

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

Monday, May 12, 2003

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session** Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**
 - a. February 3, 2003 Worksession Minutes
 - b. February 10, 2003 Regular Session Minutes
 - c. April 28, 2003 Regular Session Minutes
 - d. February 24, 2003 Regular Session Minutes
 - e. April 28, 2003 BOCC/DPS Board of Education Meeting Minutes

4. **Proclamation for "Durham Government Employee Wellness Day"**

On Thursday, May 15, 2003, local government employees are asked to participate in a Wellness Booster Event. The event will include exercise samplers, nutrition samplers, educational materials, and door prizes. The activity is sponsored by the Durham County Wellness Team and is designed to encourage employees to develop and maintain good health habits. A proclamation has been prepared to recognize the event.

Resource Person(s): Tracy Bates, Durham Public Health

County Manager's Recommendation: The County Manager recommends that the resolution be presented to Tracy Bates and members of the Durham County Wellness Team.

5. **FY 2003-2004 Recommended Budget**

Durham County Manager Michael M. Ruffin will formally present the recommended budget for FY 2003-2004 to the Board of County Commissioners. This is in accordance with N.C.G.S. 159-12(b), the Local Government and Fiscal Control Act.

Resource Person(s): Michael M. Ruffin

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

6. **Consent Agenda**

- a. Budget Ordinance Amendment No. 03BCC000059?Mental Health (approve this budget amendment to appropriate funds in the amount of \$1,673,632);
- b. Budget Ordinance Amendment No. 03BCC000062?Little River Community Complex (approve to appropriate funds in the amount of \$12,500 to the Little River Community Complex from the Commissioners? contingency account);
- c. Timer Warner Cable?s Rate Filing for Calendar Year 2003 (receive the report and approve the rate order);
- d. Request to Accept the Withdrawal of the Low Bidder, Retain the Bid Bond, and Approve a Contract for the River of Life Church Building Demolition on East Main Street to the Second Lowest Bidder (Project No: DC070-48; IFB 03-010) (retain the 5 percent bid bond of \$2,557.75 submitted by D.L. Restorations Inc., and authorize the County Manager to enter into an \$86,780 contract with Empire Dismantlement Corporation and execute any change orders or related contracts, if necessary, not to exceed a project cost of \$95,458);
- e. **Set Public Hearing to Receive Comments on the 2003 Three-Year Revision to the County's Ten-Year Solid Waste Management Plan (schedule a public hearing for June 9, 2003, to receive comments on the proposed 2003 three-year revision to the Durham County Comprehensive Solid Waste Management Plan.**
- f. Renewal of Workforce Investment Act Interlocal Agreement (approve the interlocal agreement); and
- g. Service Agreement with the Durham Arts Council Inc. for Administrative Support for the Durham County Cultural Master Plan (approve the service contract with the Durham Arts Council to provide local administrative support to the Durham Cultural Master Plan).

7. **Public Hearing?Colvard Farms, Applicant (Rezoning Case P02-79)**

Colvard Farms will present to the Board of County Commissioners a request to rezone 164.26 acres outside of the UGA on the west side of NC 751 at the intersection with Fayetteville Road, extending towards the Chatham County line; PIN 0717-03-24-9770, -44-1076, -33-9131; 0717-04-52-4278. Request: RD (Rural District) to PDR 0.22 (Planned Density Residential?0.22 units/acre). Staff recommends approval citing conformance with the adopted Triangle Township Small Area Plan and compatibility with the surrounding area. The Zoning Committee of the Durham Planning Commission conducted a public hearing on April 8, 2003 and voted 6-0 to recommend approval.

The public hearing for this request was advertised on April 25 and May 2, 2003 in the Durham Herald-Sun.

Resource Person(s): Frank Duke, Planning Director

County Manager?s Recommendation: The Manager?s recommendation is that the Board hold the public hearing and approve the rezoning, if appropriate, based upon the public hearing.

8. **Adoption of the FY 2003-2004 Consolidated Action Plan**

The adopted Citizen Participation Plan requires that two public hearings be held prior to Consolidated Action Plan submission to the Department of Housing and Urban Development (HUD). The purpose of the first public hearing, held on February 24, 2003, was to receive comments pertaining to HOME program needs in Durham. The purpose of the second public hearing, held April 28, 2003, was to receive comments on the use of FY 2003-2004 HOME funds as proposed in the Draft Consolidated Action Plan which was made available for public review March 20, 2003 through April 20, 2003.

The Durham City-County HOME Consortium anticipates receiving total HOME Investment Partnership (HOME) program funds in the amount of \$1,456,000. This amount includes an annual HOME allocation of \$1,306,000 and program income in the amount of \$150,000. FY 2003-2004 HOME funds include a Community Housing Development Organization (CHDO) set-aside, substantial homeowner rehabilitation activities for low-income city and county residents, a First-Time Homebuyers Program for city and county residents, rehabilitation/historic preservation activities (Historic Preservation Society of Durham), and Walltown housing development (Self-Help Credit Union). The Durham City-County HOME Consortium will be required to provide a 25-percent match (non-federal funds) to the total amount of HOME funds used directly for affordable housing activities during FY 2003-2004. The required match will be approximately \$300,000 and will be funded with City Housing Bonds and available County funds as outlined in the current Consortium Agreement.

Charlene Montford, Director of the City of Durham Department of Housing and Community Development, has reviewed this request and recommends that the Board of County Commissioners adopt the FY 2003-2004 Consolidated Action Plan.

Resource Person(s): Michael Pullum, Senior Planner, Department of Housing & Community Development, City of Durham

County Manager's Recommendation: The Manager's recommendation is that the Board adopt the FY 2003-2004 Consolidated Action Plan.



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