

# REVISED

(See Announcement)

## THE BOARD OF COUNTY COMMISSIONERS DURHAM, NORTH CAROLINA

Monday, September 10, 2007

County Commissioners' Chambers  
200 East Main Street, Durham, North Carolina

### AGENDA

#### "Public Charge"

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.

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7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcement** 5 min.

**Grandparent Network of Durham County is seeking volunteers; for more information call 919-668-3279**

4. **Minutes** 5 min.  
August 27, 2007 Regular Session

5. **August Anchor Award Winner—Tony Noel** 5 min.

Tony Noel (Human Resources Manager, Technical Services) was selected to receive the August Anchor Award. Tony was recognized for this honor because of superior work, and particularly for performing a vital role as a key team member of the steering committee responsible for the design and implementation of the County's new ERP system. Mr. Noel is also instrumental in maintaining the County's pay plan, including

assisting with compensation and classification studies to ensure internal and external competitiveness.

Chairman Ellen Reckhow will lead the presentation.

Resource Person: Marqueta Welton, HR Director

County Manager's Recommendation: The Manager recommends that the August Anchor Award be presented to Tony Noel along with congratulations of the entire organization.

6. **Recognition of 2007 County Food Drive Winners (Tax, Register of Deeds)**

5 min.

The Durham Rescue Mission experienced a fire on April 9 that wiped out its food supply. The County organized an impromptu food drive, which was actually two weeks earlier than the annually scheduled food drive that runs during County Government Week.

Two departments – Register of Deeds and Tax Administration – collected an extraordinary amount of food, which helped the County collect more than 2,000 items.

County Manager's Recommendation: The County Manager recommends that the Commissioners recognize Tax Administration and Register of Deeds for their exemplary efforts during the County's annual food drive.

7. **Resolution Honoring Adele Spitz Roth**

5 min

A Resolution has been prepared to honor Adele Spitz Roth, co-founder and leader of Durham's System of Care. As an employee of Duke's Center for Child and Family Policy, Adele invested much of her life over the past five years working to design and build a new comprehensive system to help Durham's children and their families. Without her dedication and support Durham's System of Care would not be the success it is today.

Resource Person (s): Ellen W. Reckhow, Chairman, and Carolyn P. Titus, Deputy County Manager

County Manager's Recommendation:

The Manager recommends that the Board present the Resolution along with thanks and appreciation for outstanding dedication and service to children and families of Durham County.

8. **Resolution Honoring City-County Planning Director Frank Duke**

5 min

A resolution honoring Frank Duke, Durham City-County Planning Director, has been prepared in grateful appreciation for his dedicated service to Durham County. Mr. Duke

has accepted a job as the new director of the Planning and Community Development Department with the City of Norfolk, VA. Mr. Duke leaves the City and the County of Durham after more than five years on the job. His last day is Friday, September 21, 2007.

County Manager's Recommendation: Present the resolution to Mr. Frank Duke and extend congratulations for his dedicated service and extend well wishes as he assumes his new duties in Virginia.

9. **Consent Agenda**

20 min.

- a. Amendment to Appointments Policy (adopt the revisions to the Resolution for Establishment of Policy and Procedures for Appointments to County Boards, Commissions, Committees or Authorities);
- b. Budget Ordinance Amendment No. 08BCC000007—FY 2006-2007 Encumbrances;
- c. Project Ordinance Amendment No. 08CPA000005 (DC083)—Open Space and Farmland Preservation—Appropriate Awarded Federal Farm and Ranchland Protection Program Grants Totaling \$1,736,243 to increase the DC083 Open Space and Farmland Preservation Capital Project from \$4,771,000 to \$6,507,243;
- d. Offer to Purchase County Surplus Properties (pursue the upset bid process for the sale of 812 S. Roxboro Street, 10037 Rougemont Road, 900 Piper Street, 915 E. Maynard Avenue, and 900 Scout Drive; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process);
- e. Approve the Sale of County Surplus Property (approve the sale of 1300 Evelyn Street to Vida Carey for \$4,600, 620 Barton Street to Vida Carey for \$6,800, 406 Canal Street to Joe B. Vereen for \$1,200, and 800 Joe Louis Boulevard to Carl Malek for \$500; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process);
- f. Library Meeting Room Fees (adopt the library meeting room fee schedule as recommended by the Durham County Library Board of Trustees and the Library Staff);
- g. Approve the Resolution to the General Assembly for Relieving Counties of Medicaid; and
- h. Resolution of Support for Sufficient Funding to Meet North Carolina's Transportation Needs (approve the resolution, and forward copies to Governor Michael Easley, House Speaker Joe Hackney, and Senator President Pro Tem Marc Basnight).

10. **Public Hearing—FY 2006-2007 Draft Consolidated Annual Performance and Evaluation Report (CAPER)**

20 min

The Department of Community Development requests that the Board of County Commissioners hold a public hearing on September 10, 2007 to receive public comments on the City's Consolidated Annual Performance and Evaluation Report (CAPER). The purpose of this public hearing is to provide citizens an opportunity to

review and comment on the use of Community Development Block Grant (CDBG), HOME, and Emergency Shelter Grant (ESG) funds. These funds were provided by the U.S. Department of Housing and Urban Development (HUD) to address housing and community development needs throughout the City of Durham and the Durham HOME Consortium. The CAPER reflects the City's performance between July 1, 2006 and June 30, 2007. The final document is due to HUD no later than 90 days after the end of the fiscal year. A draft FY 2006-2007 CAPER was available for public review beginning on August 20, 2007. The Durham City Council is scheduled to hold its CAPER public hearing on September 17, 2007.

Federal regulations require the City to allow citizens not less than 15 days to review and comment on its performance report; however, a public hearing for the CAPER is not required. When conducting public hearings, HUD requires the City to provide adequate notice to citizens of this hearing, with "adequate" being defined as two weeks notice in local newspapers. The public hearing was advertised in The Herald Sun and The Carolina Times. The regulations of the U.S. Department of Housing and Urban Development (HUD) require that the Consolidated Annual Performance and Evaluation Report be received in the respective HUD Field Offices on or before September 30, 2007.

The City and County of Durham (HOME Consortium) were jointly allocated \$1,277,493 in FY 06-07 HOME and ADDI (American Dream Downpayment Initiative) funds. All HOME expenditures except for administration and the CHDO set-aside require a 25% local match which is provided by the City using 1996 housing bond program income. Currently, Durham County does not contribute to the local match requirement.

With direct benefits to the County with HOME or ADDI funds for FY 2006-2007, as of June 30, 2007, the information is as follows:

- Four county employees received second mortgage loans for homeownership totaling \$202,494, with one county employee purchasing in Eastway Village; and
- Four public safety officers received first mortgage loans for homeownership totaling \$653,210.

The direct benefit to County residents or employees therefore totaled \$830,704 or 65% of the total HOME and ADDI allocation.

Additionally, indirect benefits to the County in the expenditure of HOME and ADDI funds include:

The Durham Center is an existing recipient of \$100,000 in HOME funds to provide rental assistance to persons with disabilities. The remaining balance on that agreement is \$27,016.00. An additional \$100,000 in FY 06-07 HOME funds were awarded.

Resource Person(s): Mike Barros, Director, City of Durham Department of Community Development, and Associate Director Larry Jarvis

County Manager's Recommendation: Hold a Public Hearing on September 10, 2007 for the Draft FY 2007-2008 Consolidated Annual Performance and Evaluation Report (CAPER).

11. **Public Hearing—Unified Development Ordinance (UDO) Text Change—Final Plat Approval**

10 min

Receive public comments on Text Change—Final Plat Approval (TC07-07) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits.

Resource Person(s): Frank M. Duke, AICP, City-County Planning Director

County Manager's Recommendation: The Manager recommends that the Board conduct a public hearing on the proposed UDO text change and, if appropriate based on the comments received during the hearing, approve the change.

12. **Unified Development Ordinance Online Version Presentation**

15 min.

Receive the presentation.

Resource Person(s): Frank M. Duke, AICP, City-County Planning Director

County Manager's Recommendation: The Manager recommends that the Board receive the presentation.

13. **Board and Commission Appointments**

10 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to the Board to vote on appointments to the following boards and commissions:

- Audit Oversight Committee
- Public Health Board

Resource Person(s): Vonda Sessoms

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

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1 hr. 55 min.