care Services Association	Megan Risley and Nelly Carabali Woods 2634 Chapel Hill Boulevard Durham, NC 27707	\$ 30,890
Durham Companions	Gordon McKinney 315 East Chapel Hill Street, Suite 310 Durham, NC 27703	\$ 6,500
Duke Health Community Care d/h/ a Duke Community Hospice Services	Dawn O'Keefe 4321 Medical Park Drive Durham, NC 27704	\$ 11,300
Child Advocacy Commission of Durham Inc.	Al Singer 121 Market Street Durham, NC 27701	\$ 40,000
Durham Crisis Response Center	Amy Brannock 2905 Harriman Road Durham, NC 27705	\$ 50,000
Eno River Association	Lori Olson and Greg Bell 4419 Guess Road Durham 27712	\$ 15,000
Council for Senior Citizens	Nancy J. Love 807 South Duke Street Durham, NC 27701	\$185,210
Senior Aides Program	Franklin Carver 306 Hoey Admin Bldg. NCCU Campus	\$ 28,500
Center for Employment Training (CET)	Tyrone Everett 807 E. Main Street, Bldg. 4 Durham, NC 27701	\$100,000

Family Counseling Service	Emily McCool 1058 W. Club Blvd. Durham, NC 27701	\$ 14,250
Durham County Teen Court and Restitution	Sabrina Cates 212 W. Main Street Durham 27701	\$ 40,000
Genesis Home	Stan Holt P.O. Box 25426 Durham, NC 27701	\$ 22,000
Volunteer Center of Durham	Beth Lewie Sorensen 136 E. Chapel Hill Street Durham 27701	\$ 5,000
Big Brothers Big Sisters of Durham and Orange Counties	Kimberly Breedon 1058 W. Club Blvd. Durham, NC 27701	\$ 35,000
Watts School of Nursing	Peggy Baker and Cecily Reynolds 3643 N. Roxboro Road Durham, NC 27704	\$ 20,600
Full Frame Documentary Film Festival	Nancy Buirski 212 West Main Street Durham, NC 27707	\$ 15,000
American Red Cross	Lynn Sherrill 4737 University Drive Durham, NC 27707	\$ 28,000
Mt. Olive Baptist Church Bragtown Youth Services Project	Robert W. Hunter 3615 Dearborn Drive Durham, NC 27704	\$ 99,575
The Historic Preservation Society of Durham	John Compton P.O. Box 25411 Durham, NC 27702	\$ 50,000
Operation Breakthrough	Charles Chapman 200 E. Umstead St. Durham, NC 27707	\$178,376
Urban Ministries of Durham	Lloyd Schmeidler and Larry Peoples 410 Liberty Street Durham, NC 27701	\$160,000
	Scott Benhase 403 Main Street Durham, NC 27701	

Triangle Reading Service	Linda Ornt 211 East Six Forks Road Raleigh, NC 27609	\$ 4,250
Project Graduation of Durham	Dan Milam 4900 American Drive Durham 27705	\$ 5,700
	Mary Holderness 3940 Bristol Road Durham, NC 27707	
Healing with Caare Inc.	Pat Amaechi and Gloria Turner 205 Broadway Street Durham, NC 27701	\$ 79,000
Women-In-Action	Grace Marsh 539 Foster Street Durham, NC 27701	\$ 35,000
The Women's Center	Elizabeth Waugh-Stewart 210 Henderson Street Chapel Hill, NC 27514	\$ 13,500
Senior PHARMAssist	Gina Upchurch 123 Market Street Durham 27701	\$ 95,500
Child and Parent Support Services	Matt Epstein 3518 Westgate Drive Durham, NC 27707	\$ 8,800
Read Seed, Inc.	Adelaide Banks and Myrtle McNeil 1415 Holloway Street Durham, NC 27703	\$ 20,000
Changing a Generation Outreach Ministries	Reverend Rodney Green 1014 Carroll Street Durham, NC 27707	\$ 50,000
Durham Literacy Center GED Program – Durham County Literacy Council	Lucy Haagen 1410 West Chapel Hill Street Durham, NC 27701	\$ 32,000 \$ 16,000
Hopeline	Gayle Butzgy P. O. Box 10490 Raleigh, NC 27605	\$ 2,500
New Home and Durham Missionary Baptist Association	Margaret Gwynn 2707 Little River Drive Hillsborough, NC 27278	\$170,000

Total

\$1,822,951.00

The total nonprofit requests amounted to \$1,822,951. Presentations were made for the request of \$1,822,951. All agencies that requested funding did not appear for a presentation.

Chairman Reckhow closed the public hearing on the nonprofits' request.

Chairman Reckhow asked the staff to contact the nonprofit agencies that have not provided Durham County an audit to do so immediately. An audit is required for next year's funding.

The Board of County Commissioners asked several questions about the nonprofits.

The Budget Staff responded to the questions and comments.

No official action was taken on this agenda item.

Discussion of Legislative Goals

Legislators will reconvene for the 2004 Session of the 2003 General Assembly ("Short Session") at noon on Monday, May 10.

The Board was requested to discuss the proposed legislative goals to present to the Durham County Legislative Delegation. Following the direction of the Board, staff will develop the package, organize the Board's priority legislative items, and bring back for approval.

RESOURCE PERSON(S): Deborah Craig-Ray, Public Information/Governmental Affairs Director, and Chuck Kitchen, County Attorney

COUNTY MANAGER'S RECOMMENDATION: The Manager recommended that the Board discuss the proposed items and direct staff.

Chairman Reckhow recognized Deborah Craig-Ray and Chuck Kitchen to present the legislative goals agenda to the Board of County Commissioners.

Deborah Craig-Ray told the Commissioners that she had included in the agenda correspondence detailing the types of issues which may be considered during the session. Deborah Craig-Ray said the unique thing about this session is that the time frame for the caucus and primary is July 12, 2004. With this being an election year the prevailing expectation is that the legislators will like to adjourn the session fairly rapidly and will tend to focus on the state budget primarily.

Deborah Craig-Ray and Chuck Kitchen went over the issues that have been included in the package as they relate to the things we feel will be considered during the session. They reviewed the document about the summary of Durham County proposed legislative items, dated April 5, 2004.

The document follows:

**Summary of Durham County
Proposed Legislative Items
April 5, 2004**

Priority Issues

1. Seek legislation to provide state appropriations to finance health care delivery for immigrant residents who are not insured.
2. Seek legislation to increase the civil service of process fee to from \$5 to \$15 to ensure timely service of process.
3. Seek legislation to have the state provide sufficient revenue to cover the full cost to counties of Medicaid expenses. (NCACC)

Court Issues

1. Support an act to clarify allowance of court costs.
2. Seek legislation to provide 14th Judicial District Resource needs based on presentation made earlier this year by the court system:

- 6 additional clerks
- 4 additional assistant district attorneys
- 2 additional district court judges
- 1 additional magistrate
- 1 additional court reporter or recording equipment
- Funding to incorporate youth and family treatment courts

Oppose the following issues:

1. Oppose “An Act to require Local Government to Pay Just Compensation for removal of lawfully erected buildings, structures, outdoor advertising or fixtures”.
2. Oppose “An Act to amend the procedure for Resolution of Disputes between Boards of Education and Boards of County Commissioners”.
3. Oppose “An Act to Improve the Quality and Accountability of the Public Health System by Strengthening the Public Health System Infrastructure to improve Public Health Outcomes and Disparities by the Development and Implementation of a State Plan for Public Health Services and to Improve the Public Health Workforce”.

2005 Legislative issues:

1. Seek legislation to ensure the continued availability of longstanding and traditional local government revenue sources including the 10 year “Hold Harmless” provision in the FY 2003-2005 State Budget that replaces “reimbursement funds” taken by the legislature in exchange for the most recent additional ½ local option sales tax.

2. Seek education reimbursement from counties sending youth to Durham County Youth Home at rate equal to our education per capita cost.
3. Seek legislation to enable Durham County to limit jail inmate healthcare costs by requiring any provider to charge county jails the same reimbursement rates that it receives from the Workers Compensation program.
4. Seek legislation to allow all counties to enact any or all of several revenue options from among those that have already been authorized for any other county and to expand the application of sales tax to include services.
5. Seek legislation to impose an Impact Tax to fund School Construction.

The County Commissioners asked questions and made comments throughout the presentation about the proposed legislative items.

Chuck Kitchen and Deborah Craig-Ray responded to the questions and comments.

Chuck Kitchen said that Item Number 2 in the 2005 Legislative Issues Listing, should read group homes and youth homes.

Deborah Craig-Ray discussed two Social Services issues dealing with child day care funding and child welfare funding. She was asked by Chairman Reckhow to discuss the Child welfare program with Social Services Director Daniel Hudgins in order to get target figures.

Chairman Reckhow asked Deputy County Manager Carolyn P. Titus to write letters to Senator Dole and Senator Edwards thanking them for their support and favorable vote to increase Federal child care support.

Legislative Luncheon

Deborah Craig-Ray asked the County Commissioners to set a date for the Legislative Luncheon. After some discussion, the Commissioners decided on Tuesday, April 27, 2004 from 12:00 noon to 2:00 p.m. The luncheon will be held in the Commissioners' Conference Room. Deborah Craig-Ray said that she will check with the Delegation to see if the 27th will be suitable for them.

Chairman Reckhow asked Deborah Craig-Ray to get backup material on the court system resource needs. The Chairman wanted to highlight and promote that since it is an urgent item to fund.

Homeland Security

Deputy County Manager Wendell M. Davis requested to speak on Homeland Security as it relates to the legislative agenda. During the discussion about the Emergency Management budget, the subject about Homeland Security funding for next year came up.

County Manager Ruffin asked Wendell Davis and Jeff Batten, Fire Marshal, to bring the Homeland Security funding to the legislative agenda discussion.

Wendell Davis said that the funding we got this year will not necessarily be available for next year's funding. There is a \$52,000,000 Federal allocation coming to the state. We have been advised that localities will not be able to share in the \$52,000,000 as a result of the state having some other priorities such as improving the communications for the State Highway Patrol statewide. We thought about going on record as opposing the plan since we have security needs in Durham.

Jeff Batten, Fire Marshal, made comments about the proposed system the state wants to provide for the State Highway Patrol.

Chairman Reckhow suggested that Fire Marshal Batten work with Deborah Craig-Ray to prepare the appropriate wording as it relates to Homeland Security funding for the legislative agenda.

Adjournment

Chairman Reckhow adjourned the meeting at 4:19 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board