

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

Monday, March 7, 2005

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, Vice-Chairman Becky M. Heron, and Commissioners Lewis A. Cheek, Philip R. Cousin Jr., and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Revaluation Date

Ken Joyner, Tax Administrator, gave a presentation to the Board outlining valuable information necessary for the establishment of Durham County's next revaluation date. On August 9, 2004, the Board of County Commissioners adopted a resolution to advance the time of the next general reappraisal of real property to January 2007. Based on the improving economic status within the county, Mr. Joyner recommended that at the end of the year, the Board extend the revaluation date to either 2008 or 2009.

County Manager Mike Ruffin cautioned that if the Public Service Companies' sale ratios fall below 90%, they may receive corresponding adjustments since their properties are revalued every year.

Questions/Discussion

1. What are the years during the eight-year cycle that Public Service Companies can receive an adjustment if the sale access ratio is 90% or less? Are the Public Service Companies included in the ratios? What impact would it have on market values?
2. True market value—is it determined by cost to build, size, or income?

Directives

1. Tax Administrator will brief the City Council on his recommendation to extend the revaluation date.

Receive Information about the Transportation Improvement Programs (TIP) for FY 2007-2013

Chairman Reckhow announced that a public hearing would be held on the Transportation Improvement Program (TIP) on March 14, 2005 at 7:00 p.m.

Mark Ahrendsen, Transportation Manager, City of Durham, stated that the NC Department of Transportation (NCDOT) and the Durham-Chapel Hill-Carrboro (DCHC) Metropolitan Planning Organization (MPO) mutually adopted a seven-year TIP. As part of the updated TIP, Mr. Ahrendsen provided the Commissioners with the following overview of the Draft TIP, the project schedules for proposed improvements, and the status of ongoing projects in Durham:

TIP Program Status and FY 2007-2013 Local Priority List

Purpose

- Review the TIP Development Process
- Review Major Durham Projects in 2004-2010 TIP
 - Fully-Funded Projects
 - Partially-Funded Projects
- Recommended Priority List for 2007-2013 TIP

Background – What is the TIP?

- 7-year Transportation Funding Program
- Multi-Modal (Highway, Transit, Bicycle, Pedestrian)
- State and Federal Funding Sources
- Fiscally Balanced by Funding Source and Fiscal Year
- Major Capital and Operating Assistance for Transit Systems
- Biennial Update—But, why FY 2007-2013 TIP update?

FY 2006-2012 TIP Status

- NCDOT development of FY 2006-2012 TIP delayed
 - No federal transportation legislation – only continuing resolutions
 - NCDOT rebalancing equity formula
- Schedule
 - April 2005 – NCDOT release draft FY 2006-2012 STIP
 - April/May 2004 – MPO/NCDOT meeting(s)
 - July 2004 – NCDOT Board approves FY 2006-2012 STIP
- Local impact – Don't know project funding status while developing priority list for FY 2007-2013 TIP

TIP Funding Allocation for Highways

- Allocation of Tip Based upon NCDOT “Equity” formula (enacted in 1989)
 - Population (50%)
 - Miles of roadway on State “Intrastate” system (25%)
 - Equal Share (25%)
- Balanced by Region (Divisions 5 & 6 in Region C)
- Urban Loop Funds are exempted from the equity formula

Proposed TIP Funding Reduction

- Repay for Equity formula advances
- FY 2006-2012 TIP for Division 5 reduced from \$701 million to \$375 million (or, \$326 million reduction)
- NCDOT has not released draft FY 2006-2012 TIP – thus, impacts on Durham County uncertain
- Remember – urban loop funds are exempt from Equity formula

- Recent NCDOT cash flow problems may delay let dates for scheduled project contracts

Highway Trust Fund—Durham Loop Projects

- East End Connector (US 70 to NC 147)
- US 70 (Lynn Rd. to Northern Durham Parkway)
- I-85 (US 70 to Red Mill Road)
- Northern Durham Parkway (I85 to Old Oxford Rd.)
- Northern Durham Parkway (US 70 to I-85)
- Northern Durham Parkway (Old Oxford Road to Roxboro Road)
- US 501 (Duke Street to Goodwin Road)

TIP Funding for Alternative Modes

- Transit funding subject to FTA approval
 - Project consistent funding levels for the next 5 years
- Public Transportation Funding
 - 20% local match for capital assistance
- Enhancement Funding
 - Bicycle/Pedestrian projects
- CMAQ Funding
 - Air quality improvements

Background—Regional Priority List

- Combines Priorities from
 - County of Durham
 - City of Durham
 - Town of Chapel Hill
 - Town of Carrboro
 - Town of Hillsborough
 - County of Orange (portions)
 - County of Chatham (portions)
 - Triangle Transit Authority
- MPO ranks projects for the region

Background—Local Input into the 2007-2013 TIP

- Durham County Input
 - 30 Priority Projects
 - Developed From
 - FY 2006-2012 TIP Priority List
 - 2030 LRTP (expected adoption in May 2005)
 - City of Durham Capital Improvement Program
 - Durham Bicycle and Pedestrian Advisory Commission
 - Small Area Plans
 - Community Input
 - System Deficiencies
- City of Durham Input
 - 35 Priority Projects

2004-2010 TIP—Major Projects Overview

- Funded Projects
- Partially-Funded Projects

Funded TIP Projects

- I-40 (I-3306B)
 - US 15-501 to NC 147
 - Widen from 4 to 6 lanes
 - Under construction
 - Fully Funded
 - \$34,365,000
 - Complete – 9/2005
- Alston Avenue (NC55) (U-3308)
 - Durham Freeway to Holloway Street
 - Widen from 2 to 4 lanes
 - Fully Funded
 - \$16,000,000
 - Construction 2008
- I-85 (I-306)
 - Widen from 4 to 8 lanes
 - Phased construction in progress
 - Fully Funded
 - \$269,190,000
 - Complete – 8/2006
- Guess Road (U-2102)
 - Carver St. to Umstead Rd.
 - Widen to multi lanes
 - Near completion
 - Fully Funded
 - \$36,055,000
 - Complete – 4/2005
- Holloway Street (NC 98) (U-4010)
 - US 70 to Junction Rd.
 - Construct center turn lane and sidewalks
 - Fully Funded
 - \$2,910,000
 - Construction in 2005
- Chapel Hill Blvd. (U-4012)
 - Garrett to Mt. Moriah
 - Widen from 4 to 6 lanes
 - Fully Funded
 - \$8,384,000
 - Construction 2005
- US 15-501/Garrett Rd. (U-4009)
 - Relocate northeast service
 - Fully Funded

- \$2,440,000
 - Construction in 2005
- NC 54 (R-2904)
 - Davis Dr. to Miami Blvd.
 - Widen from 2 to 4 lanes divided
 - Fully Funded
 - \$4,025,000
 - Construction in 2008
- NC 55 (R-2906)
 - Cornwallis Rd. to US 64
 - Widen from 2 to 4 lanes divided
 - Fully Funded
 - \$46,727,000
 - Complete – 6/2006
- I-40 (I-2204)
 - NC 147 to Wade Ave.
 - Widen from 6 to 8 lanes
 - Fully Funded
 - \$27,900,000
 - Completed
- Alexander Drive (U-3309)
 - Miami to Cornwallis
 - Widen from 2 to 4 lanes divided
 - Part near completion
 - Part to begin in 2008
 - Fully Funded
 - \$7,084,000
- S. Miami Blvd. (U-4011)
 - Bethesda Avenue to Methodist Drive
 - Construct center turn lane and sidewalks
 - Construction in 2008
 - Fully Funded
 - \$1,850,000
- Hillendale Road (U-3804)
 - I-85 to Carver St.
 - Widen from 2 to 4 lanes divided
 - Fully Funded
 - \$6,548,000
 - Construction in 2008
- Davis Dr. (U-4026)
 - NC 54 Morrisville-Carpenter Rd.
 - Widen to multi lanes
 - Fully Funded
 - \$26,018,000

- Construction in 2005
- Multi Modal Transportation Center
- Durham Rail Station
- State Transit Operating Assistance
- Miscellaneous Transit Capital items
- Bicycle and Pedestrian projects
- Planning studies

Partially-Funded TIP Projects

- East End Connector (U-71)
 - NC 147 to US 70
 - New Freeway Connector
 - Construction in 2010
 - Total cost \$88.7 million
 - Funded \$26.7 million
- Briggs Ave. Ext. & Northeast Creek Parkway (U-2831)
 - Northeast Creek Pkwy. completed
 - Briggs Ave. Ext. not scheduled; \$4.8 million

City of Durham Priority List

1. East End Connector
2. NC 54 (I-40 to NC 55)
3. NC 54 (Page Rd. to Wake Co. line)
4. Old Durham Chapel Hill Rd. bicycle and pedestrian
5. US 70 (Lynn Rd. to Northern Durham Pkwy.)
6. I-85 (US 70 to Red Mill Rd.)
7. Northern Durham Pkwy.
8. I-40 HOV
9. Fayetteville Rd. widening project
10. Erwin Rd. bicycle improvements
11. Carpenter Fletcher Rd. bicycle improvements
12. Durham Freeway Extension from I-40 to I-540
13. Bike/Pedestrian connectivity to TTA rail
14. Purchase Data buses (18)
15. Old Oxford Hwy. improvements (Phase 1)
16. US 15-501 Regional Rail project
17. American Tobacco Trail Phase IV
18. Hope Valley bicycle enhancement
19. Holloway St. pedestrian project
20. Hillandale Rd. pedestrian project
21. Hillsborough Rd. pedestrian project
22. Latta Rd. widening project
23. M. L. K. Pkwy/NC55 interchange study
24. Barbee Chapel Rd. bicycle lanes
25. NC 751 widening (Phase I)
26. Alston Avenue Extension
27. NC 751 widening (Phase II)
28. TTA Regional Rail service

29. Briggs Avenue Extension
30. Cornwallis Rd. improvements
31. LaSalle St. pedestrian facilities
32. Chapel Hill Rd. bicycle and pedestrian facilities
33. Dearborn Dr. bicycle and pedestrian facilities
34. Morreene Rd. bicycle and pedestrian facilities
35. Cole Mill Road bicycle facilities

Durham County Priority List

1. East End Connector
2. NC 54 (I-40 to NC 55)
3. NC 54 (Page Rd. to Wake Co. line)
4. Old Durham Chapel Hill Rd. bicycle and pedestrian
5. US 70 (Lynn Rd. to Northern Durham Pkwy.)
6. I-85 (US 70 to Red Mill Rd.)
7. Northern Durham Pkwy.
8. I-40 HOV
9. Erwin Rd. bicycle improvements
10. Carpenter Fletcher Rd. bike improvements
11. Durham Freeway Extension from I-40 to I-540
12. Bike and Pedestrian connectivity to TTA Rail
13. US 501 from Duke St. to Goodwin
14. US 15-501 Regional Rail project
15. American Tobacco Trail Phase IV
16. Alexander Drive, Cornwallis to NC 55
17. Hillandale Rd., Carver St. to Horton Rd.
18. Garrett Rd. NC 751 to Chapel Hill Blvd.
19. Old Oxford Hwy. improvements (Phase I)
20. Latta Rd. widening project
21. Barbee Chapel Rd. bicycle lanes
22. Fayetteville Rd. widening project
23. NC 751 widening (Phase I)
24. Alston Ave. Extension
25. NC 751 widening (Phase II)
26. LaSalle St. pedestrian facilities
27. Chapel Hill Rd. bicycle and pedestrian facilities
28. Dearborn Drive bicycle and pedestrian facilities
29. Morreene Rd. bicycle and pedestrian facilities
30. Cole Mill Rd. bicycle facilities

Priority Lists Submitted by "Others"
(Previous submittal – FY 2004-2012 TIP)

- TTA – 13 Projects Submitted
- Town of Carrboro – 12 Projects Submitted
- Town of Hillsborough – 4 Projects Submitted
- Orange County – 7 Projects Submitted

Next Steps...

- Priority List Schedule for 2005
 - February/March – Local Priority developed

- March/April – Regional Priority List developed by MPO
- May/June – Local jurisdictions comment on Regional Priority List
- August – Regional Priority List submitted to NCDOT
- August – MPO Priority Sessions with NCDOT
- October – Draft FY 2007–2013 TIP released

Recommendation

- Consider:
 - Continuing Support of Fully/Partially-Funded TIP Projects
 - Endorse the County’s Priority List
 - Adopt a Resolution Endorsing Durham County Project Priority List for the FY 2007-2013 TIP
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Questions/Discussion

1. Equity formula’s allocation for I-85 and I-40.
2. The State’s role in balancing the budget.
3. Fayetteville Road widening project.
 - a. Will the Fayetteville Road widening project coincide with needed infrastructure in the area? Is there any coordination between the project and future improvements in the area? (Concerns about additional traffic congestion.)
 - b. What is the progress of the construction and how far has it extended past Hwy. 54?
 - c. Rezoning request follow-up.
4. Mt. Moriah Road—was action taken to make the area more pedestrian-friendly?
5. NC 54 (Page Road to Wake County line).
6. Urban Loop funding versus other TIP funding.
7. Alexander Drive, Cornwallis to NC 55
8. I-40 HOV.
9. Priority list process.

Directives

1. Move the Tobacco Trail Phase IV as a higher priority.
2. Add Rail Trail to Timberlake to the priority list.

Vice-Chairman Heron invited Commissioner Page to attend a Transportation Advisory Committee meeting for additional insight on the Priority List process. Meetings are held every second Wednesday of the month at 9:00 a.m., 2nd floor, City Hall in the Committee Room.

Chairman Reckhow presented the Board with the “Principles for Establishing Adequate and Reliable Funding of Transportation in the Triangle and Throughout the State”, drafted by the County Commission Chairs of Orange, Durham, and Wake Counties. It focuses on funding transportation needs confronting the Triangle. Chairman Reckhow recommended approval of the Principles.

PRINCIPLES FOR ESTABLISHING ADEQUATE AND RELIABLE FUNDING OF TRANSPORTATION IN THE TRIANGLE AND THROUGHOUT THE STATE

FRAMEWORK

The North Carolina State Transportation Plan, adopted by the NCDOT in September 2004, identifies \$84 billion in statewide needs over 25 years, with \$55 billion in anticipated revenues, leaving a funding *gap* approaching \$30 billion. The plan's centerpiece is a \$55 billion Recommended Investment Scenario that would focus on maintaining and modernizing the existing system, with more limited new construction targeted to roads and transit networks with the highest use and serving statewide mobility. At the same time, the equity formula may result in a 2006-2012 Transportation Improvement Program that shifts about \$300 million in funding that was expected in the region to other areas.

The *Triangle Regional Transportation Strategy* – sponsored by the Mayors of Cary, Chapel Hill, Durham, and Raleigh, and by the private-sector Regional Transportation Alliance – identified general, order-of-magnitude transportation needs in Wake, Durham, and Orange Counties. First developed in 2000, the most recent estimate is that the region faces a funding *gap* of about \$8 billion over the next 25 years for a range of roadway and transit projects; if spread evenly over the 25 years, this gap would average \$320 million per year. The strategy did not specify projects, priorities, or the timing of projects, nor address needs in other Triangle counties.

The Capital Area MPO (CAMPO) and the Durham-Chapel Hill-Carrboro (DCHC) MPO adopted 2030 Long Range Transportation Plans in September 2004. The total 25-year cost for the combined plans is \$14 billion (\$6.1 billion for DCHC and \$7.9 billion for CAMPO). Together, the two plans assume \$2 billion in new revenue over and above existing sources, a region-wide average approaching \$100 million/year if beginning around 2010 and extending at the same level to 2030.

The Regional Transportation Alliance (RTA), the mayors of the four largest cities, and the Regional Transportation Strategy Group (composed of representatives of the RTA, the mayors, county commissioners, and other interested professionals) have discussed various alternative revenues for the past few years. The evolving discussion has centered on a local option revenue source that would be applied at the county level, requiring a leadership role on the part of County Commissioners who would ultimately be responsible for instituting any revenue sources. Although several different combinations of revenue sources have been discussed, most of the focus has centered on a general sales tax, a sales tax specific to motor fuel, a vehicle registration fee, and transportation impact fees and/or toll roads.

PRINCIPLES

In light of these ongoing efforts and discussions related to transportation funding in the Triangle and throughout the state, the Chairs of the County Board of Commissioners in Durham, Orange, and Wake Counties conclude that any solutions requiring action on the part of the Boards of Commissioners should incorporate the following principles:

1. Infrastructure for Quality of Life. Any broad-based revenue source, such as the general sales tax, should be able to be used to fund *capital facilities* to meet the

Quality of Life demands of the region's citizens, including transportation, schools, and parks & open space. Revenue streams specifically related to transportation, such as a sales tax on fuel or a vehicle registration fee, may be dedicated to mobility projects and programs.

2. True Partnership between the State and Regions. Any meaningful solution to the mobility challenges we face will require greater efforts from both the state and communities within the region. Communities cannot be asked to step forward if the state may step back from its historic role in ensuring adequate mobility for the state's citizens and businesses.
3. Business Community Leadership. An effort of this scope and complexity will require that the business community be the clear leader in advocating for needed changes at both the state and regional level, not just play a supportive or neutral role.

Questions/Discussion

1. Outcome of approving the Principles.
2. How much sales tax versus vehicle registration fees will be generated?
3. How the funds will be distributed.
4. Usage of taxes and fees.
5. The Board's obligation—it has no obligation; signing gives the Board authority if it chooses to levy.

Directives

1. Place Principles on March 14, 2005 Regular Session agenda. Concerns should be relayed to Chairman Reckhow prior to the meeting.

Cable TV Advisory Board Report

Reverend James Vaughn, Chairman of the Cable TV Advisory Board, presented a brief report regarding the Cable TV Advisory Board's research on the use of cable systems across the country for Public Education and Government (PEG) channel access. The report detailed the following topics:

- Durham PEG Community Media Center
 - Cable casting
 - Internet streaming
 - Inter-active info streams
 - Durham PEG Media Center Plan
- Objective
- Public Access
- Winston-Salem/Forsyth County Community Access Television Corporation (CAT)
- NC Neighboring Municipalities
- DCTVAB Feasibility Research Requirements
- ACM Conference
- Alliance for Community Media
- The National Association of Telecommunications Officers and Advisors (NATOA)

- DCTAB Research Cost
- Next Steps

Questions/Discussion

1. Progress of the Time Warner Cable Franchise Agreement.
2. How the cable television expansion will be funded.

Directives

1. Retrieve information from other communities, including Durham Public Schools, on how they funded and enhanced cable access.
2. Cable Advisory Board will assist senior citizens in receiving a discount on their cable bills. Research other areas that offer a similar discount.

Nonprofit Application Deadline Appeals

County Manager Mike Ruffin introduced this item. He stated that three applications for nonprofit funding were received after the published deadline of February 28, 2005, 5:00 p.m. The three applying organizations – the Durham Crisis Response Center, the Summer Enrichment and After School Tutorial Program Enhancement Program, and the Eno River Association – had requested an exception to this deadline. The application deadline appeared in bold on the first page of the application instructions. The applications were distributed on January 6, 2005. This deadline was reiterated during the information meeting with prospective applicants that was held on January 28.

Chairman Reckhow inquired about the policy for nonprofits adopted by the Board, which specifies that every applicant must undergo the same process; no exceptions are to be made.

Heidi Duer, Assistant County Manager, responded that on January 14, 2002, the Board adopted the Nonprofit Agency Funding Policy, which was included in the application materials released to nonprofit agencies. The policy states that a deadline would be established and then published two months in advance; nonprofits are to comply with the deadline.

Questions/Discussion

1. Were there other late submittals other than the three presented?
2. Tardiness of Durham Crisis Response Center and Bethlehem Temple Apostolic Faith Church.
3. Prior funding for the three nonprofit organizations.

Commissioner Cousin moved, seconded by Commissioner Cheek, to suspend the rules.

The motion carried unanimously.

Vice-Chairman Heron recommended that the Policy be amended to reflect that additional applications will not be accepted during the current grant period.

Commissioner Cheek moved, seconded by Commissioner Cousin, to make an exception to the Nonprofit Agency Funding Policy to allow the applications to be accepted and considered.

Commissioner Page emphasized that in the future, nonprofits must adhere to the policy; no exceptions should be made.

Commissioner Reckhow stated that exceptions may be appropriate, depending on weather conditions for example.

The motion carried unanimously.

Animal Control License Fee Collections

Carol Hammett, Assistant County Attorney, reported that pursuant to the County's Animal Ordinance, dog and cat owners are currently charged an annual animal license fee for the privilege of keeping a dog or cat within the County. Animal Control has approximately 53,800 animals licensed within the territorial boundaries of Durham County. Effective July 1, 2003, the County increased the fee for unaltered animals to \$75 per animal. At the direction of the Board, the County Attorney's Office endeavored to collect those outstanding animal license fees.

The current licensing program is based on rabies vaccination certificates received from veterinarians administering the vaccination within the County. Once the rabies certificates are entered into Animal Control's database, the information is kept indefinitely until an owner shows proof of a change in circumstance with the animal such as spay/neuter, change in ownership, new address, or death of the animal. Animal Control's records contain information on accounts of licensed animals that have been entered in its database since 1998. Each year a bill is automatically generated for every owner in the database in addition to new owners. During the office's collection process this past year, inherent problems with the current Licensing Fee Program were discovered. The problems include:

- (1) Incorrect addresses – owners move without notifying Animal Control;
- (2) Duplicate accounts – an animal may be licensed under husband and wife's name separately, therefore both are billed;
- (3) Deceased animals – if owner never contacts animal control when their licensed animal dies, a bill continues to be generated each year;
- (4) Animal is no longer owned – an animal may be sold, given away, or runs away, and the owner never notifies Animal Control to correct the account; and
- (5) Animals vaccinated in another county – since other county veterinarians are not required to forward a rabies certificate to Durham County, a license is never generated without the owner notifying Animal Control and providing proof of vaccination.

Out of approximately 1,100 delinquent accounts, only 579 complaints were filed. Most accounts were found to be flawed in some manner as discussed above. Of the 579 complaints filed, 121 default judgments were obtained, resulting in approximately \$10,425 in judgments against animal owners.

Overall, the collection process was not the success envisioned due to the inherent problems in the current License Fee Program and resulting database.

The Board had directed the County Attorney's Office to evaluate the current program and suggest ways to increase collections. The Office determined that the current License Fee Program was not a reliable or effective program to generate revenue. Further, there was the potential for charging an owner a fee for an animal that he/she no longer owns. The only way to determine whether an owner is still responsible for the annual license fee is to investigate each animal owner every year – an impossible task.

The County Attorney's Office, along with Animal Control and the Tax Department, had met to discuss ways to improve the program, increase its reliability, and enhance collections; as a result, they concluded that there were few alternatives to make the license fee work effectively and reliably.

The remaining alternatives include doing away with the license fee all together or changing the fee to a tax. Pursuant to N.C.G.S. §153A-153, the County may levy an annual license tax on the privilege of keeping dogs and other pets within the county. Durham County used to levy a tax but did away with the tax in 1996, converting to a fee and the current procedure. The annual listing of dogs and cats would alleviate the inherent problems with the current licensing system and provide for a system of collections.

If the Board decides to levy an animal tax in lieu of the fee, each animal owner would be responsible for listing their dog(s) or cat(s) as personal property each year just as other personal property is listed. The first listing would go out January 2006. The tax would be effective July 1 of each year, beginning July 2006. It was recommended that the County issue a license tag that would be required for every dog and cat to wear to identify the owner and whether the animal is currently listed with the County. Collection of the animal license tax would be handled utilizing the same collection procedures as other delinquent taxes: discovery, levy, attachment, garnishment, and debt set-off through the Tax Department.

On March 3, 2005, the Tax Department distributed information to the Board addressing the following questions:

- How is the database currently obtained for billing the fee?
- How is the pet owner billed?
- What period does the bill cover?
- How many bills are mailed annually from Animal Control?
- How many bills are paid through the current billing and collection system?
- How do we currently collect the animal fee?

Mr. Joyner presented information about the following:

- How to make the transition from a monthly billing cycle to an annual billing system, and how the tax department will obtain the information.
- Timeline to complete the project.
- Cost for advertisement.
- Cost to change forms for listing, billing, and collection.
- Procedure changes and staff requirements.
- Areas that would most benefit the County and its citizens.

Questions/Discussion

1. Animal license tax exemptions.
2. Discovery—collection procedure.
3. \$200,000 differential in revenues expected versus revenues received.
4. Need for a new staff position.
5. Distributing animal tax listing forms to renters.
6. How to enforce licensing.
7. Current fees and taxes.

Directives

1. Staff to follow-up on the fees – whether to retain the differential between altered and unaltered animals or set a flat fee.
2. Research licensing fee programs in other counties.
3. Proceed with the animal tax listings but consider other options.

Commissioner Cheek recommended drafting an ordinance to require anyone who rents property to include pets in their rental agreement. The ordinance should include a harsh penalty to persuade animal owners to pay the taxes in lieu of the penalty.

Vice-Chairman Heron invited Chairman Reckhow to visit the Animal Shelter. She opined that spayed or neutered animals have a greater chance of getting adopted.

Creation of Youth Council

Chairman Reckhow recapped that at the August 2, 2004 Worksession, the Board of County Commissioners discussed the creation of a Youth Council pursuant to a request for the City of Durham to contribute \$42,000 to assist with the staffing and operational costs. The Board agreed in principle with the creation of a Youth Council, but deferred any action on the City's request until organized youth groups and the Durham Public Schools were given an opportunity to review it and offer comments and suggestions. Subsequent to that decision, newly appointed City Manager Patrick Baker advised the County Manager on December 30, 2004 that the City desired to pursue independently the creation thereof. Chairman Reckhow, after receiving several emails from a citizen as to why the County was not involved, asked that the matter be placed on the Board's agenda for further discussion inasmuch as two new members have joined the Board since the August 2, 2004 decision was made.

Questions/Discussion

1. The City's decision to proceed unilaterally, without requesting funding from the County.

Directives

1. After the March 8 Joint City-County Committee Meeting, receive an update from the City on its progress [Creation of the Youth Council is on the agenda]. County Manager will write a memo to the Board as to the discussion and what action the Board needs to take because of the meeting.

Closed Session

Commissioner Cheek moved, seconded by Commissioner Cousin, to adjourn into closed session pursuant to G.S. § 143-318.11(a)(5), to instruct staff concerning the position to be taken on the terms of possible acquisition of property known as the Preserve at Erwin Trace, PIN # 0801-03-12-7186, owned by Duke University

The motion carried unanimously.

Reconvene to Open Session

Chairman Reckhow announced that in closed session, direction was given to staff; no action was taken.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 12:36 p.m.

Respectfully submitted,

Yvonne R. Gordon
Deputy Clerk to the Board