

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

Monday, May 26, 2009

7:00 P.M. Regular Session

MINUTES

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

Present: Chairman Michael D. Page, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser (arrived late), Becky M. Heron, and Brenda A. Howerton (arrived late)

Absent: None

Presider: Chairman Page

Opening of Regular Session

Chairman Page welcomed everyone to the Monday, May 26, 2009 Regular Session of the Board of County Commissioners. He then read the following statement, which is posted at the top of each County Commissioner meeting agenda: "The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed. As a courtesy to others, please turn off cell phones during the meeting."

Chairman Page requested that persons rise for the recitation of the Pledge of Allegiance to the Flag.

On behalf of the Board, Chairman Page extended condolences to Commissioner Howerton due to her mother's passing.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, that Commissioner Howerton be excused from the May 26, 2009 Regular Session of the Board.

The motion carried with the following vote:

Ayes: Heron, Page, and Reckhow

Noes: None

Absent: Bowser and Howerton

Agenda Adjustments

Chairman Page stated that the meeting would proceed with the printed agenda since no one offered agenda adjustments.

Announcements

Chairman Page announced that on June 8, 2009, the Board of County Commissioners will conduct a public hearing to receive citizen input on the FY 2009-10 recommended budget.

Minutes

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve as submitted the April 27, 2009 Regular Session Minutes of the Board.

The motion carried with the following vote:
Ayes: Bowser, Heron, Page, and Reckhow
Noes: None
Absent: Howerton

Recognition of Acts of Heroism by Durham County Paramedics

Chairman Page announced that several Durham County EMS employees are being recognized for outstanding efforts during a tragic structure fire on Russell Road in northern Durham County. Chief Len Needham, Bahama Fire Department, contacted County Manager Michael Ruffin to detail the acts of professionalism that were displayed by the paramedics on April 30 during their response to the call.

EMS Director Mike Smith thanked the Commissioners for the recognition, which coincides with Emergency Medical Services Week being observed May 17 – 23.

Chief Len Needham's comments follow:

“This County is very blessed to have a great staff of Paramedics. On Thursday night, April 30, 2009, around 22:00 hours, Lebanon was dispatched to a structure fire on Russell Road along with mutual aid from Bahama, Eno, and Durham. Medic 6 was the EMS unit dispatched. Upon arrival, the house was fully involved, and two victims were outside with severe burns all over their bodies. Medic 6 requested a second Medic unit, and Medic 2 was sent along with the EMS Supervisor. As I arrived, Medic 6 was working with the female, trying to get her transported from the scene. Medic 2 was trying to get down the long driveway to get to the male victim. Due to hose lines, Medic 2 had to park and carry their stretcher a long distance to get to their patient. All of these teams on Medic 2 and Medic 6, along with the EMS Supervisor and new employee riding with him, worked tirelessly to treat these patients and give them every chance at life. I know these patients are not what

they see every day, but the skill levels of these Medics were like they treated these types of patients daily. We are so lucky here in Durham to have great Medics like these to help our citizens when they are in need.”

Chairman Page called the following persons forward to receive their special certificates of recognition:

Chris Ragan
Donald Fonville
Karin Knight
Warren Swanson
Valerie Norton

Mr. Smith accepted the recognition for Rodney Medlin due to his absence.

Chairman Page asked that the audience show its appreciation by giving a round of applause. He stated that the Board is extremely grateful for the service provided during this effort and throughout the community.

Commissioner Heron recapped her personal experience with EMS a few days ago. She spoke of the professionalism of the Paramedics.

Recognition of Willis P. Whichard, President of the Durham Library Foundation

Chairman Page stated that the Durham Library Foundation, carrying the mission to develop and encourage the long-term financial health and growth of the Library through annual gifts, endowment, and capital contributions, would like the Durham Board of County Commissioners to recognize Willis P. Whichard for his accomplishments during nine years of Foundation leadership. Mr. Whichard has continuously demonstrated strong governance skills, public-speaking skills, ability, commitment, and professionalism when fulfilling his responsibilities to the Durham Library Foundation, including lending his expertise to securing fundraising resources.

Skip Auld, Director of the Durham County Library, introduced Willis “Bill” Whichard and recognized Mrs. Whichard and Ann Craver, the new President of the Durham Library Foundation. Mr. Auld stated that the Foundation raised about \$3 million under Mr. Whichard’s tenure. (The Friends of the Library [outside of Glaxo Smith Kline] made the largest donations to the Foundation during this time period.)

Alice Sharpe, Development Officer, Durham County Library, stated that in recognition of Mr. Whichard’s many years of service to the Foundation, his friends created a special fund—The Willis P. Whichard Opportunity Fund—which will be utilized for things that will provide a margin of excellence to Durham County Library.

Chairman Page read the following resolution:

RESOLUTION

WHEREAS, Willis P. Whichard became a founding member of the Durham Library Foundation in 2000 and immediately accepted the role of president. In this position, he has helped to grow the Durham Library Foundation in competence and scope and has remained actively engaged in the management and planning of the Foundation's future; and

WHEREAS, under Whichard's leadership, the Foundation raised a remarkable \$3 million, including \$1.5 million to match a National Endowment for the Humanities challenge grant for a humanities endowment; and

WHEREAS, during the nine years Whichard has been President of the Durham Library Foundation, 15 funds have been created, including the Leona and Willis P. Whichard Endowment for the North Carolina Collection. His guidance as President led to award-winning humanities programs, an improved summer reading program, and increased public access to computers and enhancements to Durham's libraries; and

WHEREAS, he always demonstrated strong governance skills, public-speaking skills, ability, commitment, and professionalism when fulfilling his responsibilities to the Durham Library Foundation, including lending his expertise to securing fundraising resources; and

WHEREAS, his profound passion for the Library to participate in "unexpected opportunities" has led the Durham Library Foundation to create the Willis P. Whichard Opportunity Fund in his honor; and

WHEREAS, his extraordinary service has provided untiring leadership and innovative ideas to the Durham Library Foundation, Durham County Library, and the citizens of Durham County:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby extend grateful appreciation to

WILLIS P. WHICHARD

for nearly a decade of support to Durham County Government. He will long be remembered for his visionary leadership style and for the invaluable contributions he has made to enhance the quality of life in Durham.

BE IT FURTHER RESOLVED that we wish him continued health, happiness, and a wealth of success as he continues on his exciting journey in his life!

/s/ All Five Commissioners

Mr. Whichard stated that it has been a pleasure and a privilege for him to serve an institution for one decade, which has served him so well for seven decades. He thanked the Commissioners for the honor.

Mr. Whichard accepted the resolution from the Commissioners, while receiving applause from the audience.

Chairman Page recognized Library staff and others members of the Library “family” who had come to the meeting. He thanked them for their contributions to the Durham community.

Presentation of the Commissioners Community Circle Award

Chairman Page announced that the Commissioners Community Circle Award is designed as a way to recognize County departments, local nonprofit organizations, and programs for the extraordinary services they provide to Durham’s citizens.

Chairman Page made the following comments:

“Fellow Board members, residents, Durham County employees, and those viewing tonight’s meeting from home, it is my pleasure to recognize the Durham City-County CrimeStoppers Incorporated as the third recipient of the Commissioners Community Circle Award. The Commissioners Community Circle Award enables the Durham BOCC to give special recognition to community organizations and County departments that have gone above and beyond to promote positive achievements in the Durham Community. Tonight, Durham City-County Crime Stoppers Inc. has been selected to receive this award because they have exhibited excellence in the areas of productivity, creativity, and commitment. In the area of productivity, Durham County CrimeStoppers has delivered a high level of service while saving the tax dollars of Durham’s citizens. Their devotion to solve crimes requires a minimal cost compared to the salary and benefits of a law enforcement investigator. In the area of creativity, the Durham City-County CrimeStoppers used various strategies to raise funding to offer a cash reward payment to those who come forward with information to solve crimes and lead to the arrest of criminals in the Durham area. Durham City-County CrimeStoppers Inc., innovative thinking to solve “cold cases,” has prompted the development of playing cards that will be distributed at detention centers that feature information about these cases in hopes to improve the likelihood of solving the associated crime. Lastly, Durham City-County CrimeStoppers Inc. has exhibited a commitment to the community by reaching out and speaking to Durham’s citizens and giving presentations about CrimeStoppers. Durham City-County CrimeStoppers has helped to resolve 16 cases during the first quarter of the current calendar year and 3594 cases since its establishment in Durham in 1983. The BOCC salutes the Durham City-County CrimeStoppers Inc. for its efforts and role in protecting the welfare of Durham County citizens. Pat Ellis, Chairman of the Durham City-County CrimeStoppers Inc., joins us tonight to receive the Commissioners Community Circle Award. Mr. Ellis, would you like to share a few words about your organization?”

Mr. Ellis thanked the Commissioners for the recognition. He stated that CrimeStoppers is a volunteer board which was established in 1983 and is comprised of Durham citizens. The success is due to the cooperation between the media, law enforcement, and the citizens of Durham. The main objective is to raise money to pay anonymous tipsters. To date, \$574,454 has been paid out. \$2.4 million in stolen property has been recovered, and \$2.5 million in narcotics has been confiscated. Mr. Ellis spoke about the cold case playing cards which would hopefully help solve many cold cases.

Chairman Page concluded his remarks by stating that Ms. Ellis is at the heart of this award as he strives to improve and enhance the Durham community. The County Commissioners and CrimeStoppers Inc. share the desire to make the community a better place to live. Chairman Page thanked Mr. Ellis and CrimeStoppers for their great work in the community.

FY2009-2010 Recommended Budget

Chairman Page stated that Durham County Manager Michael M. Ruffin will formally present the Recommended Budget for FY2009-2010 to the Board of County Commissioners. This is in accordance with N.C.G.S. 159-12 of The Local Government Budget & Fiscal Control Act.

County Manager Ruffin made the following remarks while showing a PowerPoint presentation:

“Thank you, Mr. Chairman. Good evening to you and other members of the Board of County Commissioners. My greetings also to County department heads, fellow County employees, and to others of you here tonight in the Commission’s Chamber, as well as those of you joining us by way of Channel 8.

This is the 9th budget I have brought to this Board and the 31st budget that I have brought to governing boards over my career. It is without exception the most difficult budget recommendation with which I have ever been tasked.

Whether we like it or not, a dramatic change is taking place in our country – one that is forcing local governments across the nation to make decisions about public services that no one ever believed possible. None of the public officials in this room tonight have ever seriously used words like layoff, furlough, pink slips, elimination, or reduction of services.

The ground rules by which we prepare annual budgets have changed – drastically – and so the assumptions we had to use in preparing the FY 2010 Budget also changed – drastically. The robust economy that we enjoyed for decades is gone. How much of it will return, and how it will behave, we don’t know. What we do know is that a new economy with a different behavior is already emerging, although still unclear. These unknowns were and will continue to be very much at play in the recommendation that I am making tonight, and the budget decisions that you will make over the next month. It

has been and will continue to be somewhat of a wild ride – one that hasn't been very much fun to this point.

You and all of the County employees in this room tonight have been wrestling with budget woes since last fall. In January of this year, I announced a \$14.2 million deficit for the current year's budget. All of us began working very hard to manage that deficit. I mentioned in January that slumping sales taxes and lower property tax collections would likely add millions to our \$14.2 million deficit. Both occurred, and we now estimate that deficit to be more than \$18 million. To the credit of a lot of people in this room, I am proud to announce that we have whittled our current year deficit to the point that it's only a few hundred thousand dollars, if any. This simply would not have been the case without the hard work of many of the people I have asked to join me tonight.

I want to thank a number of people for working very diligently on this year's budget as well as the budget I will soon be discussing with you. This is a great team of talented people who care about our business and the citizens we serve. They deserve a lot of credit for the successful management of the current year's deficit and the creative, thoughtful ways they worked with me in putting next year's budget together.

First, I want to thank Pam Meyer. This is her 9th budget here as well. I know all of you realize how fortunate we are to have Pam. As a manager, I have never worked with anyone who does the job she does as well as she does it. Thank you, Pam.

Pam has a great staff and the work they do is invaluable. These are the ones who pore over the line items, get into the trenches with department and agency heads, begin to ask some of the hard questions, and bring recommendations forward to the senior management team that are always supported with great documentation. They make life much easier the not-so-easy budget environment in which we all found ourselves this year. Thanks to all of you.

No manager is better than the ones who surround him every day. I am fortunate to have a very seasoned, bright, and energetic Senior Management Team. I recognized early on in our budget process that I needed to rely upon the judgment of this group more than I ever had. We have spent untold hours together, and the decisions that are being put forward tonight are the decisions of our team. Working with them this year has been one of the bright spots in an otherwise dark time. Thanks to all of you.

Finally, I want to recognize a group of people here tonight that rolled up their sleeves and helped us put a budget together in keeping with some goals that were very difficult to swallow. These department heads and the leadership teams who accompany them are truly team players. Just look at the group –

two of our department heads are elected, and their employees work for them, not me. Many of our department heads are not appointed by me. Rather they are appointed by other boards. I cannot lord over them either. And yet, here we all are, together. The truth is they have as much ownership in this budget as I do. I could not sit here tonight and make many of these recommendations without their support and confidence. Thank you all for the outstanding work you have done and for what you, your staff, and your departments do for our citizens every day.

We live in a time of great uncertainty. What is certain, however, is that Durham is very different today than the Durham we knew last year at this time. Our unemployment rate, while considerably lower than the rest of the country, has been on a steady climb – now at 7.7%. People are out of work, and in this economy, there is fear that their return to gainful employment will take longer than normal. Some fear they will never replace the incomes they had.

Home sales in the Triangle have plummeted. I remember being told when I purchased my first home over 30 years ago that real estate is the only investment you could count on to hold its value during recessions. You're lucky in this market – as comparatively strong as it is – if you can sell your home for what you paid for it just a few years ago. Indeed, our economy is no longer behaving the same way.

New residential construction is just as telling and had been declining for the last couple of years. In 2007, for example, we issued over 1,700 permits. This year, we've issued less than 300. This really isn't surprising, but it helps to explain why our tax base is seeing sluggish growth and our school system's projected population for next year will go down by almost 500 students.

This recession is having a tremendous impact on families. Payment plans for property taxes are up fourfold. Bankruptcies are on the upswing, and foreclosures in Durham County for the first 4½ months of this year are already over twice what they were for all of 2008. Let me repeat that – foreclosures in Durham County for the first 4½ months of this year are already twice what they were for all of 2008. Our families are struggling to make ends meet!

Numbers like these mean that additional funds from growth that have flowed through our budget in previous years are simply not around anymore. Even more troubling, there are new rules now driving our banks, our auto dealerships, our credit cards, and yet to be rules that will affect how we provide our services – our economy is changing, but we're not quite sure how and to what extent. In this uncertain time, it is important that we carefully weigh the short- and long-term impact of the options we deploy to finance the services we believe are necessary.

Some have suggested that we should consider raising property taxes; others have said we should tap our reserves to see us through the short-term; perhaps we should begin to make some choices about which public services are important and which public services are not as important. Then we could strategically eliminate or reduce some of the services we provide; or maybe we should face reality and simply adjust spending in line with the money that is available. I chose the latter, but let me explain why.

Raise Taxes: Several of you, the majority of you, expressed concerns to me earlier this year about raising property taxes in these times. It's the easy way out. Yes, it raises a lot of money—one cent next year will generate over \$2.8 million; and some would say, 'but it's only another \$20 on a \$200,000 home'. I expect there will be a chorus of citizens asking you to consider a tax increase. I urge you to think about those who may not be present – like the elderly, which represents 9.3% of our population, or the 15.3% of Durham County citizens who live below the poverty line. To them, \$10 to \$20 is a lot of money.

Use More Fund Balance: Some have the impression that we are sitting on largesse of money that could easily be tapped for emergencies like this one. And while we have an estimated fund balance that in total is \$93.9 million, only 40% of it is labeled “undesignated” and legally available for appropriation. The problem with any appropriation of fund balance is the fact that bond rating bureaus are watching to see how we handle our current deficits in light of an extremely sluggish economy that is not producing sufficient revenue to underpin expected expenses. One of the three major bond rating bureaus, Moody's Investors Service, paid a visit to us in just the last couple of months. These credit rating agencies are under extreme pressure to get it right with local governments due to the inflated ratings they gave to banks, insurance agencies, and investment banking firms. They want to see us get our expenses in line with annual revenue, or show the political will to raise taxes. Tapping reserves is a “no – no”, particularly when we would be doing so to fund annual, recurring expenses. To them, and I agree, we would only be delaying the inevitable. AAA-rated credits like Durham County are expected to show leadership and the financial fortitude to manage responsibly its finances from year to year – that's how we earned the AAA credit rating to begin with, and it's how we will retain it.

There's another important reason to be careful using appropriated fund balance. Several years ago, at the urging of the credit rating agencies, you adopted a financial policy for our organization. At the time, we were far below the % of undesignated fund balance expected of a AAA credit. We were encouraged to set a target of 15%, and once we attained it, to stay there. All of the County officials in this room tonight, including you, have worked hard to get our undesignated fund balance at 15%. At the end of this fiscal year, we expect an undesignated fund balance of 15.33%. If we were to go below our target, our adopted financial policy requires that we put a plan in

motion to get it back to the target level within one year. This plan would need to be submitted to the bond rating agencies, and believe me, there would be a lot of questions about why we allowed it to happen and how we planned to spend the money. We do not want to go there, and I cannot imagine how we could possibly rebuild it in a year where revenues are projected to be sluggish. Clearly, any plan would force us to immediately eliminate or reduce services in order to create the money to restore the amount of undesignated fund balance we had pledged to spend.

Eliminate or reduce services: It's counter-intuitive, but in hard times our business increases. In Sunday's Herald-Sun, for example, the Department of Social Services reported that over the last eight years, the department has seen a 120% jump in food stamps, and over the last four months, DSS has seen an almost 11% increase in food stamps.

Those who are out of work and do own computers are showing up in our public libraries using our resources to locate and apply for jobs. Public computer sessions by the end of this calendar year are expected to spike by 40%. People are hurting, and they are turning to us for help.

We were able to avoid any elimination of services for next year. I could argue that no service levels have been reduced, but I think that some wait times might increase due to the number of vacant positions that I had to take to balance next year's budget.

If the Governor or the General Assembly were to make any further reductions to expected state revenues, and it is looking increasingly likely that they will, we may be forced to reduce some of our service levels to bring our expenditure budget back in line. For example, just last week, we learned that the legislators were considering elimination of the \$18 per day that counties receive from the State for housing misdemeanants in County jails. This seemingly innocuous action would mean loss of over \$500,000 in revenue to Durham County. I certainly hope these kind of reductions will not be the case, but I am concerned by what I see going on in Raleigh.

Let me be very clear in saying to you that an extended economic recession will likely require the elimination or reduction of services in subsequent years. We have now pared our operating budgets to the bone. Therefore, any continuing decline of annual revenues will force us to look at all of our service lines and make some very important strategic choices about whether we should continue some of them, and if so, at what level. I do not think this is a question of whether, but one of when, and "when" could be as early as next year. Because of this inevitability, Chairman Page has agreed to schedule a fall retreat for you to begin to develop a strategy for staff to use as we assess the services we provide. This, I think, responds directly to the questions Commissioner Howerton and others of you raised at your February retreat:

How do we determine which services are the most important to us? What are the core values we will use to make these decisions?

Reduce Spending: Unfortunately, Option #4 is the best choice for any number of reasons already cited. I saw this train coming and in December, decided to request that all department and agencies submit budget requests that included 10% reductions from what was approved last June. Every County department and agency complied with this request except the Durham Public Schools.

I told everyone at that time to tell us how their 10% reductions would affect the services their department and agencies provided. In some cases, it meant deep reductions in service levels that included the layoff of County employees. We did not believe this to be a wise choice at a time when demand for our services is growing. Therefore, I could not accept some of the choices that were brought forward. To have done so, for example, would have meant the elimination of 31 positions, 26 of which were deputies – a very unwise choice and one that I am proud to say we have been able to eliminate as an option.

I did take some of those 10% reductions, but on average, I have reduced all County departments and agencies by 6.6%. The only expenditures that were not reduced to this level were for Durham Technical Community College and Durham Public Schools. I have recommended reductions of only 2.8% for both institutions.

These reductions in expenditures hurt everywhere. As I mentioned, our County departments have pared their operating budgets to the bone. For example, travel and training are down – we will seek more local and regional training opportunities. New vehicle purchases are limited – none in the Sheriff's Office next year. And while dues for professional memberships have been included, dues to civic organizations such as Rotary International have been eliminated.

In spite of all the reductions that are recommended for next year, I believe we're putting a budget in front of you that will ensure the continued delivery of the high quality, award-winning services for which Durham County is known across the country. Next year's overall budget appears to be growing with a 5.97% increase as well as our General Fund budget that includes a 3.88% increase, but in terms of local funds, I assure you it's considerably lower. If you subtract pass-through funds, federal and state funds for public assistance that simply pass-through our budget into the hands of needy families, our overall General Fund budget, where most of the costs for County services is reported, is down 6.2%.

Let me briefly canvass where the \$22.4 million in General Fund reductions are located. On the revenue side, the property tax base is up, enough to generate another \$2.28 million in growth, but it's considerably down from

previous years and is no longer growing at a sufficient rate to sustain annual expenses.

Due to the great job in collecting delinquent taxes that Kim Simpson and our Tax Department are doing, there is not as much delinquent tax money to collect as we have had in previous years. In short, we are victims of our own success and now must reduce the amount we expect to collect below the previous years' amount.

Sales tax receipts are considerably lower next year, but it's not altogether due to our sluggish economy. Last year's Medicaid Swap approved by the General Assembly eliminates the County's share of Medicaid, a \$7.7 million reduction on the expenditure side, but to help pay for it, the State is taking one of the three ½-cent sales taxes we have. So sales tax receipts are declining due to the sluggish economy and the Medicaid Swap.

Investments, fund transfers, and other revenue are understandably down, and I have also reduced the annual fund balance appropriation that we use to balance our budget. Each year, our plan is to appropriate an amount of fund balance that we do not plan to spend. We know at the end of the next fiscal year, departments will not spend all of their appropriations, and we know that we will experience turnover during the fiscal year which means that all of the dollars appropriated for positions and benefits will not be entirely spent. We also know that our departments will spend more in their budgets than in previous years, and that our position vacancy rates will be much lower than normal. It makes good sense therefore to appropriate less fund balance in if we are to ensure that none of it is spent.

Expenditures have also been reduced by \$22.4 million. Again, we were able to eliminate \$7.7 million next year due to the State's decision to pay Durham County's share of Medicaid. The other reductions are coming from County departments and agencies – reductions that were very difficult to take. I will chronicle each of these in greater detail in just a few minutes.

Before I go there, let me show you where we get the money to pay for next year's recommended expenditures. Almost 55 cents of every dollar we collect comes from the property tax. It's really the only revenue over which you have complete control. The other major revenues are sales taxes, 13.35 cents of every dollar we receive along with Intergovernmental revenue, state and federal grants that generate 21½ cents of every dollar we collect.

We do have stimulus funding already plugged into next year's budget. As more funding becomes available to support County services, we will use it. Interestingly, amounts that will be available are still not yet known. DSS and other human service agencies are receiving additional information daily. This is what we do know to date. By the way, Justice Assistance Grant (JAG) and Community Oriented Policing Services (COPS) funding could not have come

along at a better time. We have and plan to use these monies to save positions in the Sheriff's Office.

Next year's property tax base is up, but only 1.37% from revised current year collections, far less than in previous years where we have seen increases of 4% or greater. Every 1% of tax base growth equates to over \$2 million in additional tax dollars. In other words, a 4% growth would have meant an additional \$8 million for the County compared to the 1.37 % increase which only provides 2.7 million for the County. Another property tax hit, directly related to this recession, is a lowering of the tax collection rate by 0.75%. This costs the County approximately \$1.5 million, reducing the overall increase from \$2.7 million to 1.2 million. This recession is deep and property tax base growth, our largest source of revenue to fuel our expenses, is where we are taking the biggest hit.

There are two key General Fund revenues that produce the bulk of the money to fuel our expenses – property taxes and sales taxes. Next year, we have forecasted \$188.8 million in property taxes in the general funds, a very sluggish 1.25% increase. Sales taxes for next year are down 9.1% - again besides a sluggish economy, next year the County loses the proceeds from one of our three ½ cent sales tax, Article 44 on this panel, amounting to over \$5.1 million in lost revenue.

Here are some other revenue highlights that bear some mention. Next year's property tax collection rate is down ¾ of 1% for obvious reasons. As already explained, the appropriation from undesignated fund balance is also down from \$13.5 million to \$6.5 million.

The mortgage market is not strong, and Register of Deed revenues are down next year by almost \$1 million. Development fees are down, and engineering revenues for stormwater and soil and erosion control fees are down by \$200,000.

As I have already mentioned, pass-through funds, Medicaid, Food Stamps, Temporary Assistance to Needy Families, etc. are up by almost \$49 million. This is a strong indicator that the numbers of those struggling in Durham County are growing. Keep this in mind as you consider requests to increase property tax increases. There is a sea of folks out there who may not show up at a public hearing who are struggling and cannot afford a property tax increase of any amount.

Let's turn to expenditures for next year. Over 76 cents of every dollar we project to spend next year is either for public education, public safety, or human services. This fall, when we began make decisions about what is important that we do, much of the attention will likely focus in these three areas, although there are other important functions, too.

Major expenditure highlights – a 2.8% reduction to Durham Public Schools; a 2.8% reduction to Durham Tech; an average reduction of 6.6% to County departments; a 6.6% reduction to nonprofit agencies; and a 6.6% reduction to the Museum of Life and Science.

Other major recommendations:

No increase in the property tax rate of 70.81 cents is proposed.

No County employees will lose their jobs.

No reductions in County benefits are proposed, including the County's 5% contribution to employee 401(k) plans.

No County services are proposed for elimination.

No annual salary increases are recommended for County employees and officials – which results in a savings next year of almost \$1 million.

No annual longevity payments are recommended for next year – this results in a savings of \$575,000

County employees recognized that they had to make sacrifices to save the jobs of their co-workers. Are they happy about it? Of course not, but they're not complaining either. I have emailed them at least 3 times over the last several months preparing them for this recommendation. I have heard back from scores of them, and not one of them has complained about giving up their raise for next year. I think we all recognize that we are fortunate to have the jobs we have and grateful to give our raises up to make sure someone else is able to keep their job.

I have recommended the elimination of over 33 vacant (FTES) positions which will save over \$1.77 million next year. Again, this will stretch our ability to serve our citizens, but is an important sacrifice we had to make to balance our budget. Many of these positions are in Public Health, and Gayle Harris worked with us to recommend them. Clearly, it will require more of our Public Health employees but Gayle, who will appear before you on the afternoon of June 8 to discuss this matter, does not believe public health services to our citizens will be compromised. Our citizens will continue to be served with dignity, respect, and professionalism across our organization – our commitment to these principles will not change.

Eleven and one-half new positions have been recommended. Seven in Mental Health for Medicaid Utilization Review and Management—all paid with state funds. Four and one-half additional positions, paid with local funds, will be required to re-open Southwest Library next May and South Library in July. Both of these facilities will open on time. We will staff our facilities with fewer staff than originally planned, but have worked closely with the Library management team. They are comfortable with this recommendation. No additional new positions are recommended anywhere else in the organization.

Other important recommendations:

Homeless services have not been reduced by 6.6%. I could not in all conscience recommend such a deep reduction to a group of our citizens that is suffering perhaps more than anyone. Urban Ministries will receive an increase of \$4,440 from the current year, and I have only proposed a \$188 reduction for the Ten-Year Plan to End Homelessness.

I have recommended \$18,680 for the Durham Economic Resource Center, another poverty initiative that you decided to fund in the current year. They, too, will be present on the afternoon of June 8 to report on their progress. \$571,199 was proposed for the Animal Protection Society. I commend this group for offering up a 10% reduction, but it was simply too deep to accept. For example, I could not accept the elimination of rabies vaccinations for shelter employees. A 6.6% reduction has been recommended, the same as for all nonprofits agencies.

Ten-percent reductions have been recommended for the Chamber of Commerce and Downtown Durham. I have been assured by Casey Steinbacher and Bill Kalkhof that these reductions for next year can be accommodated by both organizations. These are extremely important partners in economic development. New announcements mean new jobs and additional tax revenue. Our activity continues to be strong, and I believe we will see announcements next fiscal year. In this economy, it's one of the very few bright spots in our near-term future.

More funds are required for public information next year. Time Warner Cable's decision to close its Club Boulevard studio and eliminate free broadcasting services for the County and the community has forced the City and County to fill the gap. In our budget, we have to provide additional funds to produce County programs and to put your meetings on the air. We have also budgeted funds for the provision of broadcasting services on Channel 18 – again a service previously provided by Time Warner Cable, but now provided by the City and County for the next 18 months while the community develops a sustaining strategy to provide the necessary funding.

Each year, the City and County jointly share the operating deficit for the Durham Convention Center. Our share of next year's deficit is projected at \$437,715.

I am pleased we experienced only a 2.5% increase in our benefit cost. Your decision earlier this year to move to self-funding saved a substantial amount of money. Local governments across the region are seeing increases of 10% or more. Many of them are passing some of the increases along to their employees, which we were also able to avoid.

I have also recommended \$25,000 to help kick-off performance contracting. Many of our older facilities are significant energy consumers. Performance contracting will enable us to improve the energy efficiency of these buildings

– one of the key recommendations of our Greenhouse Gas Emissions Plan. Federal stimulus funding to counties for such initiatives is available but awarded on a competitive basis. We will be submitting an application for funding to help underwrite the cost of such initiatives. I am hopeful that we will see an injection of a substantial amount of federal stimulus funding for our performance contracting initiative. For now, \$25,000 will get us off to a good start.

We continue to support our transportation demand initiatives. \$20,000 has been budgeted for the Go Pass program which provides our employees free passes if they will use public transportation to get to work. Several transportation projects requiring County funding were requested by the Durham–Chapel Hill–Carrboro Metropolitan Planning Organization. \$17,000 in funds has been recommended. The City of Durham has also included an appropriation in its recommended budget to fund its share of these projects. Nonprofit agency funding for next year has been reduced. Unfortunately, I was not able to recommend funding for any new nonprofit agencies. Thirty-three existing agencies were funded – two did not reapply – the American Red Cross and the Volunteer Center of Durham. Therefore, my recommendations results in a 9.4% reduction from the current year. However, all existing nonprofit agencies that were funded will see their funding reduced by 6.6%. This is the list of the nonprofit agencies I recommend for funding next year. I'll give you a moment to review the list.

This lease amendment that you approved with the Duke Health System for Durham Regional Hospital provides \$3.95 million next year compared to \$2.9 million in previous years. Every dollar of these funds has always been spent for health, and next year is no different. Here's the list of funding I propose. (County Manager Ruffin read the list and made comments.)

The elephant in the room tonight and throughout your discussions on this budget is what to do about school funding. There's really not very much to quibble about up until now. However, I know you're already beginning to receive a flurry of emails and telephone calls from parents, teachers, and school administrators. And I expect that over 90% of the comments you receive at the June 8 public hearing on the recommended budget will concern school funding. I know there is concern about school funding, and I also know there is a lot in the way of misinformation about the level of school funding we provide. County funding is not the problem here. Rather it is the vacuum created by the reductions in state funding.

I think I have made a good, realistic, defensible recommendation for school funding. I have asked the school system to take far less of a reduction, less than half what I have recommended for County departments and agencies and nonprofit organizations. I was disappointed that the Board of Education brought no solution to the table other than to raise taxes or tap our reserves. Clearly, they aren't on the same page with their Superintendent either. He

recognized that times are now different, and to his credit, put forward a reduced budget, which for the first time in recent memory, they did not accept. I think they missed a great opportunity to assess what isn't working and make some adjustments. Necessity is often the mother of invention. Money is not the reasons why our system is not meeting the expectations of parents. It's the direction of the money.

Let me share with you some of the information on which I relied to reach my recommendation.

First of all, for the past several years, the school system has presented a budget that in part requested more money due to student growth. In the left column of this panel is the current year's budget presented to us this time last year. Notice that over \$1.7 million of the request involved money for student growth. Look at the detail that was provided. Now look at the area on the right highlighted in red. This information was conspicuously missing from this year's request. Why? Because there is no student growth. Yet one would think that if there were fewer students, there would be some corresponding reduction, just as you see in the left column where the \$1 million reduction was made in the current budget for fewer charter school students.

If DPS had continued the same format, here's what should have been included in this area of the form. This year, DPS or charter schools had 336 fewer students report for school than projected –meaning the County overfunded the system by more than \$926,000. Next year, DPS projects 1,058 fewer students. Unlike last year, the charter school population is projected to grow by 594 students. In other words, 464 fewer students will enter a Durham Public School or a charter school next year – a reduction in need funding of \$1,345,136. Had this information been shown, as it was in those years where there was student growth, a budget reduction of \$2,271,488 would be justified, and no damage done to public school funding because it represents a reduction for students who have not or are not expected to report for school. This translates into fewer teachers, administrators, guidance counselors, less for supplies, etc.

My recommendation for Durham Public Schools reflects these reductions as well as the \$649,588 reduction recommended by Dr. Harris. This represents a 2.8% reduction or \$2,921,076 – the equivalent of 1.03 cents of property tax.

This reduction represents a \$45 per pupil reduction from \$2,899 to \$2,854. By the way, when you add debt to the per pupil expenditure, our per pupil expenditure actually increases by \$46 next year - \$1 more than the \$45 dollar per pupil reduction I have proposed for current expense.

Here are two interesting tables I want to spend a moment discussing with you. The upper table chronicles how much my recommendation, the

Superintendent's recommendation and the School Board's request would affect per pupil spending. Notice that while the Superintendent recommended an almost \$650,000 reduction to current expense, he actually recommended a \$20 per pupil increase. Clearly, fewer students more than made up the difference on a per pupil basis. The school board, however, is seeking an \$80 per pupil increase. It's no secret that these additional funds from us are being requested to make up some of what the state is taking.

The bottom table provides a breakdown of per pupil spending for current expense and debt service. Notice here that while our debt service on a per pupil basis is increasing \$46 next year, \$693 will be spent next year for every Durham County child who attends school.

I mentioned earlier that over 31 cents of every dollar spent is for public education. However, if property tax were the only source of income for the Durham Public Schools next year, over 53 cents would be spent next year for every child in Durham Public School and charter schools.

The County has been extremely generous to the school system over the last nine years that I have been here. We support and will continue to support our public school system with funding that exceeds both what counties in our region and across the state give their school systems. Since Fiscal Year 2001, per pupil spending, excluding debt, has increased by almost 30%. But we cannot sustain the reductions created by the loss of state funding. The system simply must make the financial corrections necessary to meet the needs of our children.

We are seeing similar reactions among the ten most populous counties, too. County Managers in New Hanover and Wake Counties, even with growing student populations, have recommended reductions for current expense funding for their system. Four of the five most populous counties have recommended reductions. The others have recommended small increases largely for continuation costs. Only Cumberland County recommended what I consider a modest increase; however, their manager told me last week that he wanted to recommend a reduction, but is bound by an agreement his board adopted a few years ago with the school board that provides increases based on the increases in the property tax base.

We are often compared ourselves to Forsyth County because former Superintendent Ann Denlinger told us several years ago that our system had similar demographics to the Forsyth system, which by the way will spend \$775 less per pupil next year than what I have recommended.

How does my recommendation compare to other counties in our region? We are hundreds of dollars ahead of everyone except Orange County, whose manager by the way recommended a \$104 per pupil reduction for next year. Notice here that Wake County with a growing student population proposes to

spend \$725 less per pupil than we do. Again, money is not the issue here. It's more about how the money is being used. My recommendation provides sufficient funding for our school system to prosper.

Finally, I want to cover tax rates in the seven fire districts that serve unincorporated Durham County. New Hope and Eno Fire Districts are principally located in Orange County which is in a revaluation year. Orange County sets the tax rates for both of these fire districts. The proposed rates are revenue neutral in Orange County. However, taxpayers in Durham County will see a substantial property tax reduction in their bills since this revaluation is not applicable to these taxpayers. New Hope taxpayers will see a 15% reduction in fire district taxes and Eno fire district taxpayers will see a 12% reduction in their fire district tax bills. All other fire tax rates are level – no increases have either been requested or proposed.

The public hearing on the recommended budget will be held in this room on June 8 at 7:00 p.m. The adoption of the budget is tentatively scheduled for June 22. However, we may need to delay adoption of a budget ordinance and the setting of the tax rate to see what if any action the General Assembly takes with regards to its budget. Some of the actions under consideration could have grave impacts on the County budget. Unless they are much farther along in their budget deliberations, I would suggest we wait and see what happens.

Budget hearings with department and agencies are currently scheduled for this Thursday, May 28, with the Durham Public Schools. This meeting begins at 9:00 a.m. Other hearing dates and times are June 8 from 1:30 p.m. to 5:30 p.m. and June 11 from 9:00 a.m. to 12:00 Noon. Appointments are being finalized and will be published in the next few days.

Copies of the proposed budget will be available tomorrow morning at 8:30 a.m. in our public libraries, the Clerk's Office, the Budget Office, and the County Manager's Office. A copy of tonight's presentation and the proposed budget will be available on the home page of the County's website by 8:30 a.m. tomorrow morning, May 27. The County's website address is www.durhamcountync.gov.

Thank you for affording me the time to present the proposed budget. I look forward to working with each of you in the days and weeks ahead."

Commissioner Heron thanked and complimented the Manager and staff for the proposed budget. She stated that this year's budget affords the Board with an opportunity to evaluate which programs are beneficial and to eliminate programs that are not of use.

Chairman Page echoed the comments of Commissioner Heron. He expressed gratitude that personnel cuts are not a part of the budget. Chairman Page stated appreciation for all County employees and for the sacrifice they will be making during FY 2009-10. He thanked the

County Manager for the ways in which he is respectful of and sensitive to the elderly and the citizens of the community who have limited financial resources.

Commissioner Heron expressed appreciation to Chairman Page for his remarks.

Vice-Chairman Reckhow concurred with the comments made by Chairman Page. She thanked the County Manager and staff for taking the direction given by the Commissioners at the budget retreat to develop the draft budget. She thanked the Department Heads for taking a leadership role and agreeing with the budget cuts.

Commissioner Bowser added his thanks to County Manager Ruffin and his staff for doing a great job in the recommended budget. He stated that it is imperative that the Schools and Department Heads work together in order to finalize the budget put forth by the Manager. Commissioner Bowser mentioned the large poverty rate in Durham compared to other counties in the state. He expressed delight that the proposed budget does not include a tax increase because the elderly live on a fixed income and because many citizens are near the poverty level. Commissioner Bowser mentioned that a large number of citizens live in the City of Durham and are facing increases in water bills, etc. He reiterated that everyone (Department Heads, Durham Public Schools, and nonprofits) should work together to finalize the budget.

Commissioner Howerton voiced her appreciation for the recommended budget. She thanked Chairman Page for announcing why she arrived late. She made a special effort to attend tonight's meeting since this is her first budget process as a Commissioner and she wished to hear the County Manager's presentation. Commissioner Howerton thanked the staff for all their hard work.

Chairman Page recognized the many County employees who took the time to attend the meeting in support of the recommended budget.

Consent Agenda

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the following consent agenda items:

- *a. Property Tax Releases and Refunds for Fiscal Year 2008-2009 (accept the property tax release and refund report for April 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. Approval of the County Tax Administration Records Retention and Disposition Schedule (accept the Schedule issued by the North Carolina Department of Cultural Resources as presented and authorize the Tax Assessor to destroy non-permanent tax records after their respective retention periods in accordance with Chapter 1221 and 132 of the North Carolina General Statutes);

- *c. Budget Ordinance Amendment No. 09BCC000068—Tax Administration—Turner Business Appraisers Contract Amendment in the amount of \$180,000;
- *d. Budget Ordinance Amendment 09BCC000069—Social Services—Recognizing Additional Revenue in the amount of \$3,075 for Progress Energy, Energy Neighbor Fund;
- *e. Budget Ordinance Amendment No. 09BCC000070—Transfer the Remaining Wireless Fund Balance to the City of Durham from the Emergency Services Special Revenue Fund (911 Surcharge);
- *f. Budget Ordinance Amendment No. 09BCC000071—Tax Administration—County Tax Service Inc. Contract Amendment (approve in the amount of \$75,000);
- *g. Budget Ordinance Amendment No. 09BCC000072—Tax Administration—Evans & Associates Consulting Group Contract Amendment (approve in the amount of \$10,000);
- *h. Budget Ordinance Amendment No. 09BCC000073—Durham Public Library—Accept the Grant Funds of \$29,250 from the Bill and Melinda Gates Foundation to Purchase Computers for the Durham County Library System;
- *i. Capital Project Amendment No. 09CPA000017 – \$189,677 Appropriation Of Federal Grant To Increase The Lincoln Community Health Center Renovation (No.: DC095) To \$239,677; funding for this project will come from a grant financing loan and any General Fund funds spent towards these projects will be reimbursed once grant funds are secured;
- *j. Capital Project Amendment No. 09CPA000016—Appropriation of \$88,572,996 (2009 Certificates of Participation, COPS) for Various Capital Projects;
- k. Encroachment Agreements with NCDOT at Creekside Elementary School (approve the two Right-of-Way Encroachment Agreements for Curb and Gutter, Widening, and Storm Drainage with NCDOT related to the Creekside Elementary School addition and authorize the Manager to execute the agreements);
- l. 2008 Annual Report of the Durham Environmental Affairs Board (accept the report);
- ~~m. Removed from the agenda: Approve the Stormwater Agreement for the Southwest Regional Library and authorize the Manager to Execute;~~
- n. Authorize the Submittal of a Street Closing Application for the Closing of Wisteria Avenue as a Public Street;
- o. Left blank intentionally;

- p. Civic Center Authority Appointments (approve the appointments of Commissioner Bowser and Mr. Billy Ruffin);
- q. Cain Creek Acquisition Open Space Clean Water Management Trust Fund Grant Agreement (authorize the Manager to execute the Agreement and approve the conveyance of conservation easements to the State of North Carolina in accordance with the grant agreement once CWMTF funding for the project has been restored);
- r. Durham Public School Gym Addition at Lakeview School (that the Board [i] exempt itself from the requirements N.C.G.S. Chapter 143 Article 3D for the design services of FANNING/HOWEY Associates for work at Lakeview School; [ii] approve the Design Consultant contract with FANNING/HOWEY Associates for design work at Lakeview School in an amount not to exceed \$154,950, and authorize the County Manager to execute the contract, and [iii] accept the deed to the school property);
- s. Southwest Regional Library Easement Dedications (approve the Final Plat to be recorded in the Durham County Register of Deeds Office); and
- *t. Revised Durham City-County Inspections Department and Durham City-County Planning Department Fee Resolution FY 2009-2010.

The motion carried unanimously.

Chairman Page noted the number of departments which are applying for grants and expressed his appreciation, especially during this difficult economic time.

*Documents related to these items follow:

Consent Agenda Item No. a. Property Tax Releases and Refunds for Fiscal Year 2008-2009 (accept the property tax release and refund report for April 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report).

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the report details releases and refund for the month of April 2009.

Releases & Refunds for 2008 Taxes:

Real Estate	\$7,251.98
Personal	\$37,847.89
Motor Vehicles	\$31,866.49
Vehicle Fees	\$825.00
Solid Waste Fees	\$0.00
Total for 2008 Taxes and Fees	<u>\$77,791.36</u>

Releases & Refunds for 2009 Taxes:

Real Estate	\$9,354.91
Personal	\$0.00
Motor Vehicles	\$0.00
Vehicle Fees	\$0.00
Solid Waste Fees	\$0.00
Total for 2009 Taxes and Fees	<u>\$9,354.91</u>

Prior years' (2005-2007) releases and refunds for April 2009 are in the amount of \$11,294.18. The total current year and prior year' releases and refunds amount to \$98,440.45

(Recorded in Appendix A in the Permanent Supplement of the May 26, 2009 Regular Session Minutes of the Board.)

Consent Agenda Item No. c. Budget Ordinance Amendment No. 09BCC000068—Tax Administration—Turner Business Appraisers Contract Amendment in the amount of \$180,000.

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Budget Ordinance
Amendment No. 09BCC000068

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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>			
Taxes	\$242,023,972	\$180,000	\$242,203,972

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

This the 26th day of May, 2009.

Consent Agenda Item No. d. Budget Ordinance Amendment 09BCC000069—Social Services—Recognizing Additional Revenue in the amount of \$3,075 for Progress Energy, Energy Neighbor Fund.

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Budget Ordinance
Amendment No. 09BCC000069

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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	\$400,595,205	\$3,075	\$400,598,280

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$450,812,386	\$3,075	\$450,815,461

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

This the 26th day of May, 2009.

Consent Agenda Item No. e. Budget Ordinance Amendment No. 09BCC000070—Transfer the Remaining Wireless Fund Balance to the City of Durham from the Emergency Services Special Revenue Fund (911 Surcharge).

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Budget Ordinance
Amendment No. 09BCC000070

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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>SPECIAL REVENUE FUND</u>			
Other Financing Sources	\$1,288,725	\$423,215	\$1,711,940

Expenditures:

<u>Activity</u>			
<u>SPECIAL REVENUE FUND</u>			
Public Safety	\$4,404,435	\$423,215	\$4,827,650

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

This the 26th day of May, 2009.

Consent Agenda Item No. f. Budget Ordinance Amendment No. 09BCC000071—Tax Administration—County Tax Service Inc. Contract Amendment (approve in the amount of \$75,000).

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Budget Ordinance
Amendment No. 09BCC000071

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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>			
Taxes	\$242,203,972	\$75,000	\$242,278,972

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$ 34,936,799	\$75,000	\$ 35,011,799

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

This the 26th day of May, 2009.

Consent Agenda Item No. g. Budget Ordinance Amendment No. 09BCC000072—Tax Administration—Evans & Associates Consulting Group Contract Amendment (approve in the amount of \$10,000).

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Budget Ordinance
Amendment No. 09BCC000072

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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>			
Taxes	\$242,278,972	\$10,000	\$242,288,972

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$ 35,011,799	\$10,000	\$ 35,021,799

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

This the 26th day of May, 2009.

Consent Agenda Item No. h. Budget Ordinance Amendment No. 09BCC000073—Durham Public Library—Accept the Grant Funds of \$29,250 from the Bill and Melinda Gates Foundation to Purchase Computers for the Durham County Library System.

DURHAM COUNTY, NORTH CAROLINA
 FY 2008-09 Budget Ordinance
 Amendment No. 09BCC000073

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 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>			
Contributions & Donations	\$2,490,039	\$29,250	\$2,519,289

Expenditures:

<u>Activity</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Cultural and Recreation	\$ 12,345,856	\$29,250	\$ 12,375,106

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

This the 26th day of May, 2009.

Consent Agenda Item No. i. Capital Project Amendment No. 09CPA000017—\$189,677 Appropriation Of Federal Grant To Increase The Lincoln Community Health Center Renovation (No.: DC095) To \$239,677; funding for this project will come from a grant financing loan and any General Fund funds spent towards these projects will be reimbursed once grant funds are secured.

DURHAM COUNTY, NORTH CAROLINA
 FY 2008-09 Capital Projects Ordinance
 Amendment No. 09CPA000017

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Inc./Dec.	Revised Budget
Lincoln Community Health Center Renovations Project	\$50,000	\$189,677	\$239,677

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

This the 26th day of May, 2009.

Consent Agenda Item No. j. Capital Project Amendment No. 09CPA000016—Appropriation of \$88,572,996 (2009 Certificates of Participation, COPS) for Various Capital Projects.

DURHAM COUNTY, NORTH CAROLINA
FY 2008-09 Capital Projects Ordinance
Amendment No. 09CPA000016

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2008-09 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Inc./Dec.	Revised Budget
Human Services Complex	\$8,313,646	\$81,632,996	\$89,946,642
Durham Convention Center	\$245,000	\$5,100,000	\$5,100,245
EMS Station #1	\$350,000	\$540,000	\$890,000
Creekside Elementary	\$0	\$1,300,000	\$1,300,000

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

This the 26th day of May, 2009.

Consent Agenda Item No. t. Revised Durham City-County Inspections Department and Durham City-County Planning Department Fee Resolution FY 2009-2010.

RESOLUTION ESTABLISHING FEES AND SURCHARGES CHARGED BY THE CITY-COUNTY PLANNING DEPARTMENT AND THE CITY-COUNTY INSPECTIONS DEPARTMENT FOR DEVELOPMENT REVIEWS, PUBLIC HEARING NOTIFICATION, TECHNOLOGY, AND OTHER SERVICES

WHEREAS, the Board of County Commissioners annually establishes fees for various services offered by the City-County Planning Department and City-County Inspections Department; and

WHEREAS, the Board of Commissioners desires to continue the implementation of the Land Development Office (LDO) work flow automation software program; and

WHEREAS, the Board of Commissioners desires to collect fees to off-set the actual costs associated with the processing of development applications;

NOW THEREFORE BE IT ORDAINED BY THE DURHAM COUNTY BOARD OF COMMISSIONERS THAT:

(Where this ordinance strikes through text in the Fee Schedule, that text is deleted. Where this ordinance underlines text in the Fee Schedule, that text is added. Where an * is shown, it is reflective of the technology surcharge being included.)

Primary implementing department: City-County Inspections

- Part 4-101. Building Fees
- Part 4-102. Sign Fees
- Part 4-103. Temporary Electrical Service
- Part 4-104. Electrical Wiring and Equipment
- Part 4-105. Mechanical (Heating and Air) Code-Related
- Part 4-106. Plumbing
- Part 4-107. Surcharge for Paper Application

Section 1.

Part 4-101 (Building fees)

The following schedule of fees applies to permits:

Schedule A.

New residential Dwellings (One-and Two-Family, Including Townhouse Unit Ownership):

Up to 1200 sq. ft. (gross area)*	\$146.00
1201 to 1800 sq. ft.*	\$260.00
1801 to 2400 sq. ft.*	\$302.00
2401 to 3000 sq. ft.*	\$343.00
3001 to 3600 sq. ft.*	\$404.00
3601 to 4200 sq. ft.*	\$463.00
4201 to 5000 sq. ft.*	\$532.00
5001 sq. ft. and over*	\$579.00

Schedule B.

New Multifamily Residential Buildings (Apartments, Condominiums, Triplex, and Fourplex):

First unit*	\$250.00
Each additional unit, per building*	\$94.00

Schedule C.

Accessory Buildings:

No footing	\$40.00
Footing	\$80.00

Schedule D.

Residential Renovations and Additions:

Additions:

0 to \$10,000.00— no footing*	\$83.00
(add \$40.00 if footing required)	

\$10,000.00 and over— no footing* \$166.00
 (add \$40.00 if footing required)

Interior renovations:
 0 to \$10,000.00* \$83.00
 \$10,000.00 and over* \$166.00

Schedule E.

Nonresidential Buildings (based on cost of construction using the latest publication of Southern Building Code "Building Valuation Data", referencing type of construction and occupancy group with adjustment factor for North Carolina):

0 to \$5000.00* \$104.00
 \$5001.00 to \$50,000.00* \$104.00
 plus, per thousand or fraction thereof over \$7.80
 \$5,000.00*
 \$50,001 to \$100,000.00* \$456.00
 plus, per thousand or fraction thereof over \$6.60
 \$50,000.00*
 \$100,001.00 to \$500,000.00* \$786.00
 plus, per thousand or fraction thereof over \$4.32
 \$100,000.00*
 Over \$500,000.00* \$2513.00
 plus, per thousand or fraction thereof over \$1.25
 \$500,000.00*

Schedule F.

Miscellaneous:

Mobile home (unit installation and foundation)* \$125.00
 Modular unit (unit installation and foundation)* \$166.00
 Moving permit (including new foundation)* \$83.00
 Demolition permit:
 Up to 5,000 sq. ft.* \$42.00
 Over 5,000 sq. ft. (no additional cost per thousand)* \$83.00
 Demolition associated with a forthcoming permit* \$42.00
 Residential reroofing (addition)* \$42.00
 Commercial roofing/reroofing:
 0 to \$20,000.00* \$83.00
 Over \$20,000.00* \$125.00
 Residential decks (single and two-family)* \$83.00

Change of occupancy permit (if no building permit is otherwise required/no construction necessary)*	\$42.00
Reinspection fees:	
Not ready for inspection	\$100.00
8 or more code violations found	\$100.00
2 nd reinspection	\$100.00
3 rd reinspection	\$200.00
4 th reinspection	\$300.00
Address change on permit:	
Detached single-family and duplex	\$10.00
Multiple units (cost per building)	\$25.00
Issuance of duplicate placard	\$3.00
Work begun without a permit	Double fee
Voiding of permits (no maximum)	15% of permit cost
Change of contractor (no maximum)	15% of permit cost
Stocking permit	\$40.00
Partial occupancy	\$40.00
Posting of occupancy (not associated with a permit)	\$40.00
Homeowner's recovery fund	\$5.00-\$10.00
<u>Floodplain development permit (Small)</u>	<u>\$150.00</u>
<u>(Does not require review of a flood study or approval by an elected body)</u>	
<u>Floodplain development permit (Large)</u>	<u>\$500.00</u>
<u>(Does require review of a flood study or approval by an elected body)</u>	

Part 4-102 (Sign Fees)

The following schedule of fees applies to permits required by the Unified Development Ordinance (UDO):

Freestanding signs (as defined by the UDO), per sign*	\$52.00
Temporary signs (as defined by the UDO), per sign*	\$29.00
All other signs requiring sign	\$11.50

permits (as specified by the UDO),
 per sign*
 Minimum fee for any sign permit* \$29.00

Work not ready and reinspection. When a permit holder has failed to have work ready for a required inspection after having called for such an inspection, the permit holder shall pay a fee of \$50.00. When a permit holder has failed to correct any code violation(s) which had been cited on a previous called inspection, any subsequent inspection necessary to approve the work shall constitute an extra inspection and the permit holder shall pay a fee according to the following schedule:

Second reinspection	\$50.00
Third reinspection	\$75.00
Fourth reinspection	\$100.00

Any inspection, other than an extra inspection, which is performed to determine that the work authorized by the sign permit meets the requirements of applicable laws and regulations, shall be performed without further charge.

Address change on permit	\$ 10.00
Work begun without a permit	Double fee
Voiding of permits (no maximum)	15% of permit cost
Change of contractor (no maximum)	15% of permit cost

Part 4-103 (Temporary electrical service)

The fee for an application for permit for temporary electrical service is \$100.00, and the fee for each additional inspection is \$50.00.

Part 4-104 (Electric wiring and equipment)

The following schedule of fees applies to the inspection of electric wiring and equipment within or on any building, structure, or premises :

Schedule A:

New Residential (One-and Two-Family, Including Townhouse Unit Ownership):

Multifamily Residential (Apartments, Condominium, Triplex, and Fourplex):

100 amp to 200 amp service*	\$ 156.00
400 amp service*	187.00

Schedule B:

Outlets:

Outlets for lights, receptacles and switches, which are installed on general-purpose branch circuits having 2 or more outlets, except for main service switches and feeder distribution switches, small appliances of less than 500 watts or motor drivers of one-eighth horsepower or less as kitchen or hood fans, bell ringing transformers, etc.:

1 to 10 outlets*	\$21.00
Each additional outlet*	\$0.83

Schedule C:

Fixtures:

1 to 10 fixtures*	\$21.00
Each additional fixture*	\$0.83

Schedule D:

Motors and Generators of One-Sixth Horsepower or Larger:

Electric motors and generators:

Minimum charge*	\$18.00
Each motor*	\$3.22
Additional charge per hp or fraction thereof, applied against total hp*	\$0.62

Schedule E:

Branch Circuits Supplying Appliances, Devices, or Equipment:

Disposal under 1 hp*	\$10.90
Dryers and dishwashers*	\$10.90
Electric water heaters or boilers*	\$10.90
Electric signs and outline lighting	
First circuit*	\$10.90
Each additional circuit for same sign*	\$3.22

Electric heat:

Wall or baseboard heaters, first unit*	\$10.90
Each additional unit*	\$3.95

Electric unit heaters:

First kW*	\$10.90
Each additional kW*	\$1.56

Electric furnaces, duct heating units,
supplementary or auxiliary units installed
in ducts or plenums:

First kW*	\$10.90
Each additional kW*	\$1.56

All other devices, appliances or
equipment which are installed on
individual branch circuits and not
covered in other schedules, each*

	\$10.90
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Schedule F:

Miscellaneous Wiring Not Covered in Schedules A, B, C, D, and E:

Lampholders for marquis and/or
festoon lighting*

Service equipment as determined by
ampacity of buses in equipment.

Up to 100 amperes*	\$34.00
Each additional 100 amperes or fraction thereof*	\$6.97

Transformers, dry or liquid type, each:

Up to 45 kVA*	\$33.00
46 to 150 kVA*	\$43.00
Over 150 kVA*	\$55.00

Feeders of all types:

Each feeder up to 100 amps*	\$10.90
Additional charge per 100 amps or fraction thereof applied against total	\$1.56

ampacity after deducting 100 amps
 per feeder*

Schedule G:

Miscellaneous:

Service or saw pole—one inspection only*	\$\$\$47.00	<u>\$65.00</u>
Service or saw pole—extra inspection, each*	\$47.00	
Temporary service connection—commercial*	\$78.00	<u>\$150.00</u>
Mobile home—one inspection*	\$47.00	<u>\$65.00</u>
Mobile home—extra inspection, each*	\$47.00	
Modular unit*	\$69.00	
Commercial reinspection*	\$47.00	<u>\$65.00</u>
Minimum electrical permit fee*	\$47.00	<u>\$65.00</u>

Reinspection fees:

Not ready for inspection	\$100.00
5 or more code violations found	\$100.00
2 nd reinspection	\$100.00
3 rd reinspection	\$200.00
4 th reinspection	\$300.00

Address change on permit:

Detached single-family and duplex	\$10.00
Multiple units (cost per building)	\$25.00

Work begun without a permit	Double fee
Voiding of permits (no maximum)--	15% of permit cost
Change of contractor (no maximum)--	15% of permit cost

Minimum fee for renovations or additions*

Commercial

\$150.00

Residential

\$100.00

Part 4-105 (Mechanical (heating and air) code-related)

Every person who obtains a permit shall pay a fee for inspection of the work authorized by the permit according to the following schedules:

Schedule A:

Residential (One-and Two-Family, Including Townhouse Unit Ownership):

Installation of a heating/cooling system with any concealed ductwork or component*	\$104.00
Replacement or conversion of a heating/cooling system*	\$52.00 <u>\$65.00</u>
Installation of fireplace stoves,	\$52.00

factory-built fireplaces, floor
 furnaces and wall furnaces*
 Gas piping only* ~~\$52.00~~ \$65.00

Schedule B:

Multifamily Residential (Apartments, Condominiums, Triplex, and Fourplex):

Installation of a heating/cooling system (each dwelling unit)* \$64.00

Replacement or conversion of a heating/cooling system* \$52.00

Schedule C:

Nonresidential heating/cooling: Installation of heating/cooling system, including boiler, furnace, duct heater, unit heater, air handling units and air distribution system:

Upfits, per sq. ft. (min. ~~\$68.00~~ \$98.00, maximum \$500.00) ~~\$0.028~~ \$0.058

Heating system in total BTU input per floor, or per individual system:

0 to 150,000* ~~\$105.00~~ \$131.00

150,001 to 300,000* ~~\$164.00~~ \$205.00

300,001 to 500,000* ~~\$232.00~~ \$290.00

500,001 to 1,000,000* ~~\$341.00~~ \$426.00

1,000,001 to 2,500,000* ~~\$408.00~~ \$510.00

2,500,001 to 5,000,000* ~~\$515.00~~ \$644.00

5,000,001 to 10,000,000* ~~\$619.00~~ \$774.00

Over 10,000,000* ~~\$743.00~~ \$929.00

Replacement of any component of heating/cooling system such as furnace, boiler, unit heater, duct heater, condensate receiver, feedwater pump, etc.* ~~\$56.00~~ \$70.00

Schedule D:

Commercial Cooling (With Separate Distribution System):

Installation of a complete cooling system, including the distribution system and air handling units, with either a condenser, receiver, cooling tower, or evaporative condenser coils.

Cooling in total tons:

0 to 25 tons* \$ 83.00

Over 25 tons* \$166.00

Replacement of any component of cooling system* \$83.00

Schedule E:

Commercial Ventilation and Exhaust Systems:

Installation of ventilation and/or exhaust systems, including fans, blowers, and duct systems for the removal of dust, gases, fumes, vapors, etc.:

Total motor horsepower:

0 to 5* \$72.00

6 to 15* \$111.00

16 to 25*	\$178.00
26 to 50*	\$219.00
Over 50*	\$262.00

Schedule F:

Hood for commercial type cooking, per ~~\$56.00~~ \$70.0
hood*

Minimum fee for any heating/cooling \$52.00
permit*

Schedule G:

Miscellaneous:

Reinspection fees:

4 or more code violations	\$100.00
Not ready for inspection	\$100.00
2 nd reinspection	\$100.00
3 rd reinspection	\$200.00
4 th reinspection	\$300.00

Address change on permit:

Detached single-family and duplex	\$10.00
Multiple units (cost per building)	\$25.00

Work begun without a permit Double Fee

Voiding of permits (no maximum) 15% of permit cost

Change of contractor (no maximum) 15% of permit cost

Part 4-106 (Plumbing)

The following fee schedule is adopted in connection with plumbing work:

Schedule A:

New Residential Construction; One-and Two Family, and Townhouse Unit Ownership; Installation of New Plumbing Fixtures, and Building Water and Sewer Service:

16 fixtures or less*	\$125.00
17 fixtures of more*	\$166.00

Schedule B:

New Multifamily Construction (Three-and Four-Family Apartments); Installation of New Plumbing Fixtures, Building Water and Sewer:

Per fixture*	\$6.24
Minimum, per building*	\$127.00

Schedule C:

New Nonresidential; Installation of New Plumbing Fixtures, and Building Water and Sewer:

Per fixture*	\$6.24 <u>\$7.90</u>
Minimum (without water and sewer)*	\$148.00 <u>\$187.00</u>
Minimum (with water and sewer)*	\$210.00 <u>\$265.00</u>

Schedule D:

Additions, Residential and Nonresidential; Installation of New Plumbing Fixtures, and Building Water and Sewer:

1 to 2 fixtures*	\$62.00	<u>\$65.00</u>
3 to 7 fixtures*	\$94.00	
8 to 15 fixtures*	\$119.00	
Over 15 fixtures (per fixture)*	\$7.90	

Schedule E:

Fixture Replacement; No Change to Rough-in:

1 to 4 fixtures*	\$46.00	<u>\$65.00</u>
5 fixtures and over:		
Per fixture*	\$6.86	
Electric water heater (permit required)*	\$46.00	<u>\$65.00</u>

Schedule F:

Miscellaneous:

Gas Piping*	\$52.00	<u>\$65.00</u>
Mobile home*	\$46.00	<u>\$65.00</u>
Modular unit*	\$78.00	
Not listed above but has water or sewer connection*	\$47.00	<u>\$65.00</u>

Reinspection fees:

4 or more code items	\$100.00
Not ready for inspection	\$100.00
1st reinspection	\$100.00
2nd reinspection	\$200.00
3rd reinspection	\$300.00

Address change on permit:

Detached single-family and duplex	\$10.00
Multiple units (costs per building)	\$25.00

Work begun without a permit	Double fee
Voiding of permits (no maximum)	15% of permit cost
Change of contractor (no maximum)	15% of permit cost

Part 4-107 (Surcharge for paper application)

A \$5.00 surcharge will be added to the total fee for each plumbing, electrical, or mechanical application that is submitted manually (paper submittal) as opposed to an electronic submittal (paperless submittal).

Chapter 6 - Primary implementing department: City-County Planning

Part 6-101. General fees

Section 2. The following fees, part 6-101, charged by the Durham Planning Department shall be as follows:

A. Zoning Map Change (Rezoning):

(Per acre fees shall be calculated on the entire project and shall not be calculated on a pro rata share. Cases with multiple zones are charged the highest base fee applicable according to the zone or use categories proposed, plus the per acre fee according to the acres in each of the categories proposed.)

1. Residential, Not Multi-Family, 1 acre or less: \$750.00 per case, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
2. Modification to Existing Design Guidelines (Only): \$750.00 per case, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
3. Residential, Not Multi-Family or PDR, greater than 1 acre and less than 20 acres: \$2250.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs.
4. Residential, Not Multi-Family or PDR, 20 acres or greater: \$3500.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs.
5. PDR: \$4500.00, plus \$55.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs.
6. Office, Residential Multi-Family, Mixed Use, Commercial, Industrial, or Research zones: \$4000.00, plus \$65.00 per acre (rounded up), plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice and signs.
7. Re-Review Fees (applicable to all development applications): half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.

B. Board of Adjustment Applications:

1. Custodial Care (single residential unit on same lot as primary residential unit, for custodial care purposes): \$75.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
2. Small Day Care Use Permit (up to 12 persons being cared for): \$475.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
3. Non-revenue Generating Single Family Use Permit (fences, etc.): \$475.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
4. Wireless Communication Facilities Use Permit: \$3165.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs, plus \$5000.00 for independent professional consultant review.
5. Appeal: \$300.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
6. All Other BOA Applications (any other Use Permit, Appeal, Variance, etc.): \$1300.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.

C. Major Special Use Permit Applications:

1. Wireless Communication Facilities Use Permit: \$3165.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs, plus \$5000.00 for independent professional consultant review.
2. Traffic Impact Analysis (TIA) Use Permit: \$2025.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.
3. All Other Major Special Use Permit Applications: \$2025.00, plus Technology surcharge of 4%, plus Surcharges for advertising, letter notice, and signs.

D. Site Plans:

1. Administrative Site Plan-Site plans that require Planning Department review only: \$150.00, plus Technology surcharge of 4%.
2. Simplified Site Plan - Small (Less than 1000 s.f. of new building area/1 acre disturbed area/5% increase in parking area or minor amendments to site plan of record that do not involve changes to the SIA): \$1000.00, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
3. Simplified Site Plan - Large (More than 1000 s.f. of new building area/ 1 acre disturbed area or other improvements that do not qualify in other categories): \$2500.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
4. Minor Site Plan: \$3500.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
5. Major Site Plan: \$4000.00, plus \$25.00 per 1000 square feet of gross building area (rounded up), or \$25.00 per lot, or \$25.00 per attached dwelling unit, plus technology surcharge of 4%; plus surcharge for letter notice on those projects requiring governing body approval, plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
6. Re-Review Fees (applicable to all development applications): half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
7. Landscape Extensions: Major non-residential greater than 25,000 square feet in gross floor area - \$300.00, minor non-residential less than 25,000 square feet in gross floor area - \$150.00, residential \$75.00 per lot, plus Technology surcharge of 4%.
8. Floodplain Development Permit (Small): Floodplain Development Permit initiated through the Planning Department that does not require review of a flood study or approval by an elected body - \$150.00 plus Technology surcharge of 4%.
9. Floodplain Development Permit (Large): Floodplain Development Permit initiated through the Planning Department that does require review of a flood study or approval by an elected body - \$500.00 plus Technology surcharge of 4%.

E. Subdivision Plats:

1. Preliminary Plat: \$3400.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
 2. Preliminary Plat, Cluster, or Conservation Subdivision: \$4000.00, plus \$25.00 per lot, plus technology surcharge of 4%, plus surcharge for letter notice on those projects requiring governing body approval; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
 3. Final Plats: \$700.00, plus \$25.00 per lot, plus technology surcharge of 4%; plans which do not require an initial re-review will be reimbursed 33% of the original review fee.
 4. Exempt Final Plats: \$75.00, plus Technology surcharge of 4%.
 5. Re-Review Fees (applicable to all development applications): half of filing fee, plus Technology surcharge of 4%, applicable following initial and first re-review and charged for each subsequent review.
 6. Landscape Extensions: Major non-residential greater than 25,000 square feet in gross floor area - \$300.00, minor non-residential less than 25,000 square feet in gross floor area - \$150.00, residential \$75.00 per lot, plus Technology surcharge of 4%.
- F. Landscape Re-Inspection Fees: \$100.00 plus technology surcharge of 4% for first re-inspection, for each subsequent re-inspection the fee will increase by \$104.00 (example 1st - \$104.00, 2nd - \$208.00, 3rd - \$312.00, etc).
- G. Land Use Plan Amendment: \$2100.00, plus Technology surcharge of 4%, plus surcharge for advertising and letter notice.
- H. Historic Preservation Fees:
1. Historic Landmark Designation: \$500.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.
 2. Certificate of Appropriateness, Historic Preservation Commission Review: \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.
 3. Certificate of Appropriateness, Administrative Review: \$25.00, plus technology surcharge of 4%.
 4. Historic Signs: \$150.00, plus technology surcharge of 4%, plus surcharges for advertising and letter notice.
- I. Common Signage Plan Review: \$175.00, plus technology surcharge of 4%.
 1. Banner Plan Review (Only): \$75.00, plus technology surcharge of 4%.
- J. Street/Alley Closings: \$800.00, plus Technology surcharge of 4%, plus surcharges for advertising, letter notice, and signs.
- K. Street/Alley Renaming: \$600.00, plus Technology surcharge of 4%, plus surcharges for advertising, letter notice and signs, plus reimbursement for all street sign replacement costs.
- L. Unified Development Ordinance Text Amendment: \$3000.00, plus Technology surcharge of 4%, plus surcharge for advertising and letter notice.
- M. Zoning and Business Verification Letters: \$15.00, plus Technology surcharge of 4%.
- N. Home Occupation Permit and Limited Agricultural Permit: \$25.00, plus Technology surcharge of 4%.

- O. Formal Letter of Interpretation: \$40.00, plus Technology surcharge of 4%.
- P. Vested Rights Determination: \$1500.00, plus Technology surcharge of 4%, plus surcharge for advertising and signs.
- Q. Surcharges:
 - 1. Newspaper Advertising for:
 - a. Zoning Map Change, Land Use Plan Amendment, and Street Closing: \$460.00; if case has to be heard by both governing bodies, \$690.00.
 - b. BOA, Major Special Use Permit, Street Renaming, Vested Rights Determination, Certificates of Appropriateness and Historic Landmark Designation: \$230.00
 - c. Unified Development Ordinance Text Amendment: \$690.00.
 - 2. Letter Notice for:
 - a. Zoning Map Change, Land Use Plan Amendment: \$95.00.
 - b. BOA, Major Special Use Permit, Street Renaming or Street Closing: \$53.00.
 - 3. Signs: For Zoning Map Change, BOA, Major Special Use Permit, Vested Rights Determination, Street Renaming or Street Closing: \$100.00. If multiple signs are necessary to adequately notify neighbors, multiple signs will be charged for at the case intake.
- R. Costs for Departmental Publications: Publications presently available: \$5.00. Reproductions or new publications will be priced according to costs.
- S. Copies Made By the Large Format Copier: \$1.00 per square foot (for example: a 3-foot by 6-foot map equals 18 square feet for a coping charge of \$18.00).

Section 3. The fees to be charged by the Planning and Inspections Departments shall include an additional 4% Technology surcharge.

Section 4. The Technology surcharge shall terminate July 1, 2010 unless the surcharge is reviewed and renewed by the Board of Commissioners prior to the expiration date.

Section 5. This ordinance shall be in full force and effect for submittals filed to meet submittal deadlines on or after July 1, 2009 and shall supersede any conflicting resolutions or ordinances.

Public Hearing on American Recovery and Reinvestment Act of 2009 Grant Application Request

Delphine Sellars, Cooperative Extension Service Director, stated that the Cooperative Extension Service is requesting Board authorization to submit the American Recovery and Reinvestment Act of 2009 grant to the North Carolina Department of Transportation (NCDOT). The “American Recovery and Reinvestment Act, 2009” (Pub. L. 111-5; “ARRA”), signed into law by President Barack Obama on February 17, 2009, includes Federal funding for transit capital improvements, for which the intent of the legislation is to: a) preserve and create jobs and promote economic recovery; b) assist those affected negatively by the recession; c) provide investments needed to increase economic efficiency by spurring technological advances; d) invest in transportation infrastructure that will provide long-term economic benefits; and e) stabilize state and local government budgets to minimize

reductions in essential services and counterproductive State and local tax increases. The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Durham County as well as provides transportation options and services for the communities within this service area. These services are currently provided using vans. Services are rendered by Durham County ACCESS.

The total estimated amount requested for the period—\$260,500.

Project Capital	Total Amount	Federal Share
Replacement Vehicles	\$120,600	\$120,600 (100%)
Associated Capital	\$1,500	\$1,500 (100%)
Mobility Management	\$138,400	\$138,400 (100%)
<hr/>		
TOTAL	\$260,500	\$260,500 (100%)
	Total Funding Requests	Total Federal Share

Chairman Page opened the public hearing that had been properly advertised.

Victoria Peterson, PO Box 101, Durham 27702, asked how many Durham County citizens would be employed with this funding.

Ms. Sellars responded that the grant is not for employment; the North Carolina Department of Transportation dictates how the funds can be used.

Chairman Page closed the public hearing, and the matter was referred back to the Board.

Commissioner Heron moved, seconded by Commissioner Howerton, to approve the resolution authorizing Durham County Cooperative Extension to submit the American Recovery and Reinvestment Act of 2009 Grant to the North Carolina Department of Transportation.

The motion carried unanimously.

Presentation: Update on Novel H1N1 Influenza

Chairman Page stated that the Board requested to receive a presentation on the status of the novel H1N1 Influenza (swine flu) outbreak and community prevention and mitigation plans.

Gayle Harris, Health Director, gave the following presentation:

“Good evening Chairman Page, Commissioners, Manager Ruffin,

As you know, novel H1N1 influenza (swine flu) virus was first detected in the United States in two people in California on April 23, 2009. The virus was initially called swine flu because it has two genes from flu viruses that normally circulate in pigs. Since that time, cases have been confirmed in 47 states and the District of Columbia. According to the CDC website, as of May 25, there were 6,764 confirmed cases and 10 deaths in the United States. Worldwide, an additional 6,190 cases were reported in 41 other countries (82% occurring in Mexico and Canada, 4,174 and 921 respectively). The mortality of this flu virus in the US has been only 0.1%, and most cases are mild in nature similar to symptoms of seasonal flu.

Today I was asked by a reporter, ‘Why is there so much concern about this flu virus when the symptoms are like seasonal flu?’ My answer to her was, ‘This is a new virus and we have little if any immunity to it. It was not known how lethal the virus would be or could become. This uncertainty is leading us to be more cautious, more vigilant, and more prepared for the second wave that is likely to appear in the fall.’

I have also been asked about the typical age of the patients. In the May 20 CDC press briefing, it was stated: ‘In the largest number of novel H1N1 confirmed and probable cases, over 60% remain in the 5- to 24-year-olds. Of those that are hospitalized, 40% are in the 19- to 49-year-olds’. Although the majority of the people who have been sick with the virus in our country have been children and healthy adults, persons who are at-risk of developing severe illness are the elderly, the young, and persons who have either chronic medical conditions or who are immunosuppressed.

Since the announcement of this public health emergency, the Durham County Health Department has received numerous calls from physicians, who suspect novel flu infections. We have investigated and approved 14 suspected cases and two case contacts additional testing at the State Laboratory. Our first confirmed case occurred on Saturday, May 23, bringing the North Carolina total confirmed cases to 14.

From April 28 – May 8, Health Department staff and many of our community partners participated in daily state-wide conference calls led by state level public health staff. The frequency of the calls was reduced to twice a week for two weeks. The next call is scheduled on June 2. The calls included updates from national / international perspective, detailed state perspective, clarification of case definition, laboratory testing criteria / updates, community containment guidelines, and guidance on using supplies from the strategic national stockpile, school closings, etc.

Since April 28, we have:

- Provided appropriate disease surveillance and investigation
- Educated community via materials in printed and electronic formats
- Conducted inventories of existing supplies
- Received and distributed the allocation from strategic national stockpile
- Developed dissemination plan for remaining supplies to providers
- Finalized 24-hour contact lists
- Clarified communication plans
- Met with members of DPS senior management
- Posted pertinent links on our website (www.ncpublichealth.com and www.cdc.gov)
- Submitted press releases

Currently, confirmatory testing is being done for those individuals who are hospitalized with influenza like illnesses and those probable cases thought to be in close contact with at risk populations. In the later group, the decision to do confirmatory testing is made on a case-by-case basis. We know that novel H1N1 is in our environment; so most of the cases will not be counted. To that end, our messages have been consistent with those of the State and CDC:

- If you have influenza like illness (fever, cough, sore throat, aches, chills), stay home from work or school and limit contact with others to keep from infecting them. (Seven days from onset of symptoms or 24 hours after symptoms have gone away, whichever is longer.)
- If your symptoms do not get better, call your healthcare provider.
- Influenza spreads mainly from person-to-person through coughing and sneezing of infected people.
- Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it.
- Wash your hands often with soap and water, especially after you cough or sneeze. Alcohol-based hands cleaners are also effective.
- Avoid touching your eyes, nose, or mouth.

Please help us share the messages.

Thank you.”

Commissioner Heron asked for Ms. Harris’ recommendation regarding the flu vaccine.

Ms. Harris stated that everyone should get the seasonal flu shot in addition to the H1N1 vaccine, which is being produced.

Chairman Page thanked Ms. Harris for her presentation and asked that the information be placed on the County’s website. He asked whether a plan is in place if an outbreak occurs.

Ms. Harris informed the Board that community members are holding discussions about “social distancing” in order to control the spread of the virus.

Chairman Page acknowledged that County Attorney Chuck Kitchen had experienced a death in his family and that the Board’s thoughts and prayers have been with him and his family.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to excuse Commissioner Howerton from the May 28, 2009 Budget Worksession and the June 1, 2009 Worksession due to her mother’s passing.

The motion carried unanimously.

Adjournment

There being no further business, Chairman Page adjourned the meeting at 8:58 p.m.

Respectfully submitted,

Vonda Sessoms, CMC
Clerk to the Board