

People's Alliance PAC 2008 Questionnaire for Durham Board of County Commissioners Candidates

Candidate's Name Don Moffitt

1. Do you think that the County Government has exhibited an adequate response to the drought and water crisis? If not, what else could be done and how would it be paid for?

Durham's reservoirs and water system belong to the city. The County's ability to impose restrictions on the use of well water is limited by state law. The County's ability to respond to the drought in the short term is limited to a leadership role in conservation—encouraging responsible consumption in county-owned buildings (and replacing old plumbing fixtures when it is reasonable and prudent), providing employees with inexpensive water-saving devices (showerheads, for example) for their homes and designing new facilities to be as conserving of our resources as possible. The County's efforts to design new facilities to be as sustainable as possible is good, and should be reinforced as we develop the new courthouse and social services buildings downtown.

The County's real impact is in long range planning, which occurs in collaboration with the city. Building requirements should include plumbing fixtures that use the least amount of water possible. My understanding is that the ordinances are currently vague on this issue. In addition, current requirements for landscaping are based on appearance only. Buffers should not be reduced, but the acceptable plantings should be based on drought-hardiness and low maintenance requirements as well as appearance.

The County needs to press for the right to restrict water use for well users, and to limit where wells can be installed. Wells on properties that have city water, so that the property owner can water without restriction, should not be allowed. Residents who depend on well water for all of their needs should have priority.

Most of the costs are relatively low (changes to the UDO are part of the budgeted expenses of the Planning Department, for example). Changes to plumbing fixtures in current buildings should be undertaken over time, with a goal of replacing all of them over seven years. Costs of new facilities are paid for by General Obligation bonds which enable the County to borrow at very favorable rates.

Paying for the replacement of current fixtures is more difficult. The County has a budget of \$572 million (through 6/30/07); some adjustments in spending priorities would likely have to be made to fund this critical step. I would not favor an increase in the tax rate or the development of new sources of revenues with careful consideration.

2. Are you aware that the Department of Homeland Security has chosen Durham/Granville counties as one of five possible sites for a facility to study dangerous and poorly known viruses and diseases?

I'm very much aware of it.

Do you support the location of this facility in our community?

No. Based on what I know at this time I do not want to see the facility built here. The Granville County BOCC has voted to oppose the facility, it has significant potential environmental hazards, and

the long-term benefits of the known work to be carried out there are vague at best.

When economic development and public health and well-being are in a potential conflict, where does the burden of proof lie?

Public health and well-being should be paramount issues in decision-making regarding economic development. In an area as crowded as the Triangle, with potential risks as great as those of the BSL4, I can't imagine how the government could prove that the rewards are greater than the risks.

3. The Durham City and County governments' Measuring our Progress report of 2005 focused on 8 measurements. For each, please state Durham County's biggest current challenge—and the single first thing you would try to do as a Commissioner to solve that challenge. One short sentence for each challenge, please! This is an overview question. State the challenge briefly, and briefly state your first method of approaching that challenge.

One of the most challenging aspects of managing the County is that unlike the city, most functions are out of the control of the Board of County Commissioners. Schools are run by the school board, the Registrar of Deeds controls her/his department, the Director of Mental Health is hired by the Mental Health Board (ditto for Social Services and Public Health) and the Sheriff is elected to run her/his department. The BOCC has a bully pulpit and a large lever (but not control) during the budget process. My understanding is that schools, for example, have a single line in the County's budget. The BOCC is directly involved in land use and transportation planning issues, and libraries and animal control are direct functions. The power of commissioners will come in being prepared, rapid learning, using informal channels for sharing ideas and pushing reforms and in being actively engaged in land use and transportation (activities that shape Durham 20 years into the future).

- Children are ready for and succeeding in school
My first concern is the dropout rate; we need to develop metrics to determine which programs are working, and which are not, and reallocate funding to those that are (for example, Encore in the middle schools, providing after-school programs for latch-key students that would otherwise be unsupervised for hours after school is dismissed).
- Durham citizens enjoy a healthy environment
I'm concerned about children's lead levels and air quality. We have to continue the testing program in schools and educate citizens about the issue. At the same time we have to plan long term for better transportation to reduce tail pipe emissions.
- Durham's citizens enjoy a community that is vibrant, rich in aesthetic beauty and embraces and promotes its cultural heritage
We have a lack of public art. The gates on the foundry in Central Park and Major are small steps that have shown the value of the creation of public art. Southpoint Mall was designed with public art in numerous locations, because people enjoy those spaces. New public buildings should include a budget for creating such art.
- Every citizen in Durham has access to adequate, safe and affordable housing
We're challenged in all three areas of the goal. We need to encourage the inclusion of affordable housing in new projects, similar to Orange County, and we need to support the new projects of the Durham Housing Authority, like Hope VI.
- Durham enjoys a prosperous economy
Our economy is threatened by the mortgage crisis, which is largely out of our immediate control. We have to be prepared at the County level for significant reductions in taxes, both locally and from the state.
- Durham citizens are healthy

Poor diet and lack of exercise leading to an overweight populace. I'd love to see us create a program called "Durham Walks!" to build a sense of community choosing to be healthy, with pledges, acknowledgement and awards for participants.

- **All Durham citizens are safe**

Increased gun crime, from a murder at Duke to armed robberies at Watts Grocery and NCSSM. The Gang Assessment Report, delivered last November, gave three concurrent approaches to gangs, which apply to all crime: suppression, intervention and prevention. My first efforts will be with prevention. We have to keep children in school, engaged and learning. Part of the challenge is seeing that there will be jobs that provide them with satisfaction and the ability to take care of the people who are important to them.

- **Durham citizens enjoy sustainable thriving neighborhoods with efficient and well-maintained infrastructure**

Much of the infrastructure in our neighborhoods—streets and parks, for example—belongs to the city. Outside the city, and on state-maintained roads within the city, we must push for proper maintenance (like filling potholes).

A ninth measurement has been added: "Senior adults have optimum choices for the highest quality of life." One key issue here is that without good transit options, it's impossible to "age in place." Seniors need access to transit to enable them to remain in their communities.

4. **Does the above imply that these statements do not apply to residents who are not citizens (i.e. non-citizen immigrants)?**

Not at all! They should be written inclusively--the measurements as written in the 2007 Results Based Accountability Report use the term "Everyone" instead of "Durham Citizens," which is appropriate.

What challenges does the County face with regard to these immigrants/residents, and what policies are needed?

Immigrants pay sales taxes and property taxes (even if they are tenants, through their rent), and deserve the same access to services as any other taxpayer. Two challenges I see are language and cultural barriers. Our schools have a growing immigrant population, with children and parents who have a limited ability to speak English. Few 911 operators are bilingual, and hospital emergency rooms face similar challenges. At a recent Coffee with Council, one attendee related a story of arriving at their day care center to find it locked and dark. They called 911 but had significant difficulty communicating their situation and its urgency. The woman had her husband break into the building, where they found their child crying. He had fallen asleep and was overlooked by staff on their way out. They had to wait for a long time for a police officer to arrive, and then had the language barrier arise again.

Some of these issues can be addressed through the use of third party translators patched into phone calls and some can be addressed by having translators and bi-lingual employees on staff. The County must work diligently to hire bilingual employees as rapidly as possible.

5. **How do you think that the City and County can work together better?**

Since the last merger effort, in 1999, the two local governments have built a fairly good collaboration through interlocal agreements and joint committees. Many duplicated functions have been eliminated. I am not aware of significant problems in the relationship between the two governments. (There is some difference in the approach to development between the city and County, especially around

erosion control and storm water mitigation, which results in some confusion, especially in the case of annexation.)

Would you support some form of City - County government consolidation? If not, why not?

I would, with an appropriately designed unified government and the benefits outweigh the costs. In talking with participants in the process in 1999, it seems fairly clear that there will be no cost savings, and that costs may even rise. In addition the plan at that time was to extend the city's boundaries to the edges of the county, effectively annexing the entire county. There is a social benefit to city citizens having one local government; arguably that benefit is offset by costs to county residents. In 1999, for example, the concept was to partially shift tax burdens to non-city residents. There are four municipalities which extend into Durham County (besides the City of Durham), making a unified government that much more difficult to achieve.

One reason to maintain the dual governments we have now is that those governments provide very different services. In the city, all control is direct—the council hires the manager, who hires the department heads. The city handles “hard services” like streets, garbage and water. The BOCC, on the other hand, has indirect control as discussed above. The services are “soft” (mental health, elections and schools, for example) and operated by people appointed or elected by groups other than the County Manager. It's hard to believe that at our level we will have a competent single government able to focus on such diverse functions.

On the other hand, in talking with citizens about the election I have found quite a few who want to talk about landfill fires and pot holes. Confusion over which government provides which services is a significant reason to consider unifying the governments of the city and county.

If so, what are the obstacles to it and how should they be mitigated or overcome?

I believe there are four obstacles to it: bad press, citizens within the city concerned about the dilution of political power, citizens outside the city concerned about being annexed into the city and law enforcement.

There have been six attempts to merger city and county government in Durham's history, and each has failed. The first thing I would do is to begin calling it “unification.” In 1999, the new entity was to be called Durham City-County, a rather unfortunate name. I would call it “Durham United.” I would talk about “One Durham.” Words are extremely important in winning the war of ideas, and a careful framing of the issue will be essential.

Citizens within the city, and outside the city, probably don't see themselves as allies, but each is concerned about losing some control over their lives. During any unification discussions those issues have to reach the light of day early in the process, and have to be addressed. If the first time that a group in Rougemont is addressed regarding unification is when they are presented with a proposal, we've already lost. In addition, the leadership of the unification process have to be supporters if it is to succeed. Including detractors in the top leadership will guarantee defeat.

When the current sheriff retires, there will be a singular opportunity to proceed with merger. If we wait until his retirement to begin planning, the opportunity will be lost. To succeed we have to begin planning now, with his cooperation.

6. What part can the county play in providing a safety net for the most profoundly mentally ill

persons, given the difficulties with state privatization?

In the News & Observer series I was intrigued that there is one mental health district, comprising several counties north of Charlotte, that is charting its own path. They negotiated a deal with Medicaid for a lump sum annual payment to spend on mental health services as they see fit. (<http://www.newsobserver.com/2771/story/970864.html>) Piedmont Behavioral Healthcare covers five counties, makes its own rules, certifies its providers and sets its rates. They control costs and services, providing substantially more crisis-care than other areas in North Carolina.

Durham should investigate creating an alliance with several other counties to undertake a similar effort. Such an alliance might include Wake County, but certainly should include Orange, Chatham, Person and Granville Counties if they can be convinced that it is their best interests to participate. Even in the absence of an alliance Durham should attempt to negotiate a similar arrangement with Medicaid, for local control.

In addition we should carefully investigate the mental health court that Orange County is using to substantial success.

7. In order to raise much-needed revenue for capital needs and operating funds, do you favor enacting a land transfer tax? An increase in the sales tax? Both?

I'm not entirely sure how I feel about "alternative revenue sources" like a land transfer tax or prepared food sales tax. Not being an expert in taxation issues, it seems to me that a land transfer tax is effectively a sales tax on real estate. It's pretty clear that sales taxes are regressive in nature.

Increasing the ad valorem tax is politically very difficult, but it does help indicate how quickly the cost of government is rising.

Would you support placing these on the ballot for county voters this fall or in 2009?

At this point I support the concept of voters determining for themselves whether or not we should adopt one or more of these "alternative revenue sources."

8. Do you support increased mass transit? If so, in what form and how would you propose funding it? If not, why not?

Yes, I support mass transit. We have to develop our transit support areas more densely in order to justify the expense. Station Nine was a step in that direction; the proposed Ninth Street North is another step. As the density of that TSA grows, mass transit support there will be viable. The same should be happening in and around all of our TSAs, and in Orange County and Wake County as well.

I'm concerned that if our only two choices are all or nothing, then nothing is very likely to occur. I've been told by proponents of guided bus ways that they are not viable here, for various reasons (largely cultural). The solution may be to build parts of proposed system—a piece linking Durham stations with Chapel Hill, a piece linking Cary to Raleigh sites, and continuing building the systems together, eventually linking them in RTP.

Funding it is difficult, and I don't have an answer now. Increasing the ad valorem tax rate would not be well-received by many people in Durham. Creating "new sources of revenue" like a prepared food tax might be more popular, but is regressive.

9. The County has provided economic incentives to lure new companies and new jobs to the area. Do you support the current County strategy? Do you have suggestions to enhance this strategy, or would you restrict/reduce it?

The County recently created a new policy. Instead of convening stakeholders, ascertaining appropriate goals for the program and determining the best program to accomplish those goals, the BOCC drafted with staff a new policy and sent it out for comment. That's more expeditious, but has less ownership from stakeholders (e.g. the Chamber of Commerce) and will be less effective than it could be.

In general I support the concept of economic incentives that meet five tests: the project would not have occurred without the incentive, they result in a Durham that we enjoy and cherish, they create value, they are the best deal Durham can get and the value of the incentives does not exceed the ad valorem taxes on the increased value of the property due to the investment of the applicant. For the second test, whether value is created can be determined by examining cash flows (appropriately discounted) over 5 to 10 years. Some cash flows are easy to measure, some are difficult.

The new County strategy requires a company to make an investment of at least \$30 million (\$50 million for a new employer) or create at least 200 jobs. I don't like that smaller employers have been left out—they can also add critical, sustainable jobs to Durham's employment base. The current strategy requires benchmarks to be met consistently, which I agree with. Payments to employers should not exceed increased property taxes due to the investment of the employer.

Do you support the County providing incentives to Greenfire and Scientific Properties for their current proposals?

Generally I am in support of incentives if they meet the five tests above. In addition it should be noted that the Greenfire and Scientific Properties will increase the potential for mass transit over time and have less impact on infrastructure needs (such as new streets and schools) because of their location and the demographics of their potential residents.

If so, should the County provide similar incentives in the future?

If the criteria above are met, yes. For a limited amount of time the City and County effectively reduce the tax bills of the properties receiving the incentives. If the development would not have happened without the incentive, Durham wins. Even if the development would have happened, Durham is cash flow positive.

Should the County impose certain requirements, e.g., require the creation and maintenance of a certain number of jobs? If so, why, and if not, why not?

The criteria listed above are for a project that will increase cash flows to the County due to increased property values. Neither Greenfire nor Scientific Properties are traditional employment generators. If an incentive is given in order to create jobs (with, for example, a manufacturing plant) then yes, the jobs should be maintained. I would prefer a policy which requires the creation of a certain number of jobs based on the public investment, allowing for a lower investment for fewer jobs.

10. What is the primary issue facing Durham County in its land use policies?

There are several issues facing the County: the current process for amending the Future Land Use Map (FLUM) of the Comprehensive Plan is driven entirely by applicants; the Unified Development Ordinance needs a large number of amendments already identified; governing bodies have no idea of the impact on water consumption any particular project will have (or, for that matter, how much water is generally available for the current build-out levels of the County); and land use development patterns will determine the viability of mass transit in the future. I would start with the FLUM amendment process.

This may seem wonky, but it goes to the heart of how land planning in Durham is accomplished, and who drives it.

How would you address this issue?

Currently the FLUM is amended only when an application is filed by someone with an interest in a property. The amendment is for specific properties and is generally a prelude to a rezoning request. When a FLUM amendment is considered, the context of the properties surrounding the subject property is considered. I want to implement a review process that would occur every three years, beginning with a citizens advisory panel. The panel would review all suggested changes to the FLUM and the surrounding areas, looking at land use patterns across the County. They would then recommend a series of changes to the Planning Commission and then to the governing bodies. Developers would still have the opportunity to suggest changes every three years, but the requests would be examined in the context of the larger community.