

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

Monday, December 2, 2013

9:00 A.M. Worksession

**MINUTES**

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

Present: Commissioners Michael D. Page, Ellen W. Reckhow, Brenda A. Howerton, Fred Foster, Jr., and Wendy Jacobs

Absent: None

Presider: County Attorney Lowell L. Siler

**Election of Chairman and Vice-Chairman of the Board of County Commissioners**

County Attorney Lowell Siler presided over the election of the Board's Chair. He opened the floor for nominations.

Commissioner Jacobs nominated Commissioner Michael D. Page as Chairman of the Board of County Commissioners.

Attorney Siler closed the nominations and requested a vote of all those in favor of Commissioner Page as Chair of the Board of County Commissioners. Attorney Siler requested that votes be distinguished by a raised hand.

The nomination carried with the following vote:

Ayes: Howerton, Jacobs, Page, Reckhow

Noes: Foster

County Attorney Siler congratulated Chairman Page on his appointment as Chair of the Board of County Commissioners.

Chairman Page presided over the election of the Vice Chair.

Commissioner Reckhow nominated Commissioner Brenda A. Howerton as Vice Chair of the Board of County Commissioners.

Chairman Page closed the nominations and requested a vote in favor of Commissioner Howerton as Vice Chair of the Board of County Commissioners.

The nomination carried with a unanimous vote.

### **Approval of Public Official Bonds**

The Board of Commissioners was required to approve the bonds of public officials. Following approval, the bonds would be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to suspend the rules.

The motion carried unanimously

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the Public Official Bonds.

The motion carried unanimously

The Public Official Bond Certificate follows:

NORTH CAROLINA

DURHAM COUNTY

#### CERTIFICATE

As Chairman of the Board of County Commissioners of Durham County, North Carolina, this is to certify that on Monday, December 2, 2013, the following Public Official Bonds were approved by the Board of County Commissioners of Durham County; the Public Official, the amount of bond, and the bond number with the name of the surety were set forth:

| <u>POSITION</u>      | <u>PUBLIC OFFICIAL</u>     | <u>AMOUNT OF BOND</u> | <u>SURETY</u> | <u>BOND #</u> |
|----------------------|----------------------------|-----------------------|---------------|---------------|
| Financial Officer    | George Quick               | \$250,000             | Hartford      | 20BSBAY8705   |
| Tax Collector        | Kimberly H. Simpson        | \$250,000             | Hartford      | 20BSBEY6989   |
| Sheriff              | Michael Andrews            | \$ 25,000             | Hartford      | 20BSBGE1093   |
| Register of Deeds    | Willie L. Covington        | \$ 50,000             | Hartford      | 20BSBBT7709   |
| Employees Crime Bond | All Other County Employees | \$250,000             | Travelers     | 105567428     |

Each bond is executed under seal in the name of the surety by an agent or attorney in fact. The clerk of the Durham County Board of Commissioners has been instructed to record each of the bonds enumerated herein with the power of attorney attached thereto in the office of the Register of Deeds of Durham County, together with a copy of this Certificate attached to each bond. After said bonds have been duly recorded in the Office of the Register of Deeds, the original of bond together with the power of attorney and a copy of the Certificate shall be deposited with the Clerk of Superior Court of Durham County.

### **Special Presentation from Dr. Victor Dzau**

Dr. Victor Dzau, President and CEO of Duke University Health System (DUHS) presented Mr. Michael A. Becketts, Department of Social Services Director with a check for \$25,000. Dr. Dzau stated that DUHS was honored to be able to assist the Department of Social Services (DSS) and provide for the citizens of Durham County. Mr. Becketts expressed his gratitude for the contribution and ensured it would be used for emergency food and services.

Chairman Page also thanked Dr. Dzau on behalf of the Board of County Commissioners for the contribution to DSS.

### **Citizen Comments**

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

Mr. Terry Reckaway discussed proposed improvements to the Durham-Orange Light Rail Transit (LRT) Project. Mr. Reckaway stated he would submit a detailed report to Triangle Transit and MPO for the route shown on the handout to be studied.

Mr. Scott Harmon discussed the proposed demolition of the Department of Social Services building, stating he once felt strongly about the demolition, however has since had a change of heart. Mr. Harmon stated it would be a mistake to demolish this building adding the building could be used for other purposes.

Mr. John Tarantino provided the Board with a political comedy remake of “Twas’ the Night before Christmas.”

### **Budget Ordinance Amendment No. 14BCC000029 to Recognize Funds from the NC Department of Health and Human Services Division of Public Health for the Health Education Division**

The Board was requested to approve Budget Ordinance Amendment No. 14BCC000029 to recognize funds in the amount of \$3,994 from the NC Department of Health and Human Services Division of Public Health to develop and implement policy and systems and environmental change interventions that improve local food systems, increase food security, promote active living through planning, reduce and prevent tobacco use, and prevent chronic diseases, violence and injury.

Chairman Page asked the Commissioners how they would like to proceed.

Commissioner Reckhow moved, seconded by Vice Chair Howerton, to suspend the rules.

The motion carried unanimously.

Vice Chair Howerton moved, seconded by Commissioner Jacobs to approve Budget Ordinance Amendment No. 14BCC000029 to recognize funds in the amount of \$3,994 from the NC Department of Health and Human Services Division of Public Health for the Health Education Division

The motion carried unanimously.

Amendment No. 14BCC000029

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Intergovernmental   | \$52,778,506          | \$3,994                  | \$52,782,500          |

Expenditures:

| <u>Function</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Human Services      | \$85,389,499          | \$3,994                  | \$85,393,493          |

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

This the 2<sup>nd</sup> day of December, 2013.

**Capital Project Amendment No. 14CPA000006 - Durham Public Schools 2007 General Obligation Bond Project Budget Adjustments**

The board was requested to approve Capital Project Amendment No. 14CPA000006 - Durham Public Schools 2007 General Obligation Bond Project Budget Adjustments.

Chairman Page asked the Commissioners how they would like to proceed.

Commissioner Reckhow moved, seconded by Commissioner Jacobs, to suspend the rules.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve Capital Project Amendment No. 14CPA000006 – Durham Public Schools 2007 General Obligation Bond Project Budget Adjustments.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA  
 FY 2013-14 Capital Project Ordinance  
 Amendment No. 14CPA000006

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects.

| <b>2007 GO Bond Project</b> | <b>Current Budget</b> | <b>Inc./Dec.</b> | <b>Revised Budget</b> |
|-----------------------------|-----------------------|------------------|-----------------------|
|                             |                       |                  |                       |

|                                       |              |             |              |
|---------------------------------------|--------------|-------------|--------------|
| New Elementary 'E' (SH119)            | \$19,186,928 | (\$75,000)  | \$19,111,928 |
| R.N. Harris Elementary School (SH141) | \$6,346,126  | (\$195,000) | \$6,151,126  |
| Riverside High School (SH223)         | \$1,114,925  | (\$120,000) | \$994,925    |
| Mangum Elementary School (SH142)      | \$2,155,374  | \$190,000   | \$2,345,374  |
| Chewning Middle School (SH216)        | \$600,000    | \$80,000    | \$680,000    |
| Jordan High School (SH125)            | \$5,096,802  | \$10,000    | \$5,106,802  |
| Southern High School (SH224)          | \$1,113,840  | \$70,000    | \$1,183,840  |
| Carrington Middle School (SH228)      | \$467,500    | \$40,000    | \$507,500    |

Adopted this the 2nd day of December, 2013.

**Together for Resilient Youth (T.R.Y.) Substance Abuse Prevention Impact Summary and Strategic Action Plan 2013-2014**

Ms. Wanda Boone, Founder of Together for Resilient Youth (T.R.Y.), shared a presentation explaining substance abuse and use in Durham County. Ms. Boone explained the seven strategies for community change which includes the following:

1. Providing Information
2. Enhancing Skills
3. Providing Support
4. Enhancing Access/Reducing Barriers
5. Changing Consequences
6. Physical Design
7. Modifying/Changing Policies

Ms. Boone mentioned that T.R.Y was partnering with law enforcement, parents, youth, faith, schools, health and substance abuse treatments and government business to help create a safe, healthy and drug free community environment for our youth. Ms. Boone stated there were two initiatives "Talk it Up, Lock it Up!" which would inform adults on how to monitor their alcohol to limit underage drinking and, "Lock it! Drop it!" which is a campaign to lock up prescription drugs, adding that T.R.Y would provide lock boxes and disposal bags to the first 100 people that sign up. Ms. Boone asked the Board to support the campaigns by making them available to employees and citizens by a Proclamation and distribution of approved prevention materials.

Vice Chair Howerton asked Ms. Boone other than decreasing distribution in local stores, what were the results produced from the children, in regards to them being involved with drugs or alcohol. Ms. Boone responded T.R.Y was working on an assessment through Durham Public Schools; adding that young people had sent over 110,000 healthy messages per day. This means more young people were getting prevention messages and there had been a decrease in young people being referred to in-school processes for alcohol and drugs.

Commissioner Jacobs requested Ms. Boone send a link of the substance abuse report to the Board and encouraged Ms. Boone to work with County human service departments to create change.

Commissioner Reckhow asked Ms. Boone if she received good cooperation from the school district in terms of the proactive side. Ms. Boone responded on the proactive side, every school was involved. Ms. Boone also added that 40 additional schools would be involved in a targeted prevention process.

### **Status of the NC54/I-40 Corridor Study**

Andy Henry, Transportation Planner, City of Durham shared a presentation titled *Blueprint for Mobility* for the NC 54/I-40 Corridor Study. Mr. Henry stated the study's purpose was to: Analyze land use and transportation issues and trends; Evaluate opportunities and challenges for future development; Recommend short and long-term solutions and strategies. He also highlighted the participants of this study which included the County, City of Durham, Chapel Hill and most importantly the public through focus groups and workshops. Mr. Henry stated the study process involved the following:

- Focus Groups/Workshop 1
  - Challenges/Opportunities, Data Collection/Analysis; Community Profile
- Workshop 2
  - Trend Analysis, Scenario Development/Testing, Initial Preferred Scenario
- Targeted Outreach/Workshop 3
  - Full Analysis, Redefined Recommendations, Draft Plan
- Additional Hearings and Adoption
  - Additional analysis, DCHC MPO adopts Final Master Plan (May 2012)

Mr. Henry also discussed the recommendations for land use, transit bicycle-pedestrian, park and ride and roadway improvements. Lastly Mr. Henry discussed the transportation impacts in the following areas:

- 2040 Metropolitan Transportation Plan
  - NC 54 Widening, superstreets and grade separations; Light Rails Transit (LRT); Farrington Road realignment and interchange slip ramp; Leigh Village access to NC 54
- FY2013-2018 Transportation Improvement Program
  - Slip ramp, northbound Farrington to I-40 eastbound (by 2015 in FY12-18 TIP); NC 54 widening with bike lanes and pedestrian facilities (by 2022 in draft FY 14-20 TIP)
- Development Review – Transportation
  - Development must be consistent with adopted NC 54 Corridor Master Plan.

Keith Luck – City/County Planning discussed the following land use impacts:

- Comprehensive Plan
  - NC 54 has conceptual land use plan; Guide local government in amending comprehensive plans and regulations
- Station Area Plans
  - Planning will conduct station area planning for all light rail stations; Implementation of transit-oriented design district for the Leigh Village station area
- Development Review
  - Refer to NC 54 Study in development review

Mr. Luck stated there was station area development planning in place for numerous designs (downtown, medical areas, Ninth Street). They also heard from private developers that would like to develop patterns and regulations.

Commissioner Jacobs mentioned having affordable housing around transit was very important and inquired about how this plan would continue to include that. Mr. Luck stated they would take a look at the inventory of affordable housing in the transit areas and pull together a group within both the

City and the County to help implement an affordable housing strategy in these areas. Commissioner Jacobs stated there were many recommendations that require funding and questioned a plan on prioritization. Mr. Henry stated they were divided by short term, mid-term and long term plans, many were done by the developing communities, while others depended on available funding and on how they were ranked. Mr. Henry added this was a long range plan which spanned out to 2040. Commissioner Jacobs asked if some projects would be done through the new office project recently approved. Mr. Henry stated there were some transportation improvements done by that project; however this was a much bigger scope and price.

Commissioner Reckhow mentioned the timing of the Station Area plan in Leigh Village and the development not being consistent with the long range plan. Mr. Luck stated there was demand for development but it would be some time before detailed planning took place. Commissioner Reckhow asked if the private sector proposed a plan or changes, would Planning go through public outreach to make sure it was acceptable to stakeholders in that area. Mr. Luck answered absolutely; there would be zoning map change, ordinance change, future venues map change, which were all areas that required public input and public meetings. Commissioner Reckhow asked if there was a possibility of getting the concept of the transit idea out so that the plans think about it. Mr. Henry stated the interim move would be to offer express service along that corridor.

### **Bus and Rail Update**

David King, CEO and General Manager of Triangle Transit shared a presentation on the *Durham Bus and Rail Investment Plan FY13 Progress Report*, stating this meeting was to fulfill a request to present the Board with a report on an annual basis. This report highlighted the following:

- Goals of the Transit Plan
  - Connect more residents with jobs; Connect more residents with post-secondary and vocational educational opportunities; Expand bus capacity in corridors with high current bus ridership; Provide better regional connections to other cities and the RDU Airport
- New Bus Service
  - More frequent weekday service between Streets at Southpoint park-and-ride and UNC-Chapel Hill on Triangle Transit Route 800; More frequent weekday afternoon service on DATA Route 1, Route 5, Route 10; Additional demand-response trips will be provided to residents through Durham County ACCESS; Regional service between central Orange County and Duke/VA Medical Centers and Downtown Durham is also being planned; Upcoming five years, DATA and Triangle Transit will implement new and expanded bus services, residents will also see new bus shelters, park-and-ride lots and sidewalk connections to bus stops.
- Durham-Orange Light Rail Project (LRT)
  - Between UNC Hospital and Alston Ave in East Durham; 17 Stations along 17 miles; end to end travel time 39 minutes with an average speed of 26 mph; 7 days per week service with 18 hours per day; Capital cost is \$1.34 billion; Average weekday ridership would be 23,000 boarding by year 2035.
- Wake-Durham Commuter Rail
  - Wake County is currently evaluating its transit options with the rebuild of Highway 40.

- Next Steps
  - Implementation of new bus services and facilities as early as August from Northern Durham to the VA Area; Target moving the light rail project into the FTA New Starts Pipeline; Update the plan as needed; Present updates material in the spring

Mr. King finished with a the viewing of a fly over video of the LRT Project which is also available on the website [www.ourtransitfuture.com](http://www.ourtransitfuture.com).

Vice Chair Howerton asked for clarification on the Wake County survey and the speed at which they were moving forward. Mr. King stated Wake County Commissioners asked for experts to come in and give advice. Those experts were there for 24hrs then left. Mr. King stated he was unsure if the experts were aware of or understood the County agenda which left them with unanswered questions. The unfolding of a LRT is a 10-12 year enterprise and with the growth expected in Durham and Wake County there is a need for this project.

Commissioner Reckhow asked about the service mentioned coming online in the next few months--how would it be publicized? John Tallmadge, Director of Triangle Transit Regional Services Development Department stated the services described between the Streets at Southpoint and UNC were timed perfectly to start charging for park and ride within the time limits. UNC was able to provide information over the summer so students and employees could make decisions on transportation. Many people decided to get a "Go Pass" instead of paying for park-and-ride which increased the service significantly. Mr. Tallmadge stated moving forward they would work with companies to ensure the word spread about these services. Commissioner Reckhow stated the new service to Northern Durham had not started and inquired about how the word would be spread regarding that new service. Margaret Scully, Transportation Program Manager stated they were doing more public outreach and had visited groups at Durham Technical Community College (DTCC), churches, senior groups and employers in that area as well. Commissioner Reckhow stated she would like to see a social media campaign as well as a Ruritan Club list serve group so that citizens knew this rider line existed.

Commissioner Jacobs inquired about the bus route connecting to the Northern DTCC. Mr. Tallmadge stated that service ends at Northern High School due to low riders--those that need to get to that location now have access by Durham Access. Commissioner Jacobs stated Northern DTCC would be bringing new programs and it was really critical for those students to have transportation to and from this location. Ms. Scully mentioned she made contact with Northern DTCC regarding those programs and transportation methods. Commissioner Jacobs also inquired about transit connections for citizens working in the Treyburn Industrial Park area. Ms. Scully also stated those areas had been serviced more and they were working with current employers to ensure their employees were aware of the transit services.

Vice Chair Howerton mentioned that North Carolina Central University (NCCU) did not have a direct stop. Mr. King stated there was no direct stop which was why it would be important to have a bus connection on the campus. Vice Chair Howerton inquired about the decision to continue the LRT Project into the Research Triangle Park (RTP). Mr. King stated the LRT will stop on Alston Avenue, the commuter rail will continue to service the RTP area.

### **NC FAST Update**

Mr. Michael Becketts, Director of the Department of Social Services (DSS) requested a joint board meeting with DSS and the Board. Mr. Becketts provided an overview of all departmental needs which included the implementation of the Affordable Care Act (ACA). Beginning April 2014, people may lose access to food and medicine due to inadequate resources to process paperwork. Mr. Becketts explained the recertification process, stating there was an automatic extension which meant DSS would have double work with the same number of staff. Along with double work, the ACA has over 10,000 applications waiting to be sent to the state of North Carolina, the number of applications for Durham County is yet unknown. Mr. Becketts also stated with the implementation of the NCFASST system, more delays could be expected. By February 2014 all counties would have to do all the work in the NCFASST system. This could be difficult because all employees would be currently learning this system. Mr. Becketts mentioned other counties are exhausted and our biggest impact would be seen March – July 2014.

Commissioner Reckhow asked if the situation was worse in North Carolina than other states due to policies. Mr. Becketts stated this was largely a technological problem and believed there were lots of problems across the country causing the issues with processing applications. Commissioner Reckhow stated the County would need to raise the issue at the State Human Services meeting, especially if all counties were dealing with this, adding the County should be arguing that extra support was needed from the state.

Chairman Page suggested a meeting with Patrice and Rebecca from the NC Commissioner's Association should take place prior to the DSS and Board Joint Meeting.

Mr. Becketts requested a joint meeting to discuss the department's concerns as well as other technological issues that could occur.

Vice Chair Howerton asked how soon would DSS like to meet with the Board. Mr. Becketts answered they would like to meet prior to December 18, 2013 or immediately following the holidays. Vice Chair Howerton mentioned the Board would like to receive a better understanding of what DSS was doing internally. Mr. Becketts stated he would like to provide a 20 minute presentation which would show the needs of the department in regards to staffing.

Chairman Page suggested Mr. Becketts make his presentation at the January 6, 2014 Worksession Meeting. He also mentioned reaching out to our corporate partners for engagement in our community.

### **Institution of a Commute Trip Reduction Program**

County Manager Michael Ruffin mentioned the transition from an ordinance to a voluntary program. The TTA has agreed to absorb the operational cost affiliated with the program. Manager Ruffin made a suggestion to the Board to suspend the rules to vote on Institution of a Commute Trip Reduction Program resolution.

Tobin Freid, City/County Sustainability Manager mentioned the Commute Trip Reduction Ordinance/Program was established in February 2000 to lower the impact of the commute. Ms. Freid stated the County entered into an Interlocal agreement with TTA to implement the program. The goal was to have 20% of peak commute trips taken by an alternative mode; adding those goals were exceeded by reaching 23%.

Ms. Freid stated *“The Governor signed HB74 into law on September 23, 2013, prohibiting counties from enacting an ordinance, rule or regulation requiring employers to assume responsibility for the mitigation of the impact of his or her employee’s commute or transportation to or from the employer’s workplace in a way which might result in the employer being subject to any fine, fee or negative consequence. As a result, Durham County repealed its Commute Trip Reduction ordinance on October 28, 2013.”*

Ms. Stephanie Loyka, Triangle Transit mentioned the program was planning to continue its process with their committed and vested employers. There would be no fees or fines and TTA would continue to provide service. Ms. Loyka stated the plan was to direct the focus on employer needs and employee desires by continuing the annual surveys. From survey feedback, Ms. Loyka highlighted key points mentioned which included emergency ride home services as well as alternative commute. TTA would also continue onsite events which educate customers and explain the different programs available.

Ms. Freid asked the Board to suspend the rules to vote on the resolution.

Commissioner Reckhow suggested adding the item on the December 9, 2013 agenda due to minor errors. She requested that the word “represent” be removed from the third Whereas.

Vice Chair Howerton requested clarification regarding the General Assembly stating that the Board could adopt the Resolution. Ms. Freid clarified that you could not charge and you could not have any financial penalties. Vice Chair Howerton also requested clarification on the “paying for it” statement mentioned by Ms. Freid. Commissioner Reckhow interjected by stating the State provided half and the Metropolitan Planning Organization (MPO) provided the other half and TTA was going to cover what the employers were putting in. Vice Chair Howerton asked if there was an increase in usage would there be an increase in dollars to fund the program. Mr. John Tallmadge stated there would be some point where that would have to happen.

Commissioner Jacobs mentioned the challenge moving forward was to incentivize people, publicize and promote this program. Commissioner Jacobs asked if the County did anything locally to recognize local employers as champions. Ms. Loyka answered employers were recognized with certificates and acknowledgement. Commissioner Jacobs recommended that the County could bring that recognition to the Board meetings.

Commissioner Jacobs moved, seconded by Vice Chair Howerton, to suspend the rules.

The motion carried unanimously.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to provide a resolution for the Institution of a Commute Trip Reduction Program with the recommended corrections.

The motion carried unanimously.

#### **DURHAM COUNTY COMMUTE TRIP REDUCTION PROGRAM**

**WHEREAS**, reducing traffic congestion in Durham and the Triangle is an important quality of life issue for citizens and businesses alike; and

**WHEREAS**, traffic congestion in Durham County has created, and will continue to create, highways that are overcrowded and present a danger to

the health, safety, and welfare of citizens; and

**WHEREAS**, employees from employers located in Durham County contribute significantly to vehicle miles traveled (VMT) and emissions within Durham County; and

**WHEREAS**, managing and reducing single-occupancy vehicle (SOV) commutes and associated VMT by employees of employers in Durham County therefore represents a significant opportunity to improve our environment and public health; and

**WHEREAS**, the Durham Greenhouse Gas Emissions Inventory and Local Action plan was created in 2007 in a concerted effort to reduce greenhouse gases in the City and County of Durham, North Carolina, and was adopted by the Durham City Council and Durham County Board of County Commissioners; and

**WHEREAS**, Durham County is responsible through the City-County Sustainability Office, for the implementation of the Local Action Plan for Emissions Reduction, in accordance with the Inter- local Agreement between the City and County of Durham; and

**WHEREAS**, the Durham County Greenhouse Gas Emissions Inventory and Local Action Plan is a joint effort of the City of Durham, Durham County, and the DCHC MPO, and whereas these organizations have established a community target to reduce community greenhouse gas emissions by 30% from 2005 levels by the year 2030; and

**WHEREAS**, the Transportation Demand Management Advisory Committee developed a 7-year Long-Range Regional Traffic Demand Management (TDM) Plan in 2007 for the purpose of achieving and maintaining the goal of reducing regional growth in VMT by 25% between 2007 and 2015, through a moderate package of TDM strategies that encourage alternative commute mode use; and

**WHEREAS**, the County originally adopted a Commute Trip Reduction Program Ordinance on February 28, 2000 to mitigate the impact of traffic by requiring businesses to mitigate the impact of their employees' commutes; and

**WHEREAS**, the County has successfully implemented the program throughout the years with the assistance of Triangle Transit Authority and the County's local employers; and

**WHEREAS**, the North Carolina General Assembly recently amended NC General Statute §153A-145.1 to specifically prohibit counties from enacting an ordinance, rule or regulation that requires employers to assume responsibility for the mitigation of the impact of his or her employee's commute or transportation to or from the employer's workplace, which may result in the employer being subject to any fine, fee or negative consequence, see S.L. 2013-413; and

**WHEREAS**, the Board of Commissioners has determined that it is desirable to establish a voluntary program to continue our important work with employers to mitigate the impact of their employees' commutes; and

**WHEREAS**, the Durham County Board of Commissioners, through its appointee(s) to the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), has supported funding of the Regional Transportation Demand Management Program by the DCHC MPO; and

**WHEREAS**, funding from a grant through the DCHC MPO covers fifty-percent of the costs of the administration and outreach expenses associated with the Durham Commute Trip Reduction Program, and the matching fifty-percent will be paid by Triangle Transit; and

**NOW, THEREFORE, BE IT RESOLVED**, that we the Durham Board of County Commissioners do hereby resolve that Durham County will work with Triangle Transit to implement a voluntary Transportation Demand Management program focused on helping Durham employers mitigate the impact of their employees' commutes, and The Durham County Board of Commissioners, through its appointee(s) to the Transportation Advisory Committee of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (MPO), shall support the continued funding of the Regional Transportation Demand Management Program and the Durham Commute Trip Reduction Program by the DCHC MPO.

This the 3<sup>rd</sup> day of December, 2013.

\_\_\_\_\_  
Michael D. Page, Chairman

\_\_\_\_\_  
Brenda A. Howerton, Vice-Chairman

\_\_\_\_\_  
Fred Foster, Jr.

\_\_\_\_\_  
Wendy Jacobs

\_\_\_\_\_  
Ellen W. Reckhow

## **Durham County Local Priority List for Transportation Projects**

Ellen Beckmann, Transportation Planner asked the Board to approve a list of projects to submit to the Metropolitan Planning Organization (MPO) for the Prioritization 3.0. The process involved the local government submitting projects to the MPO, the MPO submitted projects to NC Department of Transportation (NCDOT); they would be scored by a variety of metric. In the spring the MPO would then apply rankings and points and the scores would all be combined to create a priority list. Ms. Beckmann discussed the spreadsheets provided to the Board.

Commissioner Reckhow asked how many projects could the Board see move forward in the process. Ms. Beckmann stated there were different tiers (statewide, regional and division). Durham County was listed in the regional category; however Wake County is as well, which calls for some competition. If some items were listed in the statewide category, Durham County would have a better chance of moving forward in the process. She stated chances began to drop in the regional and divisional categories.

Chairman Page inquired about Cook Road and the sidewalks. Ms. Beckmann stated it was submitted previously and would be submitted again but it had not been approved for funding. Chairman Page and Commissioner Reckhow mentioned how dangerous it was for the children walking to and from school and would like attention given to the Cook Road Project.

Commissioner Jacobs moved, seconded by Vice Chair Howerton, to suspend the rules.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the Durham County Local Priority List for Transportation Project

The motion carried unanimously.

## **Review of November BOCC Directives**

Mr. Michael Davis, Strategic Plan Manager, and Ms. Dionne Hines, Intern presented the Board Directives for the months of August, September, October and November of 2013.

Commissioner Reckhow questioned if follow-up was given from the School District. Mr. Davis stated he would follow up with Durham Public Schools (DPS).

Commissioner Jacobs mentioned the item regarding Eddie Culberson had been completed, however, the report was showing pending. Mr. Davis stated an update would be made to show that change.

Commissioner Reckhow mentioned the issue regarding the Department of Social Services (DSS) building being retained or turned into a plaza should be listed on the directives as well. Manager Ruffin stated individuals went to evaluate the DSS building for purchase and would provide the Board with more information once all the options have been placed on the table.

Vice Chair Howerton inquired about the living wage, asking if it was still pending or completed. Mr. Davis stated an informal survey was completed by Purchasing and an email would be sent to the Board with that information.

Chairman Page mentioned there should be a conversation regarding the two buildings.

**Closed Session**

Chairman Page asked for a motion to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.; and

to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to go into Closed Session.

The motion carried unanimously.

**Reconvene to Open Session**

Chairman Page announced that the Board met in Closed Session. The Board agreed to settle the Orbitz matter and no further business took place.

**Adjournment**

Commissioner Jacobs moved, seconded by Commissioner Reckhow adjourn to the meeting.

Respectfully Submitted,

Monica W. Toomer  
Administrative Assistant II