

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

Monday, June 24, 2002

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 MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser, Philip R. Cousin Jr., and Becky M. Heron

Absent: None

Presider: Chairman Black

**Opening of Regular Session**

Chairman Black opened the meeting with the Pledge of Allegiance.

**Agenda Adjustments**

Chairman Black announced the cancellation of the July 8 and July 22, 2002 Regular Meetings. This became Consent Agenda item 5(t).

Vice-Chairman Reckhow asked to be excused from the July 1, 2002 Worksession.

Commissioner Cousin moved, seconded by Commissioner Bowser, to excuse Vice-Chairman Reckhow from the July 1, 2002 Worksession.

The motion carried unanimously.

Vice-Chairman Reckhow added as item No. 12 a discussion of "jurisdictional shopping" by developers. Developers pull/withdraw some rezoning cases midstream in the rezoning process and seek annexation by the City.

Chairman Black announced the results of the Closed Session. The following administrators had been evaluated for performance and given salary increases. Those adjusted salaries follow:

Sheriff Worth Hill	\$ 87,042
Register of Deeds Willie Covington	\$ 81,885
County Attorney Chuck Kitchen	\$124,740
Steve Crysel, Tax Administrator	\$ 79,145

The County Commissioners did not increase their yearly salary. However, the car allowance total was increased from \$1200 to \$1800 per Commissioner. The per-month allowance for each Commissioner was thus increased from \$100 per month to \$150 per month.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the salaries as presented.

The motion carried unanimously.

### **Minutes**

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the Minutes of the April 29, 2002 BOCC/City Council/NCDOT—Presentation on Evaluation of Northern Durham Parkway Alternative, as submitted and the Minutes of the May 29, 2002 Regular Session with the correction of one word.

The motion carried unanimously.

### **Recognition of Employees' Budget Saving Suggestions**

The County Manager asked Department Heads to seek money-saving ideas from County employees that could be incorporated into the preparation of this year's budget. Several employees made suggestions that were included in the County Manager's Budget. These employees will receive a \$50.00 "On the Spot" Award.

They are:

#### **Mike Turner, General Services**

He suggested County departments contact all contract service providers to ask them to either: Reduce the contract dollar amount by 5 percent, reduce the level of services by 5 percent to achieve the desired monetary reduction of 5 percent, or hold the line with a zero-dollar increase in the coming year. His department realized savings of \$103,082.

#### **Audrey Potts, Social Services, and Beth Steenberg, Social Services**

They developed the idea of placing travel reimbursement forms on the Intranet. The forms are now automated, which has improved the turnaround and processing times as much as two weeks, saving staff time. The immediate cost savings are the printing costs

for paper forms and using fewer staff hours to process the forms. As more forms are added to the agency Intranet, there will be the added benefit of acclimating the staff to using more computer applications such as Excel spreadsheets.

County Manager's Recommendation: Commend staff for their cost-saving ideas that were included in the Durham County Budget.

Ms. Deborah Craig-Ray, Public Information Director, explained the cost-saving measures incorporated into this year's budget preparation and introduced the employees responsible.

Chairman Black recognized and thanked Mr. Turner, Ms. Potts, and Ms. Steenberg for their budget-saving suggestions and presented each with \$50 checks for this "On the Spot" award.

### **Resolution Supporting Increased Funding for Human Services**

Leaders of Durham's Faith and Human Services Community are requesting that the Board of Commissioners adopt a resolution to find funds to "prioritize human services so that all of Durham's families can provide for their basic needs."

Resource Persons: Grace Marsh, Women-In-Action

County Manager's Recommendation:

The Manager recommends that the Board receive the request and take action as it deems appropriate.

The resolution was read into the record by Ms. Grace Marsh.

#### A CALL FOR INCREASED FUNDING FOR HUMAN SERVICES

WHEREAS, Durham is experiencing an economic downswing and employment opportunities are scarce; and

WHEREAS, State and Federal budget cuts are aimed at our most vulnerable children, families, elderly, and disabled individuals; and

WHEREAS, the downswing in the economy and increased unemployment often results in increased crime, juvenile delinquency, child abuse and neglect, and an erosion in the quality of life for all of our citizens; and

WHEREAS, there is a significant increase in Durham's population as well as an increase in diversity, particularly among the Latino population; and

WHEREAS, the increased population and economic downturn is resulting in increased requests for services from Human Services agencies, including cash assistance, child-care, Food Stamps, Medicaid, housing assistance, transportation, job training, and Emergency Crisis funds; and

WHEREAS, a property tax increase of 4 cents would result in an increased tax assessment by only \$40 per year for a \$100,000 home and \$80 for a \$200,000 home:

NOW, THEREFORE BE IT RESOLVED that leaders in Durham's Faith and Human Services Community strongly urge the Board of County Commissioners to unite and courageously support and find funding to prioritize human services so that all of Durham's families can provide for their basic needs.

THEREFORE BE IT ALSO RESOLVED that the Board of County Commissioners explore all avenues to increase revenues to invest in Durham's children, families, and elderly so that they can full participate in the American Dream.

The undersigned advocate for courageous leadership from our Board of County Commissioners to act to assure that Durham offers the best quality of life for all of its citizens.

Reverend Lawrence E. Johnson  
Reconciliation UMC

Reverend Scott Benhase  
St. Phillips Episcopal Church

Reverend Mel Williams  
Watts Street Baptist Church

Reverend Joseph Harvard  
First Presbyterian Church

Rabbi John Friedman  
Judea Reform Congregation

David Winer  
Durham Congregations In Action

Grace Marsh  
Women In Action for the Prevention  
of Violence and Its Causes

Terry Allebaugh  
Housing for New Hope

Reverend Pebbles Lindsay-Lucas  
First Chronicles Communities Church

Reverend Edrich Lewis  
(church unknown)

Chairman Black asked that the record reflect that the Board values human services and people. Durham County places a tremendous amount of money into human services in comparison to similar communities. The citizens recently voted to fund the Senior Center at \$5.5 million. The human services budget (Public Health, The Durham Center, and Department of Social Services) is funded by \$42,390,706 in local money to include 15 cents of the tax rate. Education is of great concern as indicated by \$75,984,462 in budgeted funding by the Durham County Commissioners. Chairman Black promoted funding economic development at a higher rate, as many citizens lack the education or

training to accept jobs being offered by new businesses coming to Durham County. Durham Technical Community College is committed to this effort.

Chairman Black advised that having heard the resolution, this would be taken into account during the next budget cycle (FY 2003-2004) as the human services budget is already set for this cycle.

Ms. Marsh thanked the Commissioners for the opportunity to present the resolution. She commented the faith community has confidence in the Board. This is a community issue, which will be presented also to the Chamber of Commerce to seek its involvement.

The Commissioners urged Ms. Marsh and the public to communicate with and lobby the legislature to regain the moneys the State has held back. Decisions are being made for big cuts in human services funding which will have a serious negative impact on services. Local money alone cannot accomplish what is necessary. The Commissioners assured Ms. Marsh that the County would likely make budget adjustments as the year progresses and do all possible to help individuals in need. It is too late to include changes in this year's budget cycle.

Chairman Black pulled Consent Agenda item 5(h) and read it into the public record:

RESOLUTION  
DURHAM COUNTY BOARD OF COMMISSIONERS  
DURHAM COUNTY, NORTH CAROLINA

A CALL FOR ADEQUATE FUNDING FOR NORTH CAROLINA'S HUMAN  
SERVICES PROGRAMS

WHEREAS, Durham has experienced a significant increase in population including the State's fastest growing Latino population, many of whom require support and assistance; and

WHEREAS, Durham has experienced a devastating economic downturn and currently has scarce employment opportunities; and

WHEREAS, Human Services Agencies in Durham, including the Department of Social Services, have experienced increased demands on all public assistance programs: Work First Family Assistance, Child Care Subsidy, Food Stamps, Medicaid, Child Support, Transportation, and Emergency Assistance programs; and

WHEREAS, Durham's Human Services Agencies, including the County Department of Social Services, have also experienced increased demands on all service programs, as unemployment and economic stresses contribute to increases in crime, juvenile delinquency, child neglect and abuse, elder neglect and abuse, drug/alcohol abuse, and an erosion in the quality of life for all citizens; and

WHEREAS, the Governor of the State of North Carolina has withheld millions of dollars from county governments forcing many counties to increase property taxes and with legislative approval a one-half cent in sales tax; and

WHEREAS, the Senate Human Resources Appropriations Committee's Budget includes a reduction of \$5.5 million for County Departments of Social Services for the administration of programs of public assistance. The State funds are used to leverage federal funds and support staff who deliver direct services to the State's most vulnerable citizens. The statewide reduction equates to a \$330,000 cut to Durham County and the reduction of 12 eligibility positions for programs such as Food Stamps, Medicaid, and Emergency Assistance. The reduction will severely hinder our ability to provide essential services.

WHEREAS, the State of North Carolina operates Social Services programs in partnership with county government, but the county share of the funding is so high that nationwide only two other states require counties to pay more; and

WHEREAS, while the State has seen a 60% reduction in Work First Family Assistance caseloads, county governments have maintained the same level of financial support to this program while the State reduced its financial commitment to the Work First Program:

THEREFORE BE IT RESOLVED, that the State of North Carolina shall explore all avenues to increase revenues, including tax on tobacco and alcohol to invest in all the State's children, families, disabled, and elderly individuals so that they can all fully participate in the American Dream.

BE IT FURTHER RESOLVED that the Durham County Board of Commissioners advocates for courageous leadership from our State leaders to assure that our State offers the best quality of life for all of its citizens.

This the 24<sup>th</sup> day of June, 2002

/s/ Five Commissioners  
Durham County Commissioners

Mr. Dan Hudgins received the resolution and made comments. The resolution will be sent to the Social Services Board, the Durham Legislative Delegation and the NC Association of County Commissioners with a letter to ask for their support in restoring funding taken by the State Senate. Statewide this could amount to 350-400 line staff positions needed to respond to the growing need for financial help. He thanked Ms. Grace Marsh and the members of the faith community and nonprofits community that work closely with DSS.

### **Consent Agenda**

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

- \* (a) Budget Ordinance Amendment No. 02BCC000061— Office of the Sheriff—Bureau of Justice (approve the budget amendment to accept \$239,904 for the State Criminal Alien Assistance Program—SCAAP);
- \* (b) Budget Ordinance Amendment No. 02BCC000062— Department of Social Services Request to Accept Additional Revenue (approve the budget amendment to recognize \$2,942,251 in revenue for four programs);
- \* (c) Budget Ordinance Amendment No. 02BCC000063— Increase budget of Lebanon Volunteer Fire Department (to cover salary and benefits for County personnel for remainder of this fiscal year);
- \* (d) Capital Project Amendment No. 02CPA000017— Reduction of several completed Capital Projects budgets (reduce Capital Projects budget by \$302,358 due to completion of five projects);
- \* (e) Property Tax Releases and Refunds for Fiscal Year 01-02, Month of May (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- \* (f) Cancellation of a Review Officer's Appointment (adopt the resolution canceling the appointment of F. Rose Taylor as Durham County's Review Officer);
- \* (g) Appointment of New Review Officers (adopt resolution to appoint Jay V. Miller and Judy F. Hosford in the Durham County Land Records Office as Durham County's Review Officers regarding the review of maps and plats prior to being recorded by the Register of Deeds Office);
- \* (h) Resolution Calling for Adequate State Funding for NC's Human Services Programs (adopt the resolution and send it to the General Assembly);
- (i) Standard Non-Reimbursable Contract for the Extension of the County Sanitary Sewer System (authorize the County Manager to execute the utility contract with Perfect Corporation to extend the

- County sewer system by 1,126 linear feet to serve 20 townhouses for Pagehurst Phase 4A);
- (j) Grant Power Easement to Duke Power for the Triangle Wastewater Treatment Plant Expansion and the Solid Waste Facility Upgrade (authorize the County Manager to execute the easement documents needed for Duke Power to service these facilities);
  - (k) Request to Approve Durham's Home and Community Care Block Grant Funding Plan Through the Department of Social Services (approve the grant funding plan as presented in the amount of \$789,163);
  - (l) Renewal of Interlocal Agreement with the City of Durham for Tax Billing/Collections (renew the expired agreement for one year, ending June 30, 2003);
  - (m) Approval of Construction Contract for the Durham County Detention Center Roof Repairs—Project RFP 02-025 (authorize the execution of a contract with Southern Roof Maintenance Inc. in the amount of \$145,684 and authorize change orders, if necessary, not to exceed \$21,852);
  - (n) Final Offer to Purchase County Property—2700 Boyle Street (approve the \$1,830 offer submitted by Ms. Jennifer Quast and prepare a non-warranty deed for the Chairman's signature);
  - (o) Final Offer to Purchase County Property—0 Panama Terrace (approve the \$3,800 offer submitted by Mr. Lee H. Hicks Jr. and prepare a non-warranty deed for the Chairman's signature);
  - (p) Grant Easements to NCDOT for NC 55 Highway Widening Project Along Front of Tax Parcel 532-01-009 (authorize the County Manager to execute the easement documents for consideration of \$3,500 from NCDOT);
  - (q) Request for Approval to Amend Residential Curbside & Drop-Off Recycling Contract (authorize the execution of a contract amendment with Tidewater Fibre Corps Inc. in the amount of \$300,813 for one additional year from July 1, 2002 through June 30, 2003, and to extend the contract for additional periods of one year, not to exceed four years); and
  - (t) Cancellation of July 8 and July 22, 2002 Regular Meetings.

The motion carried unanimously.



\*Documents related to these items follow:

Regarding Consent Agenda item 5(p), Commissioner Bowser asked that the record reflect that the \$3,500 offered for the permanent easement appears to be a low price in comparison to others.

Consent Agenda 5(a). Budget Ordinance Amendment No. 02BCC000061—Office of the Sheriff—Bureau of Justice (approve the budget amendment to accept \$239,904 for the State Criminal Alien Assistance Program—SCAAP).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 2001-02 Budget Ordinance  
Amendment No. 02BCC000061

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2001-02 Budget Ordinance is hereby amended to reflect budget adjustments for the Office of the Sheriff.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Public Safety	\$33,856,310	\$239,904		\$34,096,214
<u>Revenues</u>				
Intergovernmental	\$231,130,902	\$239,904		\$231,370,806

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

This the 24<sup>th</sup> day of June, 2002

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 5(b). Budget Ordinance Amendment No. 02BCC000062—Department of Social Services Request to Accept Additional Revenue (approve the budget amendment to recognize \$2,942,351 in revenue for four programs: Crisis Intervention Prevention [\$364,853], Smart Start Child Care Subsidy [\$607,933], Smart Start Services Support [\$52,197], and State Child Care Subsidy [\$1,860,952 and \$56,416]).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA

FY 2001-02 Budget Ordinance  
Amendment No. 02BCC000062

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2001-02 Budget Ordinance is hereby amended to reflect budget adjustments for the Department of Social Services.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Human Services	\$279,307,031	\$2,942,351		\$282,249,382
<u>Revenues</u>				
Intergovernmental	\$231,370,806	\$2,942,351		\$234,313,157

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

This the 24<sup>th</sup> day of June, 2002

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 5(c). Budget Ordinance Amendment No. 02BCC000063—Increase budget of Lebanon Volunteer Fire Department (to cover salary and benefits for County personnel for remainder of this fiscal year).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA  
FY 2001-02 Budget Ordinance  
Amendment No. 02BCC000063

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2001-02 Budget Ordinance is hereby amended to reflect budget adjustments for the Lebanon Fire Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Public Safety	\$34,096,214	\$42,500		\$34,138,714
<u>Revenues</u>				
Other Financing Sources	\$10,010,974	\$42,500		\$10,053,474

LEBANON FIRE TAX  
DISTRICT FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>				
Nondepartmental	\$268,991	\$42,500		\$311,491
<u>Revenues</u>				
Other Financing Sources	\$0	\$42,500		\$42,500

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

This the 24<sup>th</sup> day of June, 2002

(Budget Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 5(d). Capital Project Amendment No. 02CPA000017—Reduction of several completed Capital Project budgets (reduce Capital Projects budget by \$302,358 due to completion of five projects).

DURHAM COUNTY, NORTH CAROLINA  
 FY 2001-02 Capital Projects Ordinance  
 Amendment No. 02CPA000017

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2001-02 Capital Projects Budget Ordinance is hereby amended to reflect budget adjustments for these Capital Projects.

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
ADA Renovation	\$330,000		\$193,808	\$136,192
AMS Upgrade	220,680		37,502	183,178
EMS Comp. Upgrade	20,000		6,116	13,884
IS – Emerg Generator	179,000		20,096	158,094
Open Space	371,102		19,189	351,913
PH Clinic	331,157		25,647	305,510

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

This the 24<sup>th</sup> day of June, 2002

(Capital Projects Ordinance Amendment recorded in Ordinance Book \_\_\_\_\_, page \_\_\_\_\_.)

Consent Agenda 5(e). Property Tax Releases and Refunds for Fiscal Year 01-02, Month of May (accept the property tax release and refund report 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 refunds for the month of May 2002.

Releases & Refunds for 2001 and 2002 Taxes:

Real	\$ 1,579.41
Personal	\$ 72,078.37
Registered Vehicles	\$ 31,437.69
Vehicles Fees	\$ 450.00
Solid Waste	<u>\$ 900.00</u>
<i>Total for 2001 and 2002 Taxes and Fees</i>	<i>\$ 106,445.47</i>

Prior Years (1989-2000) releases and refunds for May 2002 \$ 59,127.19

*Total Current Year and Prior Year Releases and Refunds* \$165,572.66

(Recorded in Appendix A in the Permanent Supplement of the June 24, 2002 Minutes of the Board.)

Consent Agenda 5(f). Cancellation of a Review Officer's Appointment (adopt the resolution canceling the appointment of F. Rose Taylor as Durham County's Review Officer).

The resolution follows:

#### RESOLUTION TO CANCEL REVIEW OFFICERS APPOINTMENT

WHEREAS, N.C.G.S. 47-30.2 requires the Board of County Commissioners in each county to appoint Review Officers who will examine each plat prior to its presentation to the Register of Deeds and certify that each plat has met the statutory requirements for recording; and

WHEREAS, it is the desire of the Durham County Board of Commissioners that the position of Review Officer be held by a staff member of the County to ensure that the review of all maps and plats is conducted expeditiously; and

WHEREAS, F. Rose Taylor is a previously appointed Review Officer and former employee in the Durham County Land Records Office who is no longer employed by Durham County:

NOW THEREFORE, BE IT RESOLVED, effective upon the signing of this document that the duties, responsibilities, privileges, and status of the county review officer as defined under the appropriate North Carolina General Statute are hereby canceled for F. Rose Taylor.

BE IT FURTHER RESOLVED that a copy of the Resolution to Cancel Review Officers Appointment be recorded in the Durham County Register of Deeds Office and indexed in the name of the former Review Officer.

This the 24<sup>th</sup> day of June, 2002

/s/ MaryAnn E. Black  
Chairman  
Durham County Board of Commissioners

/s/ Garry E. Umstead, CMC  
Clerk to the Board

Consent Agenda 5(g). Appointment of New Review Officers (adopt resolution to appoint Jay V. Miller and Judy F. Hosford in the Durham County Land Records Office as Durham County's Review Officers regarding the review of maps and plats prior to being recorded by the Register of Deeds Office).

The resolution follows:

#### RESOLUTION APPOINTING REVIEW OFFICERS

WHEREAS, N.C.G.S. 47-30.2 requires the Board of County Commissioners in each county, by resolution, to appoint a person or persons to serve as Review Officer to review each plat before it is recorded and certify that it meets the statutory requirements for recording; and

WHEREAS, it is the desire of the Durham County Board of Commissioners to ensure an expeditious review of all maps and plats as required by N.C.G.S. 47-30.2 before they are presented to the Register of Deeds for recording:

NOW THEREFORE, BE IT RESOLVED, effective July 1, 2002 that Jay V. Miller ASA and Judy F. Hosford in the Durham County Land Records Office are hereby appointed to perform all responsibilities as required for Review Officer under the appropriate North Carolina General Statutes.

BE IT FURTHER RESOLVED that in accordance with the appropriate North Carolina General Statutes, the Review Officer(s) named herein may from time to time delegate such authority as required to ensure the expeditious review of all maps and plats.

BE IT FURTHER RESOLVED that a copy of this Resolution designating the Review Officer(s) be recorded in the Durham County Register of Deeds Office and indexed in the name of the Review Officer.

This the 24<sup>th</sup> day of June, 2002

/s/ MaryAnn E. Black

Chairman

Durham County Board of Commissioners

/s/ Garry E. Umstead, CMC

Clerk to the Board

Consent Agenda 5(h). Resolution Calling for Adequate State Funding for NC's Human Services Programs (adopt the resolution and send it to the General Assembly).

Chairman Black pulled Consent Agenda item 5(h) earlier in the meeting and read it into the public record:

**Consent Agenda Items Removed for Discussion**

Consent Agenda 5(r). Request for Permission to Extend an Offer on Library Site for North Regional Library (authorize the Manager to extend an offer not to exceed \$25,000 per acre to Durham Public Schools for five acres of land on Milton Road adjacent to Carrington Middle School for the purpose of constructing the northern regional library.

Commissioner Bowser was concerned that the library would be hidden from the public view if it were placed on the Milton Road site. He felt it should be placed across Highway 501 at Goodwin Road where it would be more visible.

Deputy County Manager Wendell Davis advised that the site was chosen due to its proximity to three schools: Northern High School, Carrington Middle School, and Eno Valley Elementary School. This would allow the opportunity for collaborative efforts for programs and services. The site was moved farther back to avoid making use of the bus lot due to associated costs.

Consent Agenda 5(s). Agreement With Town of Cary for Wastewater Treatment Services (approve the agreement, as it maintains affordable rates to County wastewater customers while providing additional revenues to increase the capacity of the treatment plant and enhance the treatment capabilities for environmental protection)

Vice-Chairman Reckhow asked that the public record reflect that the requirement of Section 10.1 of the agreement has been met. When the County adopted the Neuse River Basin rules, they were adopted countywide. This should be noted when the agreement is presented to the Town of Cary.

Commissioner Bowser applauded staff for drawing up this agreement that would allow Cary to pump wastewater into the Durham wastewater treatment plant. In the long run it may benefit Durham County. It may reduce the cost of treatment for Parkwood residents and others. He said he disagreed, however, in using tax dollars to subsidize businesses and industries in the Research Triangle Park in reducing their water bills and in funding the renovations and upgrades necessary to accommodate them.

County Manager Mike Ruffin explained that no property tax dollars are being used for this project. The funds for improvements are being generated through bonds that will be repaid through water use rates. The revenues from Cary will offset the cost of increasing the wastewater treatment capacities. That increased capacity will remain for Durham customers after Cary is done with it.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve Consent Agenda items 5(r) and 5(s).

The motion carried with the following vote:  
Ayes: Black, Cousin, Heron, and Reckhow  
Noes: Bowser

**Public Hearing—Proposed Secondary Road Construction Program for Durham County (2002-2003)**

Mr. M. Shane Parker, P.E., District Engineer for the North Carolina Department of Transportation, will present the Board with the Annual Secondary Road Construction Program for Durham County (2002—2003). Division Engineer Jon Nance, P.E.; Division Maintenance Engineer Ricky E. Greene Jr., P.E.; Assistant District Engineer Mike Harris, P.E.; and Deputy Division Engineer Wally Bowman, P.E., will accompany Mr. Parker.

Resource Person(s): M. Shane Parker, P.E., North Carolina Department of Transportation, Division of Highways, Division Five

County Manager's Recommendation: The Manager recommends that the Board review the Proposed Secondary Road Program and hold the public hearing. For the Board's convenience, a copy of the statutes has been attached which outlines the Board's responsibility and authority for the Secondary Road Program. Note that any changes to the priorities impact others on the priority listing. After the public hearing, if appropriate, approve the Proposed Secondary Road Program.

Mr. Ty Cox, NC State Board of Transportation member representing Division Five, introduced the item. Total funds available for the proposed project are \$1,255,000. Of this, \$155,000 is set aside for maintenance, and \$62,000 is set aside for contingency, leaving \$1,043,000 for paving of eight roads. The eight roads involved are: Adcock

Road, Intercross Road, Chambers Road, Hampton Road, Lark Lane, Butler Road, Ridgecrest Drive, and Oakview Street.

Mr. Shane Parker gave the specific details of the proposed program. He commented on the priority system used to develop the Secondary Road Construction Program. Gasoline tax generated the \$1,255,000 in available project funds. Total mileage proposed to be paved for Durham County is 7.12 miles. Durham County has 32.32 remaining unpaved miles.

Commissioner Heron commented that state policy is being followed. The only problem is not enough money for paving and needed maintenance. Still of concern is that there is not enough money to widen roads for alternative transportation methods of walking and bicycling.

The Chairman opened and closed the public hearing with no speakers signed to make comment.

The Commissioners asked questions and made comments regarding the item. Commissioner Bowser expressed his concern about manhole covers remaining excessively raised or lowered in paving projects, roads that have not been paved in many years, and traffic light cycle problems. He also repeated an earlier request for a wall at Club Boulevard Elementary School. Mr. Parker and Mr. Cox addressed the concerns. Mr. Cox advised that he had investigated the precedent for a wall and is still in discussion with the school system.

Vice-Chairman Reckhow expressed her concern that cars with “for sale” signs parked along Highway 15-501 at the I-40 interchange are unsightly as an entrance to Durham. Mr. Nance advised that “no parking” signs could be placed along that area to discourage this practice. It is up to law enforcement to deal with violations.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the Annual Secondary Road Construction Program for Durham County (2002-2003).

The motion carried unanimously.

### **Public Hearing—West-Northwest Durham Plan**

The Board is being requested to receive public comment and adopt the West-Northwest Durham Plan as presented. The West-Northwest Plan was presented to the Board at the June 3 Worksession.

The West-Northwest Durham Plan combines two of 15 small areas that comprise Durham's total planning jurisdiction. The planning area is a mix of urban, suburban, and



rural land uses ranging from older city neighborhoods, to large-lot suburbs, to rural homesteads. The challenge of planning for the future of the area is preserving the integrity of residential neighborhoods and viable commercial areas; allowing reasonable planned growth; and protecting the rich resources of the area's natural and cultural heritage.

Participants in the West-Northwest Durham planning process recognized that growth would occur. The consensus was that it must be managed to protect the well being of existing residents and businesses, as well as the environment and future residents. The plan endorses the need for this protection, but it also realizes the realities of the urbanized region. This vision characterizes the challenge faced by the West-Northwest Durham planning process and the growth management theme upon which it is based.

The Planning Committee reviewed and approved the plan on August 8, 2001. The City Council held a public hearing and adopted the plan on March 18, 2002. Staff recommends that the Board of County Commissioners adopt the West-Northwest Durham Plan as presented.

Resource Person(s): Frank M. Duke, AICP, Planning Director, and Dwight Yarborough, Senior Planner

County Manager's Recommendation:

The Manager's recommendation is that the Board receive citizen comments and adopt the West-Northwest Durham Plan as presented. The Board had an opportunity to discuss this plan during the June 3, 2002 Worksession when the public hearing was scheduled.

Vice-Chairman Reckhow asked questions and made comments about the proposed plan. There was discussion of the policy of clustering small businesses versus the trend of building big-box drugstores with single sites. This trend goes against creating nodes of commerce.

Vice-Chairman Reckhow asked how the Planning Department keeps up with the various small-area plans that the Commissioners have approved in terms of implementation of recommendations and monitoring progress.

Planning Director Frank Duke advised that many of the small-area plans overlap with conflicting recommendations for the same property. This issue must be addressed as the department performs its comprehensive plan update. It must be assessed as to what is working and not working. The comprehensive plan must be evaluated first.

Commissioner Heron was concerned about not having notification for the community meetings regarding the West-Northwest Durham Plan. She stated she could not locate the ads in the newspaper. Mr. Yarborough stated that the seven scheduled community meetings were advertised in the Durham Herald-Sun as a display ad with a map of the area. For all subsequent meetings there was a display ad running one week prior to the

night of the meeting with map, date, and location. Also, letters were sent out to all neighborhood organizations registered with the Planning Department within the area of the West-Northwest Durham Plan (about 43). Postcards were also mailed out one week before each meeting.

Vice-Chairman Reckhow asked that the Planning Department include the Commissioners in the notification list so that they might be prepared to attend the community meetings.

Chairman Black opened the public hearing. The following persons who were signed to speak made comments:

Gyule Mago, 3822 Shoccoree Drive, commented that his home is adjacent to the area in discussion. He urged the Board to do anything necessary to keep the character of the neighborhood scenic and rural. He had moved there after his Chapel Hill neighborhood was rezoned allowing apartments and office buildings to be built, destroying the natural beauty.

Daniella Gabriel, 3911 Shoccoree Drive, stated that her family had just moved to this address. She shared the same concerns as Mr. Mago and did not wish for the pond and trees on that street to be destroyed by office buildings. She asked that the zoning allowing light office buildings be changed.

Peter Hymas, 3907 Shoccoree Drive, asked the Commissioners not to approve this item. He asked that it be sent back to City Council to remove the light office designation from the I-85/Cole Mill Road area. Development with light office designation would destroy the character of the neighborhood and possibly have a negative impact on Ellerbee Creek.

Gerald L. Bowen, 3838 Shoccoree Drive, stated he has lived there for 38 years. The neighborhood is beautiful with topography unique to Durham County. He commented that he has worked with the Ellerbee Creek group for five years in an effort to protect the area. He urged the Board to do what is necessary to prevent City Council from rezoning the area for any commercial use. Otherwise, the last green entryway into Durham along I-85 would be destroyed.

Chairman Black advised that the action requested is approval of a small area plan, not a rezoning. Mr. Duke added that any rezoning must go through the entire process before the zoning committee and then go before the City Council as a public hearing.

At Chairman Black's request, Vice-Chairman Reckhow read into the public record, an email she received from Stephen Hiltner, Executive Director, Ellerbee Creek Watershed Association, 2201 Pershing Street.

I noticed in a recent version of the West-Northwest Durham Plan that a six-acre parcel at 1339 Cole Mill Road is designated for office development. The parcel is currently up for sale as such. Yet even the real estate agent associated with the property believes that it would be much more appropriate for single-family housing. The property has single-family dwellings on three sides and a lovely area of Ellerbee Creek on the other that includes the Ellerbee Creek gorge. This is not office

territory. Though the property is within a certain distance from I-85 that was designated for office, that area is, at this time, completely residential with a topography, history, and ecological significance that doesn't fit well with office zoning.

Yesterday, I met with homeowners who live along Shoccoree Drive, and they expressed strong support for keeping their neighborhood residential and for preserving green space and the unique character of the Shoccoree Drive neighborhood. I will be out of town and unable to attend the meeting on June 24. Please make this email part of the public comment for that meeting.

Thank you.

The being no other persons signed to speak, Chairman Black closed the public hearing.

The Commissioners discussed the request of the speakers to keep the character of the neighborhood scenic and rural. They decided to prevail upon the City to request that the residential aspects of the Shoccoree Drive neighborhood be maintained with no designation for "Office."

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the West-Northwest Durham Plan with the change in the land use map so that the area currently designated "Office" on the west side of Cole Mill Road would have changed to "Residential." Also, a letter is to be sent to City Council noting the change and respectfully requesting that City Council consider this at the earliest possible date. Planning Director Frank Duke was requested to make every effort to notify the people who testified at this public hearing and Mr. Hiltner as to when the Planning Commission and City Council will take up this matter.

The motion carried unanimously.

Mr. Duke was also directed by the Board of County Commissioners to initiate an amendment to the City version of this small area plan (City Council has already adopted this plan).

### **Public Hearing on Levying Additional ½-Percent Sales Tax**

The Board of Commissioners is requested to hold a public hearing on the possible imposition of an additional ½-percent sales tax. The current statutory authority for this tax provides that the tax will take effect on July 1, 2003. The Legislature is currently

considering advancing the date the tax could be effective. Therefore, the attached proposed resolution levying the tax would become effective on July 1, 2003, or on the first day allowed by law. This provision is inserted so that if the reimbursements from the State for various repealed taxes are not included in the budget, which is expected, the new sales tax may be received to partially or wholly replace the reimbursements without interruption, depending on the effective date of the tax.

Resource Person(s): Chuck Kitchen, County Attorney.

County Manager's Recommendation:

Hold the public hearing, and pass the attached resolution, with or without amendment, if appropriate based on comments received.

The County Attorney, at the Chairman's request, explained the item. Revenues from this tax would replace reimbursements lost through legislative repeal of several other taxes. These are listed in the resolution, drafted by the North Carolina Association of County Commissioners, modified for Durham County, and presented for Commissioner adoption.

Chairman Black opened and closed the public hearing with no persons signed to speak.

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to adopt the resolution.

The motion carried unanimously.

Ms. Deborah Craig-Ray was asked to forward this resolution to Durham County's legislators with a letter to include correspondence regarding protection of school capital funds.

The resolution follows:

**RESOLUTION LEVYING THE THIRD ONE-HALF CENT (1/2¢) LOCAL  
GOVERNMENT SALES AND USE TAX AND PRESCRIBING THE METHOD OF  
DISTRIBUTION OF THE PROCEEDS WITHIN DURHAM COUNTY**

WHEREAS, the General Assembly has authorized the Durham County Board of Commissioners to levy a one-half percent (1/2%) local sales and use tax by enacting N.C.G.S. 105-517(b) in Section 34.14(a) of Session Law 2001-424; and

WHEREAS, the Durham County Board of Commissioners held the public hearing on the issue of adopting this resolution on June 24, 2002, as required by N.C.G.S. 105-517(b), and proper public notice of the Board's intent to consider this resolution was provided as required by N.C.G.S. 105-517(b); and

WHEREAS, as of July 1, 2002, Durham County will lose \$9,894,524 in funds made available by the State of North Carolina to replace revenue lost because of legislative action: (1)to repeal sales taxes imposed on purchases made with Food Stamps; (2)to repeal property taxes on intangible personal property; and (4)to reduce taxes levied on residential property owned by low-income elderly taxpayers; and

WHEREAS, the Durham County Board of Commissioners hereby finds that, particularly in light of the circumstances cited herein, the levy of Third One-Half Cent (1/2¢) Local Government Sales and Use Tax is necessary to adequately finance the operations of the County and cities and towns herein:

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM DOETH RESOLVE:

1. There is hereby imposed and levied within Durham County the Third One-Half Cent (1/2¢) Local Government Sales and Use Tax authorized by Section 34.14(a) of Session Law 2001-424 and codified as Article 44 of Chapter 105 of the General Statutes of North Carolina. The tax hereby imposed and levied shall apply to the same extent and be subject to the same limitations as are set forth in said Session Law 2001-424.
2. Collection of the tax by the North Carolina Secretary of Revenue, and liability therefore, shall begin and continue on and after the first day of July 2003, or on the first day allowed by law, if sooner.
3. The net proceeds of the tax levied herein shall be distributed by the Secretary of Revenue on a monthly basis to Durham County as prescribed by N.C.G.S. § 105-520. The amount distributed to Durham County shall be divided among the county and the municipalities herein in accordance with the method by which the one percent (1%) sales and use taxes levied in Durham County pursuant to Article 39 of General Statutes Chapter 105 are distributed.

This Resolution is effective upon its adoption, and a certified copy hereof shall be forwarded to the North Carolina Secretary of Revenue.

This the 24<sup>th</sup> day of June, 2002.

/s/ Five Commissioners  
Durham County Commissioners

**Lease Agreement (Sarah Barker Center—2611 Broad Street)**

The Board is requested to authorize the execution of a three-year lease agreement between DURHAM COUNTY and The Arc of Durham County Inc. for the Sarah Barker Center located at 2611 Broad Street. The Sarah Barker Center is a daycare facility operated specifically for the benefit of children with mental and physical disabilities. The

lease term is from July 1, 2002 through June 30, 2005. The Sarah Barker Center has occupied this facility for a number of years. The current lease expires June 30, 2002.

The one-story building comprises approximately 5,700 square feet. It is situated at the southwest corner of Broad Street and Stadium Drive. The proposed rent for the premises is as follows:

Year 1	\$6.00/sf	\$34,200/year	\$2,850.00/month
Year 2	\$6.30/sf	\$35,910/year	\$2,992.50/month
Year 3	\$6.62/sf	\$37,734/year	\$3,144.50/month

Five-percent annual increases are indicated. During the current term (July 1, 1999 through June 30, 2002) the rent has been constant at \$5.75 per square foot. The increase from \$5.75 to \$6.00 is 4.35 percent. In March of 1999, market rent for this property was estimated to be \$9.00 to \$10.00 per square foot. At present, market rent for this property is estimated at \$11 to \$12 per square foot. Annual rent increases for this type of property are not unusual.

Durham County will be responsible for utilities, janitorial services, and routine maintenance. The Landlord will be responsible for taxes and assessments and insurance coverage on the building. Major repairs such as a new roof or HVAC will be the Landlord's responsibility. The Landlord will be responsible for the first \$10,000 of expense per repair. Expenses for repairs exceeding \$10,000 will be portioned equally between Landlord and Tenant (the amount in excess of \$10,000). If it is determined that either party is the sole cause of the condition warranting repair, that party shall be solely responsible.

The Durham County Attorney's office has had the opportunity to review the lease agreement and has approved it as to form. The Landlord has also reviewed the lease agreement and is in agreement with it.

Resource Person(s): Laurel Drobits, Director, Sarah Barker Center; George Quick, Finance Director; and Bill Martin, Real Property Manager

County Manager's Recommendation:

This Lease Agreement is a continuation of a long-standing arrangement for suitable facilities for the Sarah Barker Center. The Board is requested to authorize the execution of a three-year lease with The ARC of Durham County Inc. for 2611 Broad Street in accordance with the attached lease.

There was discussion concerning section 4(c) "Maintenance and Repairs" of the proposed lease. Vice-Chairman Reckhow questioned how much the County would be responsible for in the event a major repair is needed. Something is needed to protect the County's interest. There should be mutual agreement between the two parties that the repair needed to occur.

Chairman Black recognized one citizen signed to speak:

Mr. Joseph Kilsheimer, 9 Kimberly Drive, Durham, representing ARC of Durham, spoke regarding the lease and expenses paid in the past..

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the lease, with the discussed addendum regarding maintenance and repairs.

The motion carried unanimously.

### **FY 2002-2003 Budget Adoption**

The Durham County Manager will formally present the adopted budget for FY 2002-2003 to the Durham County Board of Commissioners. This submission is in accordance with the Local Government Budget and Fiscal Control Act, which requires adoption of the budget no later than July 1.

County Manager's Recommendation: Approve the recommended budget.

County Manager Mike Ruffin introduced the agenda item. The 2.4¢ tax increase will raise the tax rate to 75.3¢. The increase will go to cover the bond indebtedness as a result of the bonds passed in November 2001.

In answer to Commissioner Heron's question regarding fee schedule changes, County Attorney Kitchen and County Manager Ruffin advised that the Commissioners could change the amounts set in the fee schedule at any time during the fiscal year with a budget ordinance amendment. She was concerned that rising administrative costs were not being offset by fee revenues.

Commissioner Bowser proposed to amend the budget in August to add back \$21,000 for the HOPE VI Project. The Board proposed to approach the Housing Authority to apply funding to the project. The literacy effort would help prepare people to take some of the better jobs coming to this area. The Chairman advised this would be pursued.

Commissioner Bowser thanked the County Manager and staff for doing such a great job in preparing this year's budget during these tough financial times. He also thanked them on behalf of County employees for their inclusion in the package. This will be much appreciated.

Vice-Chairman Reckhow stated she could not support the budget. She said she felt the need to be more conservative with this budget since this area has experienced an economic downturn, the highest unemployment in 19 years, a high office vacancy rate, a reduction in sales tax revenue, and the state budget shortfall. She stated her major area of disagreement was in the area of the salary and compensation plan. It may be difficult to sustain it in the future. It will cost about \$5 million in salary and benefit enhancements

over the next 18 months. She would have preferred a less extensive and expensive package.

Commissioner Heron read a prepared statement to support her decision to vote against the budget. She said she supports a living wage for County employees, but this was not the year to commit to the long-term, major personnel raises proposed. The economy and state were robbing our taxpayers of their reimbursements. She questioned how merit raises are justified and wanted reasonable certainty where the money would come from. She said the proposal of \$1,500 for merit increases would be fairer than a percentage. She projected that the 5% salary increase plus increases to the benefit package (in health insurance, longevity, etc.) would cost approximately \$5 million in the years 2002-2005. Commissioner Heron went on to comment that too much is unknown about the emerging budget picture for next fiscal year. This budget takes from the fund balance and the capital improvement program. She projected that the school system and Medicaid costs would likely increase next year. Commissioner Heron stated she anticipated a significant tax increase next year to compensate for what was borrowed this year.

Chairman Black asked County Manager Ruffin to speak to those items raised by the Board concerning borrowing from the fund balance and CIP, a tremendous tax increase next year, the richness of compensation package, and to give his rationale as to why he put together the budget as he has. She said she had been assured this was a responsible budget that does not put the County or its citizens in harm's way.

County Manager Mike Ruffin explained the compensation package. He advised that an extraordinary situation requires extraordinary action. As indicated in the Human Resources presentation, the extremely high employee turnover rate of about 20% costs the County about \$2 million in recruitment, hiring, and training of replacements. The employee/County Manager roundtable discussions, which indicated a great deal of concern and consternation about how employees are compensated, were followed by the longevity reinstatement petition signed by hundreds. While it is true that about \$5 million will be spent in the next 18 months on all elements of compensation, this is only about 4.3% of the total nearly \$100 million payroll in the same period. Mr. Ruffin stated he doesn't anticipate spending any of the \$6.5 million in fund balance budgeted this year or the \$6.3 million budgeted for next year. It is closely monitored throughout the year. Reserves are down this year due to the State withholding the County's reimbursements for two years. With the adoption of this budget, the problem is solved because we are providing for the reimbursements that are not available.

The County Manager addressed sales tax revenue and the projected increase in revenues next year. In answer to Commissioner Bowser, the County Manager stated he does not anticipate a substantial tax increase next year. The factor that could make a tax increase necessary would be the Board voting to provide increases to capital improvements and the school system. The employee compensation measures set in place had no effect on the tax rate this year, nor should they next year. The increases in compensation costs should be absorbed in the revenue stream.



Chairman Black stated she would support the budget. She commented she has worked with the County Manager to determine what would be at-risk over the next year and has been assured that the County would not be placed at any type of risk. The information provided by Human Resources Department indicates that many employees are behind the job market, even with the increases provided this year. Human Resources and the Manager are considering restructuring the pay plan for its improvement. She noted that better compensation could encourage employees to stay and avoid the costs of the high employee turnover rate. It is fair to treat the employees with respect and take necessary action. She stated it is unusual for the Board not to reach consensus, but the 3-2 split vote would not impede their working in the County's best interests. Chairman Black called for the motion.

Commissioner Cousin stated he would support the budget as presented by the County Manager. He relayed his belief that the County would be able to abide by his projections. It represents a long overdue vote of confidence for the employees of Durham County.

Commissioner Cousin moved, seconded by Commissioner Bowser, to adopt the FY 2002-2003 recommended budget.

The motion carried with the following vote:

Ayes: Black, Bowser, and Cousin

Noes: Heron and Reckhow

The Budget Ordinance for FY 2002-2003 follows:

### **ANNUAL BUDGET ORDINANCE**

Durham County

North Carolina

FY 2002-03

WHEREAS, the proposed budget for FY 2002-03 was submitted to the Board of Commissioners on May 29, 2002 by the Durham County Manager and filed with the Clerk to the Board on that date pursuant to G.S. 159-11;

WHEREAS, on June 10, 2002, the Durham County Board of Commissioners held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 24, 2002, the Durham County Board of Commissioners adopted a budget ordinance making appropriations and levying taxes in such sums as the Board of Commissioners considers sufficient and proper in accordance with G.S. 159-13;

**BE IT ORDAINED** by the Durham County Board of Commissioners that for the purpose of financing the operations of Durham County, North Carolina for the fiscal year

beginning July 1, 2002 and ending June 30, 2003, there are hereby appropriated from taxes and other revenues the following by function and fund:

<b>Section 1. Summary of Appropriations by Fund and Function - FY 2002-</b>							
	General Fund	Debt Service Fund	Special Revenue Funds	Capital Financing Fund	Enterprise Fund	Enterprise Debt Service Fund	Total Appropriation
General Government	\$20,269,570	---	\$100,000	---	---	---	\$20,369,570
Public Safety	\$33,443,575	---	\$4,110,560	---	---	---	\$37,554,135
Transportation	\$12,500	---	---	---	---	---	\$12,500
Environmental	\$2,192,544	---	---	---	---	---	\$2,192,544
Economic & Phys.	\$2,337,106	---	\$349,441	---	---	---	\$2,686,547
Human Services	\$313,219,225	---	---	---	---	---	\$313,219,225
Education	\$75,984,462	---	---	---	---	---	\$75,984,462
Cultural and Recreation	\$7,749,763	---	---	---	---	---	\$7,749,763
Other-Utilities	\$20,745,930	\$29,733,763	\$792,734	\$30,213,595	\$1,106,750	\$1,771,401	\$84,364,173
Utilities	---	---	---	---	\$3,738,074	---	\$3,738,074
<b>Total Appropriations</b>	<b>\$475,954,675</b>	<b>\$29,733,763</b>	<b>\$5,352,735</b>	<b>\$30,213,595</b>	<b>\$4,844,824</b>	<b>\$1,771,401</b>	<b>\$547,870,993</b>
Less: Other Financing	(\$3,354,449)	(\$29,376,041)	---	(\$16,485,169)	---	(\$1,743,493)	(\$50,959,152)
<b>Net Appropriations</b>	<b>\$472,600,226</b>	<b>\$357,722</b>	<b>\$5,352,735</b>	<b>\$13,728,426</b>	<b>\$4,844,824</b>	<b>\$27,908</b>	<b>\$496,911,841</b>
*Includes Transfers From Other Funds and							
<b>Section 2. Summary of Revenues by Fund and Revenue Category - FY 2002-</b>							
	General Fund	Debt Service Fund	Special Revenue Funds	Capital Financing Fund	Enterprise Fund	Enterprise Debt Service Fund	Total Appropriation
Property Taxes	\$139,807,244	---	\$3,649,759	\$12,590,345	---	---	\$156,047,348
Licenses & Permits**	\$41,340,288	---	\$1,079,569	---	---	---	\$42,419,857
Intergovernmental	\$258,874,932	---	---	---	---	---	\$258,874,932
Service Charges	\$22,439,347	---	---	---	\$8,000	---	\$22,447,347
Miscellaneous Income	\$3,840,670	---	---	\$57,900	\$9,000	\$27,908	\$3,935,478
Enterprise Charges	\$12,300	\$276,998	---	---	\$4,827,824	---	\$5,117,122
<b>Total Revenue</b>	<b>\$466,314,780</b>	<b>\$276,998</b>	<b>\$4,729,328</b>	<b>\$12,648,245</b>	<b>\$4,844,824</b>	<b>\$27,908</b>	<b>\$488,842,083</b>
Other Financing	\$6,285,446	\$80,724	\$623,407	\$1,080,181	\$0	\$0	\$8,069,758
<b>Total Resources</b>	<b>\$472,600,226</b>	<b>\$357,722</b>	<b>\$5,352,735</b>	<b>\$13,728,426</b>	<b>\$4,844,824</b>	<b>\$27,908</b>	<b>\$496,911,841</b>
*Includes only Fund Balance							
** Includes Sales Taxes							

**Section 3.** For purpose of raising revenues to finance appropriations for the foregoing expenditures, the following ad valorem taxes are hereby levied on all property subject to ad valorem taxes within the county on January 1, 2002 at an anticipated collection rate of 97 percent. Rates are per \$100.00 of assessed valuation of taxable property.

<b>District</b>	<b>Rate</b>	<b>District</b>	<b>Rate</b>
Durham County-countywide	\$.7530	Lebanon Fire District	\$.0590
Bahama Fire District	\$.0600	New Hope District	\$.0500
Bethesda Fire District	\$.0550	Parkwood Fire District	\$.0900
Eno Fire District	\$.0440	Redwood Fire District	\$.0750
		Special Park District	\$.0187

**Section 4.** Charges for services and fees by county departments, excluding those established by state statute, are levied in the amounts set forth in the attached Fee Schedules. (See Attachment #1)

**Section 5.** The following authorities shall apply to transfers and adjustments within the budget:

- a. The County Manager may authorize transfers within a function up to 15% cumulatively without report to the Board.
- b. The County Manager may transfer amounts up to \$20,000 between functions of the same fund with a report to the Board of Commissioners at the subsequent regular meeting of the Board.
- c. The Budget Officer may approve intradepartmental transfer requests between appropriation units and between departmental programs within the limits of the approved budget.
- d. The County Manager may enter into the following agreements within funds:
  - Form and execute grant agreements within budgeted appropriations;
  - Execute leases of up to \$30,000 for normal and routine business within budgeted appropriations;
  - Enter consultant, professional, maintenance or other service agreements of up to \$20,000 within budgeted appropriations;
  - Approve annual renewals for service and maintenance contracts;
  - Purchase of apparatus, supplies, materials or equipment and construction or repair work not requiring formal bids by law;
  - Reject any and all bids and readvertise to receive bids;
  - Waive any bonds or deposits, or performance and payment bonds requirements when authorized or permitted by applicable law.
- e. County Manager can transfer between functions, and/or funds for merit, pay plan adjustments, health benefits, and reclassification of funds.
- f. Transfers between funds and transfers from the contingency account may be executed **only** by the Board of Commissioners.

**Section 6.** In accordance with North Carolina General Statute 115D-54, the following appropriations are made to Durham Technical Community College. All accumulated and unexpended and unencumbered amounts at the end of the fiscal year shall be reported to Durham County within 30 days of the completion of the external audit.

Current Expense Fund	\$2,971,154
Capital Outlay Fund	<u>\$ 312,852</u>
Total Appropriation	\$3,284,006

**Section 7.** In accordance with G.S. 115C-429(b), the following appropriations are made to the Durham Public Schools. The budget resolution adopted by the Durham Public Schools Board of Education shall conform to the appropriations set forth in the budget ordinance.

The total local appropriation for Durham Public Schools for FY 2002-03 is as below:

Current Expense	\$ 71,105,456
Capital Outlay	<u>1,500,000</u>
Total Appropriation	\$ 72,605,456

- a. In addition, the Durham Public Schools budget should reflect local appropriations by purpose, function, and project. Once adopted, such resolution shall not be amended without the prior approval of the Board of Commissioners if the cumulative effect of such amendment would be to increase or decrease the amount of county appropriations allocated by purpose, function, or project by 15 percent or more.
- b. The Board of Commissioners and the County Manager shall be informed in writing of the audited fund balance amounts within 30 days of completion of the external audit.
- c. Transfers between capital outlay and current expense shall be approved by the Board of Commissioners.
- d. Durham Public Schools is authorized to use Public School Building Capital Funds and Public School Building Bond Funds for capital outlay requests, with the approval of the Board of Commissioners.

Funding (including debt service) exceeds the required merger agreement rate of \$1,960 per pupil.

**Section 8.** In addition, it is the intent of the Durham County Board of Commissioners in appropriating these funds that the Board of Education allocates sufficient funds to continue the teacher supplement at a rate of 12 percent for teachers with less than 10 years experience; and 12.5 percent for teachers with 10 years or more experience.

**Section 9.** In accordance with G.S. 159-13.1, the following financial plans for intragovernmental service funds are hereby approved.

**RISK MANAGEMENT FUND**

Estimated Revenue	\$1,551,067
Estimated Expense	\$1,551,067

**EQUIPMENT LEASING FUND**

Estimated Revenue \$ 1,531,610  
Estimated Expense \$ 1,531,610

**CAFETERIA PLAN FUND**

Estimated Revenue \$7,327,368  
Estimated Expense \$7,327,368

**Section 10.** In accordance with G.S. 159-14, the following trust funds are established and the proceeds are estimated as follows:

Law Enforcement Officers Trust Fund	\$64,231
George Linder Memorial Fund	\$250
Community Health Trust Fund	\$548,111

**Section 11.** This ordinance incorporates an amendment in the capital financing policy to designate County Contribution at 4.8% of dedicated revenues for pay-as-you-go projects instead of 20%.

**Section 12.** In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the County Manager, the Finance Officer, the Clerk to the Board, and the County Tax Administrator.

**Adopted this the 24<sup>th</sup> day of June 2002.**

**FY 2002-2003  
 Fee Schedule**

<b>Department</b>	<b>Type of Fee</b>	<b>FY 2001-2002 Adopted Fees</b>	<b>FY 2002-2003 Adopted Fees</b>
<b>Animal Control</b>	Impoundment		
	1st Offense + boarding fee + civil penalty	\$25	same
	2nd Offense + boarding fee + civil penalty	\$60	same
	3rd Offense + boarding fee + civil penalty	\$95	same
	4th Offense & subsequent offenses	\$150	same
	Boarding		same
	Dogs	\$9/day	same
	Cats	\$6/day	same
	Civil Penalties		same
	1st Offense	\$25/Offense	same
	1st Offense/after 72 hours	\$50	same
	2nd Offense	\$50/Offense	same
	2nd Offense/after 72 hours	\$75	same
	Registration		
	Unaltered animals	\$25/animal	same
	Altered Animals	\$5/animal	same
<b>Elections</b>	Reports - Letter Size	\$.01 per page	same
	Diskettes and CDs - Processing Fee	\$25	same
	Labels - Duplex on 8 1/2 X 11 paper	\$.01 per page	same
	Copies	\$.05 per page	same
	Street Index (Address + Precinct Information)	\$12.50	same
	Certificates	\$1	same
	Maps:		
	- 8 1/2 X 11	\$2	same
	- 34 X 42	\$10	same
<b>Fire Marshal</b>	see attached detail		
<b>General Services</b>	Solid Waste Management Fee	\$60.00/year	\$65.00/year
<b>Register of Deeds</b>	Copy Fees - uncertified copies	\$.25 /page from Copier; \$.10 /page from Computer	same
	Instruments in General	\$14 1st page (\$3 each additional page)	same
	Deeds of Trust & Mortgages	\$14 1st page (\$3 each additional	same

		page)	
	Non-Standard Document	\$25 plus recording fee	same
<b>Register of Deeds</b>	Probate	\$2	same
	Plats	\$21 (plus \$5 for certified copy)	same
	Right of Way Plans	\$21 (\$5 each additional page)	same
	Certified Copies	\$5 1st page (\$2 each additional page)	same
	Comparison of copy for certification	\$5	same
	Notary Public Qualification	\$10	same
	Marriage Licenses:		same
	Issuing a license	\$50	same
	Issuing a delayed certificate w/one certified copy	\$20	same
	Proceeding for correction w/one certified copy	\$10	same
	Certified Copies of Birth, Death and Marriages	\$10	same
<b>Public Health</b>	Well Permit (includes one water sample)	\$215	same
	Water Sample	\$47	same
	Well & Septic Tank Reports	\$140/report	same
	Septic System Improvement Permits:		
	Conventional Systems	\$115	same
	Low Pressure System Installation (includes monitoring)	\$520	same
	Pump conventional permit	\$260	same
	Reconnection Permit	\$100	same
	Type V System (plan review)	\$11/connect	same
	Type V System (inspection)	\$115	same
	Type V System (monitoring)	\$6/connect/annual	same
	Application for Improvement Permit 0-2 acres	\$150	same
	Application for Improvement Permit 2-5 acres	\$175	same
	Application for Improvement Permit 5+ acres	\$190+\$10/acre	same
	Appeal Charge 0-2 acres	\$75	same
	Appeal Charge 2-5 acres	\$100	same
	Appeal Charge 5+ acres	\$125+\$10/acre	same
	Appeal of Permit Condition	\$100	same

	<b>Individual Swimming Pool Fee</b>	<b>\$150/year</b>	<b>same</b>
	<b>Each additional swimming pool per complex</b>	<b>\$75</b>	<b>same</b>
	<b>Wading Pool or Spa Permit</b>	<b>\$40</b>	<b>same</b>



<b>Public Health</b>	Pool Plan Review (includes initial permit)	\$200	same
	Tattoo Artist Permits	\$100	same
<b>Library</b>	Overdue fines:		
	0-40 days(excluding juvenile books)	15 cents/day, maximum \$6/book	same
	over 40 days (including juvenile books):	\$6/book	same
	Legal Notice Fee	\$15/account at time of notification 60 days	same
	Video tapes, filmstrip viewers	\$1/day up to \$20/item when 20 days overdue	same
	AV rental equipment	\$5/day per item, no maximum	same
	Bookmobile adult collection	5 cents/day, maximum charge of \$6	same
		(begins at 5 cents on 8th day)	same
	Duplicating	10 cents/page	same
	Out-of-county users	\$35	same
NOTE: Library also charges for lost & damaged books as well as overdue penalties and equipment rents.			
<b>Environmental Engineering</b>	Permits, one acre or less (per job charge)	\$195	\$205
	Permits for more than 1 acre (per acre charge)	\$405	\$425
	Reinspection Fee	-	\$100
	2nd Reinspection Fee	-	\$200
	<b>Unauthorized Land Disturbance Activities</b>		
	Permits for more than 1 acre (per acre charge)	\$810	\$850
	Permits, one acre or less (per job charge)	\$390	same
	<b>Reissuance of Revoked Permits</b>		
	Permits for more than 1 acre (per acre charge)	\$205	\$425
	Permits, one acre or less (per job charge)	\$100	\$205
	<b>Extensions</b>		
	Permits for more than 1 acre (per acre charge)	\$105	\$107
	Permits, one acre or less (per job charge)	\$50	\$52
	Plan Review, per acre charge	\$60	\$65

<b>Utilities</b>	Monthly Service Fees (County customers with City Water)	\$2.05 per hundred cubic feet	\$2.15 per hundred cubic feet
<b>Utilities</b>	Monthly Service Fees (County customers without City Water):		
	1 or 2 Bedrooms	\$11.10	\$11.65
	3 Bedrooms	\$24.98	\$26.22
	4 or more Bedrooms	\$42.32	\$44.43
	Plan Review Fee (per submittal)	-	\$65
	Inspection/Management Fee (per linear foot)	\$0.59	\$1.00
	Re-inspection Fee (per inspection)	-	\$100
	Lateral Fee (per service)	\$1,500	same
	<b>Capital Recovery Charges:</b>		
	Single Family (Min. 2 Bedrooms)	\$435 each	\$457 each
	Single Family (Each Bedroom above 2)	\$217 per Bedroom	\$228 per Bedroom
	Multi-Family Units (Apartments, Duplexes, etc.; Min. 2 Bedrooms)	\$435 each	\$457 each
	Multi-Family Units (Apartments, Duplexes, etc.; Each Bedroom above 2)	\$217 per Bedroom	\$228 per Bedroom
	Multi-Family (Motels, Hotels)	\$217 per Room	\$228 per Room
	Multi-Family (Motels, Hotels with cooking facilities in room)	\$317 per Room	\$333 per Room
	Nursing/Rest Home	\$109 per Bed	\$114 per Bed
	Nursing/Rest Home with Laundry	\$217 per Bed	\$228 per Bed
	Office - per shift	\$45 per Person	\$47 per Person
	Factory - per shift	\$45 per Person	\$47 per Person
	Factory with Showers - per shift	\$64 per Person	\$67 per Person
	Store, Shopping Center, Mall	\$217 per 1000 Square Feet (s.f.)	\$228 per 1000 s.f.
	Store, Shopping Center, Mall with Food Service	\$72 (additional per seat)	\$76 per Seat
	Restaurant (Greater of Per Seat or Per 15 s.f. of dining area)	\$72	\$76
	Restaurant - 24 Hour Service	\$91 per Seat	\$96 per Seat
	Restaurant - Single Service	\$45 per Seat	\$47 per Seat
	School - Day with Cafeteria, Gym, Showers	\$27 per Student	\$28 per Student

	School - Day with Cafeteria Only	\$22 per Student	\$23 per Student
	School - Day with neither Cafeteria nor Showers	\$19 per Student	\$20 per Student

<b>Utilities</b>	School - Boarding	\$109 per Person	\$114 per person
	Church (not including Food Service, Day Care, Camps)	\$5 per Seat	same
	Miscellaneous (based on Daily Average Flow)	\$1.811 per Gallon	\$1.901 per Gallon
<b>Emergency Medical Services (EMS)</b>	Basic Life Support (BLS) Service Fee + Mileage	\$360 + \$5 per mile	\$375 + \$6 per mile
	Advance Life Support #1 (ALS #1) Service Fee + Mileage	\$360 + \$5 per mile	\$425 + \$6 per mile
	Advance Life Support #2 (ALS #2) Service Fee + Mileage	-	\$475 + \$6 per mile
	Extra Attendant	\$25 per transport	same
	Special Event Coverage (3 hour minimum)	\$50 per hour	\$75 per hour
	Waiting Time (After initial 30 minutes)	\$25 per 30 minutes	same
	Treatment (without transport)	\$150	\$200
	Bike Team Services	\$50 per hour	same

<b>DURHAM COUNTY FIRE PREVENTION &amp; PROTECTION CODE</b>		
<b>Adopted Fee Schedule for Inspections, Permit Services and Violations</b>		
<b>Fiscal Year 2002-2003</b>		
<b>Effective July 1, 1993</b>		
<b>PENALTIES &amp; FEES</b>		
Ordinance Code #	Description of Violation	Amount of Penalty
401.4.1	Permit not posted or kept on premises	\$50.00
501	Unpermitted open Burning (Immediate)	\$500.00
502.5.1	Careless use of lighted object (Immediate)	\$500.00
504, 706	Use of non-approved heating appliance	\$50.00
504.7.1	Breach in fire wall/firestops	\$50.00
504.7.3	Fire or exit door inoperative	\$200.00
504.7.4	Fire tower door open (Immediate)	\$500.00
506.1.2	"No Smoking" signs not posted where required	\$50.00

506.3.3	Smoking in prohibited areas (Immediate)	\$500.00
603.2	Sprinkler or fire alarm inoperable	\$200.00
PENALTIES & FEES (continued)		
Section 13	Fire hydrants not complying with code	\$50.00
603.8	Sprinkler/standpipe not complying with code	\$50.00
603.9	Standpipe not complying with code	\$50.00
603.15.6	Sprinkler heads blocked/covered (Immediate)	\$500.00
603.17	Street address numbers not posted	\$50.00
603.17	Street address numbers not visible	\$50.00
603.18	Sprinkler/standpipe needs testing	\$50.00
603.18	Fire alarm system needs testing	\$50.00
802	Storage in fire tower or access (Immediate)	\$500.00
802	Blocked egress (Immediate)	\$500.00
802.1.1, 3101.5.3	Locked exit doors (Immediate)	\$500.00
802.2, 3101.13.1	Overcrowding (Immediate)	\$500.00
802.3, 3101.6.6	Fire exit or aisle blocked (Immediate)	\$500.00
802.4	Storage in or on fire escape (Immediate)	\$500.00
803	Exit or egress door needs repair	\$50.00
805.2.1	Blocked stairwells or stairways (Immediate)	\$500.00
807, 3101.12	Exit illumination and marking	\$50.00
807.2	No required exit directional signs	\$50.00
809.2	Approved fire evacuation plan required	\$50.00
809.3	Fire drill performance not acceptable	\$50.00
809.3.2	No monthly fire drill reported	\$50.00
901	Improper use of flammable liquids (Immediate)	\$500.00
901	Flammable liquid not stored according to code	\$50.00
901.7	Improper dispensing of flammable liquid (Immediate)	\$500.00
902.2	Aboveground tanks not diked	\$50.00
902, 903	Tank installation not according to code	\$50.00
904, 905	Tank storage not according to code	\$50.00

1002	Spray painting in non-approved area	\$50.00
1002.2	Spray booth not complying to code	\$50.00
1503	Compressed gas cylinders not secured	\$50.00
2201.2	No hazardous materials permit	\$50.00
2201.3	Chemical storage is not according to code	\$50.00
3101.13.2	Maximum occupancy not posted	\$50.00
3101.14	Use of open flame cooking device	\$50.00
	Failure to get tank work permit prior to work	\$200.00
<b>PENALTIES &amp; FEES (continued)</b>		
	Failure to obtain permits required by code	\$200.00
	All other violations of the code	\$50.00
<p><i>NOTE: The term "Immediate" as it appears above means that the Fire Marshal's Office may issue a citation immediately and the violation must be corrected by the violating party immediately.</i></p>		

<b>FIRE PREVENTION PERMIT FEES</b>		
<p>Section 1: The fees set forth in this section are fixed for the issuance of the permits required by the Fire Prevention Code. Such permits, unless stated otherwise on the face of the permit, shall be valid for a period of one year from the date of issue, subject to revocation for failure to comply with the fire Prevention Code. Renewal of permits shall be subject to fees in effect for the period of renewal. Less than five (5) permits issued upon a single, concurrent inspection shall be subject to a total maximum fee of \$200.00; five (5) or more permits issued upon a single, concurrent inspection shall be subject to a total maximum fee of \$275.00.</p>		
Technical Code #	Description of Activities Requiring Permits	Fee
402.1	Airports, Heliports and Helistops	\$50.00
402.2	Bowling Pin & Alley Resurfacing & Refinishing	\$50.00
402.3	Cellulose Nitrate Motion Picture Film	\$50.00
402.4	Cellulose Nitrate Plastic (Pyroxylin)	\$50.00
402.5	Combustible Fibers	\$50.00
402.6	Compressed Gases	\$50.00
402.7	Crude Oil Production	\$50.00
402.8	Cryogenic Fluids	\$50.00
402.9	Dry Cleaning Plants	\$50.00
402.10	Explosives, Blasting Agents, Ammunitions (storage only) <i>This is a 90 day permit</i>	\$100.00
402.10	Blasting (explosives) <i>This is a 90 day permit</i>	\$100.00
402.11	Flammable and Combustible Liquids (per site or service station)	\$50.00

402.12	Flammable Finishes	\$50.00
402.13	Fruit Ripening Processes	\$50.00
402.14	Fumigation & Thermal Insecticide Fogging	\$50.00
402.16	High Piled Combustible Stock	\$50.00
402.17	Liquefied Natural Gas (LNG)	\$50.00
402.18	Liquefied Petroleum Gas	\$50.00
402.19	Lumber Storage	\$50.00
402.20	Magnesium	\$50.00
402.21	Mechanical Refrigeration	\$50.00
402.22	Motion Picture Projection	\$50.00
402.23	Organic Coatings	\$50.00

FIRE PREVENTION PERMIT FEES (continued)		
402.24	Ovens	\$50.00
402.25	Pipelines for Flammable or Combustible Liquids	\$50.00
402.23	Places of Assembly	\$50.00
402.27	Pulverized Particles (Dust)	\$50.00
402.28	Repair Garages	\$50.00
402.29	Tank Vehicles for Flammable/Combustible Liquid	\$50.00
402.30	Erection of Tents and Air Supported Structures (per site plus \$10.00 per Tent)	\$50.00
402.31	Tire Rebuilding Plant	\$50.00
402.32	Wrecking Yards, Junk Yards, Waste Handling Plants	\$50.00
502.3	Storage of Readily Combustible Materials	\$50.00
502.6	Manufacture and Storage of Matches	\$50.00
902.5	Installation, abandonment, removal or retrofitting of any AGST or UGST (per site)	\$150.00
2002.1.1	Manufacture of fireworks allowed by state law	\$50.00
2002.1.2	Sale, possession, use and distribution of fireworks for display outside	\$250.00
2006.1	Discharge of fireworks inside a building	\$500.00
<i>All other permit fees required by the Technical Code and not listed shall be \$50.00</i>		
<b>USER FEES</b>		
Plans Review:		Fee

	Subdivision (plus \$20 per fire hydrant required)	\$30.00
<b>Building - New and Renovations:</b>		
	Building less than 5,000 s.f.	\$50.00
	Building 5,000 - 10,000 s.f.	\$90.00
	Building 10,000 s.f. or more (plus \$20 per 5,000 s.f. over 10,000 s.f.)	\$90.00
<b>Hazardous Chemicals:</b>		
	Class A - 55 gals. or 500 lbs.	\$50.00
	Class B - 55 to 550 gals. or 550 to 5,000 lbs.	\$200.00
	Class C - 550 to 5,500 gals. or 5,000 to 50,000 lbs.	\$300.00
	Class D - 5,500 gals. or 50,000 lbs.	\$400.00



<b>INSPECTION FEE SCHEDULE</b>		
All owners or tenants of buildings in Durham County, which are required to be inspected by the Durham County Fire Marshal's Office are subject to the following inspection fee schedule:		
<b>Inspection Activities:</b>		<b>Fee</b>
	Periodic Inspection	None
	First inspection pursuant to permit application	None
	First re-inspection for non-compliance if code requirements are met	None
	First re-inspection for non-compliance if code requirements are NOT met	\$100.00
	Second and subsequent re-inspections for non-compliance	\$200.00

<b>DURHAM CITY-COUNTY INSPECTIONS DEPARTMENT BUILDING PERMIT FEE SCHEDULE FOR FISCAL YEAR 2002-2003</b>	
<b>Effective July 30, 2000</b>	
<b>Schedule/Description</b>	<b>FY 2002-03 Adopted Fee</b>
<b>SCHEDULE A</b>	
New Residential Dwellings (One and Two Family, including Townhouse unit ownership)	
Up to 1200 s.f. (gross area)	\$140.00
1201 to 1800 s.f.	\$250.00
1801 to 2400 s.f.	\$290.00
2401 to 3000 s.f.	\$330.00
3001 to 3600 s.f.	\$388.00
3601 to 4200 s.f.	\$445.00
4201 to 5000 s.f.	\$512.00
5001 s.f. and over	\$557.00
<b>SCHEDULE B</b>	
New Multifamily Residential Buildings (apartments, condominiums, triplex and fourplex)	
1 <sup>st</sup> unit	\$240.00
Each additional unit, per building	\$90.00

<b>SCCHEDULE C</b>	
<b>Accessory Buildings</b>	
No footing	<b>\$40.00</b>
footing	<b>\$80.00</b>
<b>SCCHEDULE D</b>	
<b>Residential Renovations and Additions</b>	
Additions: 0 - \$10,000 - no footing	<b>\$80.00</b>
Additions: \$10,000 & over - no footing (add \$40.00 if footing required)	<b>\$160.00</b>
Interior Renovations: 0 - \$10,000	<b>\$80.00</b>
Interior Renovations: \$10,000 & over	<b>\$160.00</b>
<b>SCCHEDULE E</b>	
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 - \$5000	<b>\$100.00</b>
\$5001 to \$50,000	<b>\$100.00</b>
	<b>Plus \$7.50 per thousand or fraction thereof over \$5000</b>
\$50,001 to \$100,000	<b>\$438.00</b>
	<b>Plus \$6.35 per thousand or fraction thereof over \$50,000</b>
\$100,001 to \$500,000	<b>\$756.00</b>
	<b>Plus \$4.15 per thousand or fraction thereof over \$100,000</b>
Over \$500,000	<b>\$2,416.00</b>
	<b>Plus \$1.20 per thousand or fraction thereof over \$500,000</b>
<b>SCCHEDULE F</b>	

<b>Miscellaneous:</b>	
<b>Mobile Home (unit installation and foundation)</b>	<b>\$120.00</b>
<b>SCHEDULE F (continued)</b>	
<b>Modular Home (unit installation and foundation)</b>	<b>\$160.00</b>
<b>Moving permit (including new foundation)</b>	<b>\$80.00</b>
<b>Demolition Permit:</b>	
<b>Up to 5,000 s.f.</b>	<b>\$40.00</b>
<b>Over 5,000 s.f. (no additional cost per thousand)</b>	<b>\$80.00</b>
<b>Demolition associated with forthcoming permit</b>	<b>\$40.00</b>
<b>Residential Re-roofing (addition)</b>	<b>\$40.00</b>
<b>Commercial Roofing/Re-roofing</b>	
<b>0 to \$20,000</b>	<b>\$80.00</b>
<b>Over \$20,000</b>	<b>\$120.00</b>
<b>Residential Decks (single and two family)</b>	<b>\$80.00</b>
<b>Change of Occupancy permit (if no building permit is otherwise required/no construction necessary)</b>	<b>\$40.00</b>
<b>Reinspection Fees:</b>	
<b>Not ready for inspection</b>	<b>\$100.00</b>
<b>8 or more code violations found</b>	<b>\$100.00</b>
<b>2<sup>nd</sup> reinspection</b>	<b>\$100.00</b>
<b>3<sup>rd</sup> reinspection</b>	<b>\$200.00</b>
<b>4<sup>th</sup> reinspection</b>	<b>\$300.00</b>
<b>Search and duplication fee for past permit, inspection and Certificate of Compliance records (no cost to homeowner)</b>	<b>\$10.00/page</b>
<b>Address change on permit:</b>	
<b>Detached single-family and duplex</b>	<b>\$10.00</b>
<b>Multiple units (cost per building)</b>	<b>\$25.00</b>
<b>Issuance of duplicate placard</b>	<b>\$3.00</b>
<b>Work begun without permit</b>	<b>Double Fee</b>
<b>Voiding of permits (no maximum)</b>	<b>15% of permit cost</b>
<b>Homeowner's Recovery Fund</b>	<b>\$5.00</b>
<b>Change of contractor (no maximum)</b>	<b>15% of permit cost</b>
<b>Stocking Permit</b>	<b>\$40.00</b>
<b>Partial Occupancy</b>	<b>\$40.00</b>
<b>Posting of Occupancy (not associated with a permit)</b>	<b>\$40.00</b>

<b>KEY</b>		<b>DURHAM CITY-COUNTY PLANNING DEPARTMENT FISCAL YEAR 2002-2003 ADOPTED FEE SCHEDULE</b>					
<b>Residential Single Family =</b>	<b>RSF</b>						
<b>Planned Development Residential =</b>	<b>PDR</b>						
<b>Transportation Impact Analysis =</b>	<b>TIA</b>						
<b>Board of Adjustment =</b>	<b>BOA</b>						
	<b>FY 01-02</b>	<b>FY 02-03</b>	<b>Transportation Fee</b>	<b>Engineering Fee</b>	<b>Adopted Fee</b>	<b>% Change</b>	
<b>Permit Description</b>							
Rezoning Applications							
RSF <1 acre	250	150	50	50	\$ 250	0.0%	
RSF >1 <20 acre	2,185	1,800	265	120	\$ 2,185	0.0%	
plus per acre fee	55	55			\$ 55	0.0%	
RSF >20 acres	2,885	2,500	265	120	\$ 2,885	0.0%	
plus per acre fee	55	55			\$ 55	0.0%	
PDR <= to 30 acres	3,135	2,750	265	120	\$ 3,135	0.0%	
plus per acre fee	55	55			\$ 55	0.0%	
PDR >30 acres	3,385	3,000	265	120	\$ 3,385	0.0%	
plus per acre fee	55	55			\$ 55	0.0%	
Ofc, Res, Ind, Research w/o TIA	3,935	3,550	265	120	\$ 3,935	0.0%	
plus per acre fee	65	65			\$ 65	0.0%	
Ofc, Res, Ind, Research w/TIA	5,730	3,850	1,760	120	\$ 5,730	0.0%	
plus per acre fee	65	65			\$ 65	0.0%	
Commercial w/o TIA	3,930	3,550	260	120	\$ 3,930	0.0%	
plus per acre fee	75	75			\$ 75	0.0%	
Commercial w/TIA	5,730	3,850	1,760	120	\$ 5,730	0.0%	
plus per acre fee	75	75			\$ 75	0.0%	

Annexation-related Initial Zoning	75	75	-	-	\$ 75	0.0%
Re-reviews: 1/2 of filing fee up to	3,500	3,500	-	-	\$ 3,500	0.0%
Board of Adjustment Applications						
Custodial Care	75	75	-	-	\$ 75	0.0%
Small Day Care Use (up to 12)	465	300	45	120	\$ 465	0.0%
Single Family Uses - Non Revenue	465	300	45	120	\$465	
Communications Tower Minor Use	3,165	3,000	45	120	\$ 3,165	0.0%
All Other BOA Applications	1,165	1,000	45	120	\$ 1,165	0.0%
Major Special Use Permit Applications						
Communications Tower Major Use	3,165	3,000	45	120	\$ 3,165	0.0%
All Other Non-TIA Major Use	1,665	1,500	45	120	\$ 1,665	0.0%
TIA Major Use	1,500	500	1,000	-	\$ 1,500	0.0%
Land Use Plan Amendment	1,500	1,500	-	-	\$ 1,500	0.0%
Site Plans						
Administrative Site Plan	350	350	-	-	\$ 350	0.0%
Simplified Site Plan	1,615	1,000	325	290	\$ 1,615	0.0%
+ 1,000 sq ft of gross bldg	20	20			\$ 20	0.0%
or per lot	25	25			\$ 25	0.0%
or per attached dwelling	20	20			\$ 20	0.0%
Minor/Major Site Plan	2,365	1,750	325	290	\$ 2,365	0.0%
+ 1,000 sq ft of gross bldg	20	20			\$ 20	0.0%
or per lot	25	25			\$ 25	0.0%
or per attached dwelling	20	20			\$ 20	0.0%
Re-reviews: 1/2 of org fee up to	3,500	3,500			\$ 3,500	0.0%

Landscaping Extensions						\$ 300	0.0%
	300	300					
<b>Subdivision Plats</b>							
Preliminary Plats			190			\$ 2,230	0.0%
	2,230	1,750		290			
per lot fee						\$ 25	0.0%
	25	25					
Final Plat			20			\$ 640	0.0%
	640	500		120			
per lot fee						\$ 25	0.0%
	25	25					
Minor Subdivision						\$ 100	0.0%
	100	100					
per lot fee						\$ 25	0.0%
	25	25					
Re-reviews: 1/2 of org fee up to						\$ 3,500	0.0%
	3,500	3,500					
Landscaping Extensions						\$ 300	0.0%
	300	300					
<b>Street/Alley Closing</b>							
Closings						\$ 1,200	0.0%
	1,200	1,200					
<b>Zoning Text Amendment</b>							
						\$ 300	0.0%
	300	300					
<b>Surcharges</b>							
Newspaper Advertising for Zoning						\$ 120	0.0%
	120	120					
Newspaper Advertising for Zoning when both BOCC and DCC hold hearings						\$ 180	0.0%
	180	180					
Newspaper Advertising for BOA, Major Use Permits & St Closing						\$ 85	0.0%
	85	85					
Letter of Notice for Zoning						\$ 85	0.0%
	85	85					
Letter of Notice for BOA, Major Use Permits & Street Closings						\$ 45	0.0%
	45	45					
Sign for Zonings, BOA, Major Use Permits & Street Closings						\$ 80	0.0%
	80	80					
Landscape Re-inspection Fees						\$ 100	0.0%
	100	100					
Zoning Verification Letter						\$ 40	0.0%
	40	40					
Home Occupation Inspections						\$ 50	0.0%
	50	50					

Costs for Dept Publications	-	-				\$ -	
Copies by large Format Copier	1	1				\$ 1	0.0%
Standard Map Products							
Standard Color Maps (52" x 72")	15	15				\$ 15	0.0%
Standard B&W Maps (34" x 42")	5	5				\$ 5	0.0%
Blueline Prints per Sheet							
Orthophotos - 1988 or 1994	9	9				\$ 9	0.0%
Property Maps	10	10				\$ 10	0.0%
Planimetric & Topographic Maps	17	17				\$ 17	0.0%
Customized Maps & Reports							
Custom Maps/hr (min. 1 hour)	35	35				\$ 35	0.0%

**Printing Services for Durham County Tax Department and Animal Control (RFP 02-028)**

Approval to enter into Service Contract for Printing Services for Durham County Tax Department and Animal Control (RFP 02-028) with Total Billings.

The bid was advertised on March 1, 2002 in The Herald-Sun. Thirty-two proposal packages were mailed to various printing agencies. On April 11, 2002, four proposals were received from Professional Mail Services, Inc; American Business & Promotions; South Data, Inc; and Total Billings. After a committee review of the submitted proposals, Total Billings' proposal was considered the best responsive bidder.

Company Name	8.5X11 One Sided Cost	8.5X7 One Sided Cost	8.5X11 Double Sided Cost	8.5X7 Double Sided Cost	Insert Cost	July 1, 2002 Postage Cost	NCOA Cost	Design Cost
Total Billings - Fayetteville, NC	0.115	0.115	0.145	0.145	0.005	0.28	\$300.00	\$250.00
American Business -	0.15 - 0.167	0.134 - 0.149	0.15 - 0.167	0.134 - 0.149	0.007	no response	no response	\$150. -\$200.

<b>Glenwood, MN</b>								
<b>SouthData - Mount Airy, NC</b>	0.14	0.13	0.14	0.13	0.01	no response	\$275.00	\$0
<b>Professional Mail Services- Raleigh, NC</b>	0.1145	No response	no response	no response	no response	no response	no response	no response

Durham County’s M/WBE goal for “Other Professional Services” is 13% for African-Americans. However, the County did not have 13% of African-American vendors who provide this service on its vendor list from which to solicit responses. Therefore, in an effort to receive M/WBE responses, 13% of the vendors solicited were women- and/or minority-owned businesses. None of the four companies met Durham County’s M/WBE goal for “Other Professional Services.” Total Billings did submit a 100% Own Work Force affidavit for this project. According to Total Billings, its work force consists of:

Total number of employees:	40
Non-minority	18 (45%)
Minority	22 (55%)
Male	28 (70%)
Female	12 (30%)

Seven (7) of the twelve (12) management-level positions are held by minorities and women (58%).

Total Billings does not currently have any subcontracting opportunities available. However, the Tax Department will continue to work with the vendor, if approved, to identify any possible subcontracting opportunities and with the Purchasing Division to identify any possible minority subcontractors to work towards achieving the expenditure goal for minority participation.

Also, Total Billings is the current vendor providing printing services for tax bills and animal fees. It has provided the service for the Tax Department for six (6) years and has provided the service for Animal Control for two (2) years. The Tax Department has been satisfied with the service received from this vendor.

Resource Person(s): Kimberly Simpson, Deputy Tax Administrator, and Steve Crysel, Tax Administrator

County Manager’s Recommendation:

After review of the Request for Proposals for Printing Services for Tax and Animal Control submitted by the four firms, the Manager’s recommendation is that the Board enter into a service contract with Total Billings.



There was no Commissioner discussion of this item.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the item.

The motion carried unanimously.

### **Pulling/Withdrawing Rezoning Cases in Midstream**

Vice-Chairman Reckhow asked to add this item. She stated that the Board had received an update of the latest rezoning petitions, dated June 14, 2002 from City-County Planning Department. She noted that one petitioning developer, in particular, had withdrawn his rezoning request after the Board deferred action until the developer could address several concerns. That developer then resubmitted the request with an annexation petition to the City. There are several such cases of this apparent jurisdiction shopping.

She felt it appropriate to examine the County's rezoning procedures and determine if steps could be taken to reduce this practice. She requested, for this immediate case with Ticon Inc., that the Planning Department write a memo to City Council that conveys the issues that this Board raised at the meeting concerning the rezoning. The City needs to understand why the County was hesitant to approve the request. She asked that this issue be examined to determine if there is a fairer way to address rezoning on the city limit edges that would help protect the property owners in those areas.

Chairman Black agreed and asked if it is possible for the C/C Planning Director to notify the County Commissioners and City Council when an applicant goes to the City Council after the County Commissioners turn down a rezoning.

County Attorney suggested that a provision be added to the UDO such that if one governing body turns down a rezoning request, it cannot go to the other governing body within a year.

Chairman Black asked that this be placed on the agenda in the future for the UDO.

Commissioners Heron and Cousin suggested that the City-County Planning Committee discuss this issue.

### **Joint City-County Committee Meeting**

Chairman Black commented that her schedule indicated a Joint City-County Committee Meeting for Tuesday, July 9 at 9:00 a.m., with the County hosting.

The County Manager was asked to formalize agenda items, to contact the City for its list of items, and to advise the City that the County will host the meeting.



**Adjournment**

There being no further business, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Garry E. Umstead, CMC  
Clerk to the Board

GEU:SBP