

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

Monday, October 4, 1999

9:00 A.M. Worksession

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

Citizen Comment—Ralph McKinney

Mr. Ralph McKinney, 500 Fairfield Street, requested time on the agenda to make comments to the Commissioners.

Mr. McKinney said the flood in the eastern part of the state is a great opportunity to establish that citizens can work together. He expressed concern about abuse and racism that exists in the community. People should be able to live in a community that treats them properly. If citizens are not treated properly, there will be violence. Success should be established, not continued failure by the elected democratic leaders. Citizens should be protected in the community.

No action was taken on the comments.

Endorsement of Policy Statement Regarding Durham's Older Adults

The Board was asked to receive a presentation from the Keeping in Step (KIS) Committee and endorse a policy statement regarding Durham's older adults. The committee is seeking support from the Board for the group's ongoing efforts.

County Manager's Recommendation: Receive the presentation and endorse the draft policy statement regarding Durham's older adults and support the group's ongoing efforts.

Joan M. Pellettier, Executive Director, Council for Senior Citizens, representing the Keeping In Step (KIS) Oversight Committee, made a presentation asking the Commissioners to endorse a policy statement regarding Durham's older adults.

She presented the following overview of the Keeping In Step Oversight Committee:

In 1990, the Council for Senior Citizens and the Durham County Department of Social Services jointly received a Kate B. Reynolds Health Care Trust Grant to develop a strategic plan to address the needs and concerns of Durham's growing older population. Acceptance of the grant committed the County to a basic eight-step format for strategic planning. Major emphasis was placed on the importance of broad-based community participation. A 20-person steering committee began the yearlong process.

Key issues of concern were defined. To address those issues, the steering committee formed subcommittees and invited approximately 50 additional community participants to join the process. The work of the subcommittees was reviewed by the steering committee and compiled in the completed plan document, which promotes personal options for safety, security, supports, and opportunities in the least restrictive environment. Keeping In Step: An Action Plan for Durham's Growing Older Population was published in 1991.

In 1991, the County Commission endorsed the plan, sanctioned the work of the Keeping In Step Committee, and appointed members to implement/monitor the plan. Thus evolved the Keeping In Step (KIS) Oversight Committee.

The KIS Committee has met on a regular basis ever since. New members have been added to the group and its role has expanded. Its membership includes service providers, community leaders, older adults, and aging experts. The group now:

- revisits the plan and facilitates the implementation of elements of the strategic suggestions in it;
- fosters public awareness of significant issues related to Durham's seniors;
- advocates for senior issues;
- advises the County Commission on the allocation of Home and Community Care Block Grant Funds (approximately \$800,000 per year); and
- promotes interagency collaboration to strengthen the work of all those who provide services to seniors.

In October 1999, the KIS Committee will also become Durham's Senior Issue Team for United Way's new Issue Based Fund Distribution System. It will develop expected outcomes and strategies to guide the investment of United Way dollars for Durham's older adults. Such consolidation of effort is expected to bolster the community's ability to provide a comprehensive continuum of quality opportunities and services for older adults.

The KIS Committee again seeks County Commission endorsement of its structure and the focus of its work.

Ms. Pellettier reviewed in detail the Draft County Policy Statement Regarding Durham's Older Adults. The policy statement follows:

**DRAFT COUNTY POLICY STATEMENT REGARDING DURHAM'S
OLDER ADULTS**

Many of Durham County's growing number of older adults are enjoying the benefits of longer life and are sharing their expertise and wisdom with others. Yet frailties and lack of social and financial supports beleaguer some. Durham County sets priority on building the highest quality of life for all of its senior citizens. Our policy is grounded in dignity and self-determination and its framework is designed to offer a continuum of quality options. All endeavors must benefit the current elderly, and those who care about them, as well as the seniors of the future. To that end, implementation will necessitate the wise investment of county financial resources while incorporating the following guiding principles:

- **VALUE POTENTIAL:** recognizing, valuing, and utilizing the abundant potential of older adults;
- **MAINTAIN WELL-BEING:** acknowledging the importance of programs designed to maintain well-being and forestall any negative consequences of the aging process;
- **EMPOWER AND SUSTAIN:** providing empowering opportunities as well as supportive and sustaining services to address physical, mental, financial, and social needs;
- **SUPPORT CAREGIVERS:** supporting the caregivers of older adults;
- **FOSTER EQUALITY:** fostering environments which are sensitive to discrimination, ageism, impairments of age, and elements of safety;
- **STREAMLINE SERVICE ACCESS:** streamlining the service delivery system to promote the dissemination of accurate information and prompt service delivery;
- **ASSURE SERVICE EXCELLENCE:** assuring that services are provided in a sensitive, cost-effective, quality manner, with appropriate results;
- **PROMOTE COLLABORATION:** promoting governmental and agency collaboration and co-location; and
- **NUTURE QUALITY EMPLOYEES:** providing for the recruitment, training, and payment of quality employees to work with seniors.

All who live in Durham County are encouraged to partner in this effort to promote the well being of our older adults, thereby improving the lives of us all.

The Commissioners were encouraged to endorse the work of the committee and to endorse this policy statement so the committee can move forward to provide quality services to seniors.

The Commissioners asked questions and made comments about the policy statement.

Ms. Pellettier responded to the questions and comments.

Commissioner Heron said the policy statement should include a statement of support for the senior center to be built downtown. The policy should also have a statement about the quality of care in the long-term care facilities.

Ms. Pellettier commented that this is a draft. Changes may be made to the document.

Sandra Crawford Leake, representing Duke's Long-Term Care Resources Program, spoke about aging and long-term care issues.

Chairman Black said the Commissioners are being asked to endorse the Draft County Policy Statement Regarding Durham's Older Adults.

Chairman Black suggested the County Manager's office look at the policy and bring it back to the Commissioners at a Regular Session for consideration. The senior center that will be built downtown should be included in the policy statements.

County Manager David F. Thompson said the policy will be brought back at the October 25, 1999 Regular Session for adoption.

Chairman Black said the policy should stress quality of care for citizens in long-term care facilities.

Durham Community Shelter for H.O.P.E.

County Manager David F. Thompson has been working directly with the Shelter for H.O.P.E. Board to bring forward a recommendation on its funding to the Commission at this Board meeting. This effort follows the Board's direction that County Government would continue to provide funding for the emergency shelter contingent upon the stabilization of the shelter's finances and adequate safeguards being put in place to ensure that County funds were being used appropriately. The County Manager has requested documentation for fiscal years ending June 30, 1998 and June 30, 1999. He has been working with the shelter board to put together a final budget with line-item justifications for the current fiscal year. The Manager will also draft an agreement that will address Commissioner and administration concerns.

Chairman Black called on County Manager David F. Thompson for his comments and recommendations.

Mr. Thompson said that during a previous Board meeting, the County Commissioners determined the following:

- the County considers services to the homeless as part of our service delivery responsibilities;
- the Board believes that the emergency shelter should be part of the continuum of services to the homeless; and
- the Board would like to exercise some control of the services provided at the shelter through its provision of funds.

During this same Board meeting, the Board reviewed an additional request from the Durham Community Shelter for H.O.P.E. for new funds in the amount of \$37,500 for a total appropriation this fiscal year of \$187,500. However, at that point in time, there still was a need for some budget reconciliation since there were discrepancies in the submitted numbers. There were also no audited financial statements available at that time.

The revised budget for this fiscal year was constructed after a fairly long meeting with representatives from the Community Shelter for H.O.P.E. There was another budget that was submitted prior to this one that was used as a basis for this meeting. The budget before the Commissioners was one that both the committee from the shelter and the County Manager could support (reflective of the current situation and meets the shelter's needs for this fiscal year).

The deficit projected for this fiscal year is \$30,969. Of course, budgets always carry a margin of error, but in discussions with this committee and Chairman Hap Johnson, this figure is realistic.

The recommendation follows:

- That the County appropriate from the County's contingency fund \$21,435 to the Durham Community Shelter for H.O.P.E. This funding is to be utilized for the prior year accounts payable for IRS-payroll taxes. The County will require documentation from the Community Shelter for H.O.P.E. that this payment has been made within 30 days of the County appropriation. In discussions with the shelter board, it appears that the \$2,000 a month payment to the IRS for these taxes that are in arrears is the negative that prevents a positive cash position each month. The committee feels that they can seek out and obtain the remaining deficit from sources other than the County. The actual deficit with a deduct of the \$23,435 is only \$7,534.

HOMELESS SHELTER
Accounts Payable (Prior Year Taxes)

<u>Prior Year Taxes</u>	
IRS-Payroll Taxes	\$17,041
Payroll Taxes Payable	<u>\$ 6,394</u>
Total	\$23,435
*Amount Paid FY 99-00	<u>\$(2,000)</u>
Total	\$21,435

*Amount mailed to IRS October 1, 1999.

- That the remaining portion of the original appropriation of \$150,000, which has an outstanding balance of \$82,818, be transmitted to the shelter in equal monthly payments for the rest of the fiscal year. This amount will be \$10,352.25 instead of the current \$12,500 per month. The committee agrees that this should be sufficient for cash flow from the County and it should prevent problems during the last portion of the fiscal year.
- That an agreement be executed between the nonprofit board and the County prior to provision of the payments that were mentioned. This agreement will include the following provisions:
 1. Restriction of the \$21,435 appropriation for payment of IRS payroll taxes.
 2. Provision of management letter and corrective action plan as information for the Board of County Commissioners upon its completion.
 3. Provision of monthly financial statement to County Budget Director prior to release of monthly appropriation.
 4. Provision of budget transfers/revisions to County Budget Director on a monthly basis with financial statements.
 5. Allowable uses of County funds. County funds will not be allowed to be used to pay off bad debts, contingencies, contributions and donations, entertainment costs, fines and penalties (except for IRS exclusion), interest and other financial cost, or legislative expenses.
 6. No conflict of interest clause.
 7. Repayment of funds clause.
 8. Other issues that the Board cares to incorporate in agreement with the shelter board. Increased representation had been discussed previously.

The County Commissioners asked several questions and made numerous comments and suggestions about the proposed budget and shelter operations to which County Manager David F. Thompson and members of the Board of Directors for the Durham Community Shelter for H.O.P.E. responded. The board members present were: Alvin Johnson,

Daniel Hudgins, Scott Benhase, David Pottenger, Bill Harrison, Stephen Hopkins, and Interim Executive Director Gary Bauer.

A lengthy discussion was held between the County Commissioners and the shelter board members.

Commissioner Bell asked where will it be reflected that the County is making contributions to utilities, maintenance and repairs, contracted services, capital improvement, and yearly cash appropriations?

County Manager Thompson said staff will meet with Thomas E. Spivey, CPA, PA to see if there is a way to show the items in the operational budget in a way that is correct accounting and budget wise. If we can't do that, we will show it as a footnote in the budget.

Commissioner Bell said the accounting and auditing services should be in detail to know what type of services will be provided monthly, quarterly, and yearly.

Vice-Chairman Reckhow said she can support the Manager's recommendation.

The Commissioners requested that a person in a high level position be named to the Durham Community Shelter for H.O.P.E. Board as a liaison between the shelter and the County Commissioners.

Commissioner Heron wants the shelter board to look at the length of stay and daily charge for clients when the shelter procedures and policies are rewritten.

County Manager Thompson proposed that he will put this agenda item on the consent agenda for the October 11, 1999 Regular Session. The agenda item will appropriate \$21,435 from the contingency fund. We will do a reallocation of the original appropriation to make it \$10,352.25 per month. An agreement will be drafted that will include everything previously stated plus an additional board member from the County senior staff.

Transportation Improvement Program [TIP] for 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. At the meeting, the City-County Planning staff will provide background on the process and City Transportation staff will make a presentation on proposed road projects. In the past, the Board of County Commissioners has elected to hold a public

hearing on the TIP. It is suggested that a public hearing be scheduled for October 25, 1999 to allow a three-week comment period. The proposed priority list will be advertised in display ads prior to the hearing. Following the public hearing, the Board should adopt the TIP priorities.

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: Receive the presentation and schedule a public hearing for October 25, 1999.

One purpose of this item is to give the Commissioners an overview of the TIP that was developed and approved over the last two years. This is the first TIP to be developed out of a two-year process. The State has made a concerted effort to make the TIP truly physically constrained. The State has now implemented a 3 percent inflation factor into all of its road projects and also included 6 percent set asides to cover any unexpected project cost overruns. In addition, the Board of Transportation has now set aside \$175,000 over a seven-year period to provide funds necessary for environmental mitigation to protect wetlands, restore streams, and preserve wildlife habitat. The new TIP that was approved contained very few new projects.

Mr. Parham reviewed Attachment C that follows:

Table of Major Durham Projects
 2000-2006 State Transportation Improvement Program (TIP)

	Project	Project Schedule and Funding Status
	Fully Funded Projects	
1.	<u>I-40</u> - Widening from four to six lanes from the Durham Freeway (NC 147) westward to US 15-501 (I-3306B)	Preliminary engineering is underway. Construction is scheduled for 2002, 2003, and 2004. Project funding - 100% (\$34,365,000).
2. (D)	<u>I-85</u> - Widening from US 15-501 Bypass to US 70 East (I-306)	The widening of I-85 begins in October 1999. Construction will occur in three phases, from east to west. Phase 1 (Midland Terrace west to Camden Avenue) begins in October 1999. Phase 2 from Camden Avenue through Broad Street is scheduled to begin in October 2000. Phase 3 from Broad Street west to US 15-501 is scheduled for construction in late 2002. Project funding - 100% (\$212,657,000).

	Project	Project Schedule and Funding Status
3.	<u>Guess Road</u> - Widening from Carver Street north to Umstead Road (U-2102)	The project is scheduled for construction the fall of 1999. Project funding - 100% (\$19,354,000).
4. (D)	<u>Miami Boulevard/ Mineral Springs Road/ US 70</u> intersection improvements (U-2808)	The project is scheduled for construction the fall of 1999. Project funding - 100% (\$8,778,000).
5.	<u>Computerized Traffic Control System</u> upgrade (U-2927)	The project is under construction with completion scheduled for October 2001. Project funding - 100% (\$16,072,000).
6.	<u>Garrett Road and Chapel Hill Road</u> intersection capacity and safety improvements (U-3105)	Construction is scheduled for fall 1999. Project funding - 100% (\$3,800,000).
7. (A)	<u>Hopson-Page Road Extension</u> new five-lane curb and gutter roadway (U-3853)	The project is scheduled for construction in 2000. This is a public-private project funded between the State and private sector. Project funding - 100% (\$3,966,000)
8. (N)	<u>US 15-501 Service Road</u> relocation at northeast quadrant (Starvin' Marvin's) at Garrett Road. (U-4009)	This is an interim improvement for the US 15-501 corridor upgrade project. Right-of-way acquisition is scheduled in 2002 and construction in 2003. Project funding - 100% (\$1,536,000).
9. (N)	<u>Holloway Street (NC 98)</u> (U-4010) center turn lane construction from US 70 to Junction Road	Right-of-way acquisition is scheduled for 2002 and construction is scheduled for 2003. Project funding - 100% (\$2,343,000).
10. (N)	<u>Chapel Hill Blvd. (U-4012)</u> interim improvement to provide an additional north bound and southbound lane from Mt. Moriah Road to south of Garrett Road.	This project has been funded to provide improvements to the US 15-501 corridor. The project includes widening of the bridge over New Hope Creek. Construction is scheduled for 2002. Project funding - 100% (\$7,558,000).
11. (N)	<u>American Tobacco Trail</u> (E-2921)	Phases A and B (Willard Street to Cornwallis Road) is under construction. Phase C (Cornwallis Road south to NC 54) is scheduled for construction in 2000. Phase D (spur line along Riddle Road to Briggs Avenue) has now been funded and scheduled for construction in 2000. Project funding - 100% (\$3,440,000)

	Project	Project Schedule and Funding Status
12.	Station Construction (P-3802)	Durham rail station construction - \$6,000,000 in State and federal funds. (FY 2000-2006)
13.	State transit operating assistance for the MPO (DATA and Chapel Hill Transit)	FY 2000 - \$1,229,048; FY 2001 - \$1,229,048; FY 2002 - \$1,229,048.
14.	Miscellaneous Transit Capital items for DATA (e.g., support vehicles, passenger amenities, associated capital maintenance items)	FY 2000 -\$313,000; FY 2001 - \$218,000; FY 2002 - \$218,000; FY 2003 - \$218,000.
	Partially Funded Projects	
15.	<u>NC 54</u> widening from Davis Drive to Miami Boulevard, and Page Road from Miami Blvd. to I-40. (R-2904)	Right-of-way acquisition is scheduled for 2006, construction is not scheduled. Project funding - 6.7% (\$253,000)
16.	<u>NC 55</u> - Widening from Cornwallis Road south to US 64 in Apex (R-2906). (A)	Right-of-way acquisition is scheduled to begin in 2002. Construction begins in 2003. Project funding - 45% (\$22,560,000).
17.	<u>Northeast Loop</u> (Eno Drive east) - US 70 east to I-85 north of Durham (R-2631) (D)	Partial right-of-way acquisition is scheduled for Phase A (US 70 East to NC 98) in 2005. No funds are programmed for construction. Project funding - 15.6% (\$13,298,000).
18.	<u>East End Connector</u> - New freeway connector linking US 70 to the Durham Freeway, including upgrades to US 70 and NC 98 (U-71) (D)	Partial right-of-way acquisition is scheduled for 2006. Some funds were reallocated to Holloway Street (NC 98) improvements which were originally part of the larger East End Connector project (See Holloway Street). Project funding - 7.3% (\$7,829,000).
19.	<u>US 15-501</u> Freeway conversion from M. L. King, Jr. Parkway to I-40 (U-2807) (D)	Programmed for Major Investment Study. Funds previously earmarked for project right-of-way acquisition have been reallocated to two interim corridor projects (U-4009 and U-4012). Project funding - 1.5% (\$1,953,000).

	Project	Project Schedule and Funding Status
20. (D)	<u>Briggs Ave. Ext.</u> (from Riddle Road to So-Hi Drive) and <u>Northeast Creek Parkway</u> (from Ellis Road to Cornwallis Road) (U-2831)	Construction of the Northeast Creek Parkway is scheduled for 2000. The Briggs Avenue Extension is not funded. Project funding: Northeast Creek Parkway - 100% (\$5,367,000); The \$4,828,000 Briggs Avenue Extension is unfunded.
21. (D)	<u>Alston Avenue</u> (NC 55) widening from the Durham Freeway to Holloway Street (U-3308)	Project right-of-way acquisition is funded for 2006. Construction is not funded. Project funding - 9.3% (\$1,013,000).
22. (D)	<u>T. W. Alexander Drive</u> widening from Miami Boulevard to Cornwallis Road (U-3309)	The project is broken into two construction phases. The first phase from Miami Blvd. to NC 147 is scheduled for right-of-way in 2002 and construction in 2003. The remainder of the project is not scheduled. Project funding: Miami to NC 147 - 100%; NC 147 to Cornwallis Road - 0%.
23. (N)	<u>South Miami Blvd.</u> (U-4011) construct center turn lane from Bethesda Avenue to Methodist Drive including section by Bethesda Elementary School.	Right-of-way acquisition is scheduled for FY 2006. Construction is unfunded. Project funding - 46.5% (\$1,125,000).
	Unfunded Projects	
24.	<u>Northwest Loop</u> (Eno Drive north) - I-85 west of Durham to I-85 north of Durham (R-2630)	This \$118,265,000 project is not scheduled. Project funding - 0%.
25.	<u>M. L. King, Jr. Parkway and NC 55 Interchange</u> (U-2405)	This \$27,401,000 project is unfunded. NCDOT has been requested to reevaluate the project to identify ways to reduce costs in order to accelerate construction. Project funding - 0%.
26.	<u>Hillandale Road</u> - I-85 to Club Boulevard (U-2708)	This \$3,301,000 project is unfunded. Project funding - 0%.
27.	<u>Hillandale Road</u> Widening from <u>I-85</u> to <u>Carver Street</u> (U-3804)	This \$8,220,000 project is unfunded. Project funding - 0%.

(A) - project schedule accelerated; (D) - project schedule delayed; (N) - Newly funded project;

(\$) - Amount of funding committed to the project through 2006

The Commissioners asked several questions and made comments about the TIP to which Mr. Parham responded.

Mr. Parham reviewed Attachment A entitled, "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."

Chairman Black requested that this item be moved forward to the October 25, 1999 Regular Session for a public hearing. The advertisement will be placed in the newspaper.

No official action was taken on this agenda item.

Alcoholic Beverage Control Board (ABC)

Chairman Black asked County Manager David F. Thompson to check with the County's Finance Department to be sure the County is obtaining its due funds from the ABC Board.

Orange County C & D Landfill

Vice-Chairman Reckhow suggested the chair of the Commissioners write a letter of thanks on behalf of the Board to Orange County for not moving forward with the C & D landfill. The letter should indicate that we are going to proceed with the open space plan and after we solidify our planning, we will meet with their board or representatives to discuss open space plans for the area.

Adjournment

Chairman Black adjourned the meeting at 11:30 a.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board