

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

Monday, July 23, 2007

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 Ellen W. Reckhow, Vice-Chairman Becky M. Heron, and Commissioners Lewis A. Cheek and Michael D. Page

Absent: Commissioner Philip R. Cousin Jr.

Presider: Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Motion to Excuse Commissioner Cousin

Commissioner Cheek moved, seconded by Vice-Chairman Heron, to excuse Commissioner Cousin from tonight's meeting.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow

Noes: None

Absent: Cousin

Agenda Adjustments

Per request by Planning staff, Chairman Reckhow removed Item No. 10, Public Hearing—Unified Development Ordinance (UDO) Text Change—Floodplain Fill (TC07-05), from the agenda; it will be resubmitted to the Board at a September Regular Session.

Announcements

Chairman Reckhow announced that Durham Neighborhood College is seeking applicants for the fall term. Applications may be obtained from either the Clerk to the Board's office or the Durham County website at www.durhamcountync.gov. The deadline is August 13, 2007.

Minutes

Vice-Chairman Heron moved, seconded by Commissioner Cheek, to approve as submitted the May 29, 2007 Regular Session, June 11, 2007 Budget Worksession, and June 25, 2007 Regular Session Minutes of the Board.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow

Noes: None

Absent: Cousin

Chester "Chet" J. Dobies Resolution

Chairman Reckhow read the following resolution in recognition of Chester "Chet" J. Dobies, Durham's chief magistrate and a former Durham County Sheriff chief deputy:

RESOLUTION

WHEREAS, Chester "Chet" Joseph Dobies was sworn in as a Durham County Deputy Sheriff on August 20, 1979; and

WHEREAS, he joined the Sheriff's Office after serving in the Marines and as a Roxboro police officer; and

WHEREAS, Mr. Dobies worked his way through the ranks to Chief Deputy in January 1987 and was responsible for the planning, development, and accomplishments of the office's objectives, as well as planning the construction of the detention facility, fostering awareness for its needs, and developing programs for its detention officers. He served as Interim Sheriff in 1992 and retired on May 1, 1993, before returning to become Chief Magistrate in 2003; and

WHEREAS, Mr. Dobies was renowned for his innovative ideas and changes in improving the performance of the Sheriff's Office, his untiring effort in sustaining the fiscal health of the organization, and his effective leadership, guidance, and unwavering loyalty; and

WHEREAS, his dedication to service and his commitment to the Sheriff's Office, as well as the Durham community, will be greatly missed by all that knew him:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby resolve to pay tribute to

CHESTER "CHET" J. DOBIES

for excellent service to the Office of the Sheriff and the citizens and residents of Durham County, North Carolina.

This the 23rd day of July, 2007.

Chairman Reckhow presented the resolution to Mrs. Dobies, wife of Chester Dobies.

Resolution from the Sheriff's Office Honoring the Life of Chester "Chet" J. Dobies

The Office of the Sheriff prepared a resolution to honor the life and work of Chester "Chet" J. Dobies. He will long be remembered for his dedication and public service to the Durham community.

Captain Paul Martin read and presented the following resolution to Mrs. Dobies on behalf of Durham County Sheriff Worth Hill and the entire office:

DURHAM COUNTY SHERIFF'S OFFICE RESOLUTION

WHEREAS, the duty of a Durham County Sheriff and his deputies is to uphold the Constitution and laws of honor to perform this charge the best of their abilities and to serve their communities with respect; and

WHEREAS, Chester Joseph Dobies was sworn to that commitment as a Deputy Sheriff on August 20, 1979; and

WHEREAS, he distinguished himself over the following 14 years as a detective, where he played a major role in building the Detective Division into a highly-motivated and respected unit. He worked his way through the ranks to Chief Deputy in January 1987, where he was responsible for the planning, development, and accomplishments of the Office's objectives as well as planning the construction of the detention facility, fostering awareness for its needs, and developing programs for its detention officers. He served as Interim Sheriff in 1992 and retired effective May 1, 1993; and

WHEREAS, during his career with the Sheriff's Office, he earned the respect of his superiors, peers, and subordinates by his professional confidence, his innovative ideas, changes and improving the performance of the Office, his untiring effort in sustaining the fistful help of the organization, and his effective leadership, guidance, and unwavering loyalty:

THEREFORE, BE IT RESOLVED that the Sheriff of Durham County on behalf of himself, his deputies, the detention officers, and staff thus hereby pay tribute to

CHESTER JOSEPH DOBIES

for this excellent service to the Office of the Sheriff and the citizens and residents of Durham County, North Carolina.

This the 23rd day of July, 2007.

Mrs. Dobies briefly thanked the Board and the Sheriff's Office for the resolutions.

Introduction of Internal Audit Director

County Manager Mike Ruffin introduced Richard Edwards, newly-appointed Internal Audit Director for Durham County Government. Mr. Edwards started in his position on July 16, 2007.

Mr. Edwards thanked the Board and County Manager Ruffin for the opportunity to serve Durham County citizens. He expressed a desire to complete the audit program and working with County staff.

Chairman Reckhow welcomed Mr. Edwards to the County. She announced that the County is seeking citizens who are interested in serving on an internal audit committee. Citizens with an accounting or business background are encouraged to apply. Applications may be obtained either on the County's website or by calling the Clerk's office at 560-0025.

Consent Agenda

Commissioner Heron moved, seconded by Commissioner Page, to approve the following consent agenda items:

- a. Contract with American Solutions for Business (renewal contract for the Tax Administration Department; not to exceed \$190,000 for postage and \$100,000 for design, printing, and mailing);
- b. Contract with Cox & Company (renew to provide support and updates to the Tax Administration Department; not to exceed \$55,000 for support services);
- c. 2006 Annual Report of the Durham Open Space and Trails Commission (receive the report);
- d. 2006 Annual Report of the Durham Historic Preservation Commission (receive the report);
- *e. Property Tax Releases and Refunds for Fiscal Year 2006-2007 (accept the property tax release and refund report for June 2007 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- f. Cultural Master Plan Spending Request (approve \$25,000 for the Durham History Museum Initiative);
- *g. Capital Project Amendment No. 08CPA000001—FY 2008 Appropriations of Approved County Contribution Funds for Multiple Capital Projects (appropriate budgeted funds

for Boardroom Technology Upgrade [\$650,000], Judicial Building Renovations [\$471,600], Animal Control Facility [\$677,126], Open Space Land Acquisition [\$550,000], Durham Technical Community College—Northern Durham Exp. [\$580,000], Main Library Renovations [\$300,000], New Hope Creek Preserve [\$50,000], and Civic Center [\$245,000], totaling \$3,523,726);

- *i. Budget Ordinance Amendment No. 08BCC000001— Sheriff's Office—Accept the Award in the amount of \$127,046 from the Bureau of Justice Assistance (BJA) and Renew the Contract;
- *j. Budget Ordinance Amendment No. 08BCC000002— Sheriff's Office—Appropriate Reserved Funds in the amount \$1,006,954;
- k. Approve the Sale of County Surplus Property (approve the sale of 3500 Carr Road to J. Kenneth Edwards of Southview Developers for \$2,150, and 818 Red Oak Avenue to Ms. Gail Bell for \$1,888);
- *l. Budget Ordinance Amendment No. 07BCC000076— approve for FY2007 in the amount of \$24,757 to appropriate fire district fund balance to Bethesda and Lebanon Fire Districts to satisfy the final payment to the General Fund for reimbursement of volunteer salaries);
- *m. Offer to Purchase County Surplus Properties (904 Ardmore Drive, 509 Mallard Avenue, 1412 N. Hyde Park Avenue, 1214 Moreland Avenue, 3046 Ruth Street, 406 Canal Street, 0 Colfax Street, 237 Rippling Stream Road and 5 Edgestone Place) (pursue the upset bid process for the sale of nine surplus properties; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process); and
- n. Receive the Liability Claims and Subrogation Recovery Report for FY 06-07.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow

Noes: None

Absent: Cousin

*Documents related to these items follow:

Consent Agenda Item No. e. Property Tax Releases and Refunds for Fiscal Year 2006-2007 (accept the property tax release and refund report for June 2007 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 June 2007.

Releases & Refunds for 2007 Taxes:

Real Estate	\$356,722.82
Personal	\$ 6,886.17
Registered Vehicles	\$ 16,774.44
Vehicle Fees	\$ 450.00
Solid Waste	\$ <u>160.00</u>
Total for 2007 Taxes and Fees	\$380,993.43

Releases & Refunds for 2006 Taxes:

Real Estate	\$ 4,692.62
Personal	\$ 52,588.84
Registered Vehicles	\$ 18,838.55
Vehicle Fees	\$ <u>260.00</u>
Total for 2006 Taxes and Fees	\$ 76,380.01

Prior years' (2002-2005) releases and refunds for June 2007 are in the amount of \$3,200.20. The total current year and prior years' releases and refunds amount to \$460,573.64.

(Recorded in Appendix A in the Permanent Supplement of the July 23, 2007 Minutes of the Board.)

Consent Agenda Item No. g. Capital Project Amendment No. 08CPA000001—FY 2008 Appropriations of Approved County Contribution Funds for Multiple Capital Projects (appropriate budgeted funds for Boardroom Technology Upgrade [\$650,000], Judicial Building Renovations [\$471,600], Animal Control Facility [\$677,126], Open Space Land Acquisition [\$550,000], Durham Technical Community College—Northern Durham Exp. [\$580,000], Main Library Renovations [\$300,000], New Hope Creek Preserve [\$50,000], and Civic Center [\$245,000], totaling \$3,523,726).

DURHAM COUNTY, NORTH CAROLINA
FY 2007-08 Capital Project Ordinance
Amendment No. 08CPA000001

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2007-08 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>			
Boardroom Technology Upgrade	\$120,000	\$650,000	\$770,000
Judicial Building Renovations	\$605,142	\$471,600	\$1,076,742
Animal Control Facility	\$718,073	\$677,126	\$1,395,199

Open Space Land Acquisition	\$4,221,000	\$550,000	\$4,771,000
DTCC – Northern Durham Exp.	\$420,000	\$580,000	\$1,000,000
Main Library Renovations	\$0	\$300,000	\$300,000
New Hope Creek Preserve	\$500,000	\$50,000	\$550,000
Civic Center	\$0	\$245,000	\$245,000

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

This the 23rd day of July, 2007.

Consent Agenda Item No. i. Budget Ordinance Amendment No. 08BCC000001—Sheriff's Office—Accept the Award in the amount of \$127,046 from the Bureau of Justice Assistance (BJA) and Renew the Contract.

DURHAM COUNTY, NORTH CAROLINA
FY 2007-08 Budget Ordinance
Amendment No. 08BCC000001

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2007-08 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$361,782,723	\$127,046	\$361,909,769

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$ 46,104,830	\$127,046	\$ 46,231,876

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

This the 23rd day of July, 2007.

Consent Agenda Item No. j. Budget Ordinance Amendment No. 08BCC000002—Sheriff's Office—Appropriate Reserved Funds in the amount \$1,006,954.

DURHAM COUNTY, NORTH CAROLINA
FY 2007-08 Budget Ordinance
Amendment No. 08BCC000002

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2007-08 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$22,968,152	\$1,006,954	\$23,975,106

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$46,231,876	\$1,006,954	\$47,238,830

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

This the 23rd day of July, 2007.

Consent Agenda Item No. 1. Budget Ordinance Amendment No. 07BCC000076—approve for FY2007 in the amount of \$24,757 to appropriate fire district fund balance to Bethesda and Lebanon Fire Districts to satisfy the final payment to the General Fund for reimbursement of volunteer salaries).

DURHAM COUNTY, NORTH CAROLINA
FY 2006-07 Budget Ordinance
Amendment No. 07BCC000076

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$26,204,463	\$24,757	\$26,228,910

<u>SPECIAL REVENUE FUND</u>			
Other Financing Sources	\$666,817	\$24,757	\$691,264

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$48,314,615	\$24,757	\$48,339,062

<u>SPECIAL REVENUE FUND</u>			
Other	\$1,653,606	\$24,757	\$1,678,053

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

This the 23rd day of July, 2007.

Consent Agenda Item No. m. Offer to Purchase County Surplus Properties (904 Ardmore Drive, 509 Mallard Avenue, 1412 N. Hyde Park Avenue, 1214 Moreland Avenue, 3046 Ruth Street, 406 Canal Street, 0 Colfax Street, 237 Rippling Stream Road, and 5 Edgestone Place) (pursue the upset bid process for the sale of nine surplus properties; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process).

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

904 Ardmore Drive
PIN #0820-18-31-9182
Parcel ID #146384

WHEREAS, Charles Clifford Kroner has made an offer to the County to purchase the above property for \$8,000 and has made a bid deposit in the amount of \$400, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

509 Mallard Avenue
PIN #0831-05-18-8168
Parcel ID #110238

WHEREAS, Adey Medhin has made an offer to the County to purchase the above property for \$2,000 and has made a bid deposit in the amount of \$100, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

1412 N. Hyde Park Avenue
PIN #0831-07-59-1045
Parcel ID #113210

WHEREAS, Brisco Enterprises has made an offer to the County to purchase the above property for \$1,500 and has made a bid deposit in the amount of \$75, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

1214 Moreland Avenue
PIN #0821-14-34-2395
Parcel ID #107917

WHEREAS, Brisco Enterprises has made an offer to the County to purchase the above property for \$1,500 and has made a bid deposit in the amount of \$75, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and

9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

3046 Ruth Street
PIN #0833-16-84-2202
Parcel ID #160144

WHEREAS, Ieschecia G. Allen of E * E Investment Properties has made an offer to the County to purchase the above property for \$1,200 and has made a bid deposit in the amount of \$60, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;

8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

406 Canal Street
PIN #0831-05-18-6390
Parcel ID #110242

WHEREAS, Adey Medhin has made an offer to the County to purchase the above property for \$1,000 and has made a bid deposit in the amount of \$50, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;

6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
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8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

0 Colfax Street
PIN #0831-17-11-6830
Parcel ID #118052

WHEREAS, Adey Medhin has made an offer to the County to purchase the above property for \$1,000 and has made a bid deposit in the amount of \$50, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
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3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
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9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

237 Rippling Stream Road
PIN #0824-02-96-4025
Parcel ID #178790

WHEREAS, Ieschecia G. Allen of E * E Investment Properties has made an offer to the County to purchase the above property for \$850 and has made a bid deposit in the amount of \$45, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;

4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

5 Edgestone Place
PIN #0708-03-32-9624
Parcel ID #142314

WHEREAS, John & Beth Gunn has made an offer to the County to purchase the above property for \$725 and has made a bid deposit in the amount of \$36.25, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an "Upset Bid Method" for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;

3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on July 23, 2007.

/s/ Vonda Sessoms
Clerk, Board of Commissioners

Consent Agenda Item Removed for a Separate Vote

Consent Agenda Item No. h. Budget Ordinance Amendment No. 08BCC000003 and Capital Project Amendment No. 08CPA000002—Advancement of \$4,500,000 in General Fund-Fund Balance for the Durham County Memorial Stadium Renovations Project (DC092) and Reimbursement Resolution for Financing of General Statute 160A-20 in Spring 2008.

Vice-Chairman Heron moved, seconded by Commissioner Page, to approve Consent Agenda Item No. h.

The motion carried with the following vote:

Ayes: Heron, Page, and Reckhow
Noes: Cheek
Absent: Cousin

DURHAM COUNTY, NORTH CAROLINA
FY 2007-08 Budget Ordinance
Amendment No. 08BCC000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2007-08 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$23,975,106	\$4,500,000	\$28,475,106

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Other	\$27,465,401	\$4,500,000	\$31,965,401

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

This the 23rd day of July, 2007.

DURHAM COUNTY, NORTH CAROLINA
FY 2007-08 Capital Project Ordinance
Amendment No. 08CPA000002

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2007-08 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>			
County Stadium Renovations	\$0	\$4,500,000	\$4,500,000

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

This the 23rd day of July, 2007.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION WITH RENOVATING THE COUNTY STADIUM.

WHEREAS, the County of Durham, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County will pay, on and after the date hereof, certain expenditures in connection with renovating the County Stadium, including the construction of improvements

to the locker rooms and public restrooms, the installation of a regulation high school track and the replacement of stadium seating covers (the "Project"); and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined that certain moneys of the County to be advanced on and after the date hereof by the County to pay such expenditures (the "Expenditures") are available only for a temporary period and it will be necessary to reimburse the County for the Expenditures from the proceeds of one or more tax-exempt financings of the County in the form of one or more installment financings that are expected to be authorized by the Board (collectively, the "Tax-exempt Financings");

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Tax-exempt Financings for the Expenditures made on and after the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financings.

Section 2. Each Expenditure will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financings, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Tax-exempt Financings expected to be entered into with respect to the Project is \$4,500,000.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Tax-exempt Financings to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years.

Section 5. This resolution shall take effect immediately upon its passage.

Public Hearing on General Obligation Bond Orders

Chairman Reckhow asked the County Manager to provide additional information on the usage of the bonds.

County Manager Mike Ruffin articulated that the Board is requested to hold a public hearing on the bond orders for projects associated with Durham Public Schools (DPS), Durham Technical Community College, and the North Carolina Museum of Life and Science. The initial orders were adopted by the Board at its June 25, 2007 meeting. The bond orders, along with the notice of the public hearing, were duly advertised in accordance with law. In addition, the Board was requested to approve the Resolution Calling a Special Bond Referendum between 6:30 a.m. and 7:30 p.m. on Tuesday, November 6, 2007.

County Manager Mike Ruffin gave the following PowerPoint presentation on the proposed 2008 General Obligation Bond Issuance:

Public Hearing Proposed 2008 General Obligation Bond Issuance

- Organizations to Benefit
 - Durham Public Schools
 - Durham Technical Community College
 - North Carolina Museum of Life and Science
- Amounts Proposed
 - DPS—\$194,240,000
 - Elementary Schools—\$67,772,274
 - Middle Schools—\$49,871,787

- Secondary and High Schools—73,454,018
- Central Services Facilities—\$450,126
- Bond Administration—\$1,900,000
- Cost of Issuance—\$791,795
- Durham Tech—\$8,680,000
 - Newton Building—\$3,680,000
 - Campus Improvements—\$3,000,000
 - Main Campus Expansion—\$2,000,000
- Museum of Life & Science—\$4,180,000
 - Bioquest Exhibit—\$4,170,812
 - Cost of Issuance—\$9,188
- Referendum
 - November 6, 2007
 - 3 ballot questions
 - School Bonds
 - Community College Bonds
 - Museum Bonds

County Attorney Chuck Kitchen addressed Chairman Reckhow's question regarding the cost of issuance for the Durham Technical Community College bond.

County Manager Ruffin informed the Commissioners that the GO Bond Issuance presentation would be posted tomorrow morning on the Durham County Website.

Chairman Reckhow acknowledged DPS Board of Education members in attendance: Minnie Forte-Brown, Chair, and Stephen Schewel, Vice Chair. She extended a welcome to the presidents of Durham Tech and the Museum, who were also present at the meeting.

Chairman Reckhow opened the public hearing and called the following signed speakers forward for comments:

Dr. E. Lavonia Allison, representing the Durham Committee for the Affairs of Black People (DCABP), PO Box 428, Durham 27707, expressed concern about specific issues at DPS that will not be addressed with the bonds.

Anita Hammond, representing DCABP, 2100 Otis Street, Durham 27717, inquired about the housing patterns' impact on diversity in the schools. She also requested information on the location of the new schools.

Dr. Carl Harris, Superintendent, DPS, responded to a question posed by Chairman Reckhow, stating that the cafeteria enhancement at Hillside High School has been included in DPS' bond order proposal.

Hugh Osteen, Assistant Superintendent, addressed questions by the Board and citizens pertaining to the following topics:

- Background information on Hillside's cafeteria relevant to capacity
- Location of New Elementary "E" and site description

- Playground upgrades (\$3 million) and usage of funds
- Fayetteville Street School

Vice-Chairman Heron commented on the County's valuable relationship with developers who donate land, which in turn saves money for taxpayers.

Commissioner Page inquired about a joint meeting with DPS representatives and concerned citizens.

Chairman Reckhow responded that she would follow up with Ms. Forte-Brown to determine the best way to address citizen concerns.

Dr. Harris encouraged citizens to be involved in DPS improvements by attending public forums.

Mr. Osteen concurred with Chairman Reckhow's remark that approving the bonds would bring schools, particularly elementary schools, up to a higher standard.

Vice-Chairman Heron commended Mr. Osteen and DPS for completing capital projects under budget, resulting in available funds for school improvements and miscellaneous uses.

Chairman Reckhow echoed Vice-Chairman Heron's commendation. She directed the County Manager to post on the County's website the '03 Bonds Update Report from DPS.

Commissioner Page asked about the renovations to Lakeview School.

Mr. Osteen replied that improvements would apply to the Lakeview gymnasium.

Chairman Reckhow closed the public hearing and referred the matter back to the Board.

County Attorney Chuck Kitchen advised the Board to vote on the bond orders separately.

Thereupon, upon motion of Commissioner Cheek, seconded by Vice-Chairman Heron and carried, the order introduced and passed on first reading on June 25, 2007 entitled: "ORDER AUTHORIZING \$194,240,000 SCHOOL BONDS" was read a second time by title and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Chairman Reckhow then announced that the order entitled: "ORDER AUTHORIZING \$194,240,000 SCHOOL BONDS" had been adopted.

Thereupon, upon motion of Commissioner Cheek, seconded by Commissioner Page and carried, the order introduced and passed on first reading on June 25, 2007 entitled: "ORDER AUTHORIZING \$8,680,000 COMMUNITY COLLEGE BONDS" was read a second time by title and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Chairman Reckhow then announced that the order entitled: "ORDER AUTHORIZING \$8,680,000 COMMUNITY COLLEGE BONDS" had been adopted.

Thereupon, upon motion of Vice-Chairman Heron, seconded by Commissioner Cheek and carried, the order introduced and passed on first reading on June 25, 2007 entitled: "ORDER AUTHORIZING \$4,180,000 MUSEUM BONDS" was read a second time by title and placed upon its final passage. The vote upon the final passage of said order was:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Chairman Reckhow then announced that the order entitled: "ORDER AUTHORIZING \$4,180,000 MUSEUM BONDS" had been adopted.

Thereupon, upon motion of Commissioner Cheek, seconded by Vice-Chairman Heron, the foregoing resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

**RESOLUTION CALLING A SPECIAL
BOND REFERENDUM**

BE IT RESOLVED by the Board of Commissioners for the County of Durham:

Section 1. A special bond referendum is hereby called to be held between 6:30 A.M. and 7:30 P.M., on Tuesday, November 6, 2007, at which there shall be submitted to the

qualified voters of the County of Durham the questions stated in the notice of special bond referendum set forth in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in Durham County shall be used and the registration books, process or records shall be open for the registration of qualified persons and for public inspection in the manner, under the conditions and at the times and places as provided in said notice set forth in Section 3 of this resolution, (ii) the chief judges, judges and other officers of election appointed by the Durham County Board of Elections for the precincts and voting places in said County shall be the election officers for such precincts and voting places and (iii) the precincts and voting places for said referendum shall be those fixed by the Durham County Board of Elections as provided in said notice set forth in Section 3 of this resolution, subject to change as provided by law. The Durham County Board of Elections is hereby requested to conduct said referendum and to take all necessary steps to that end in accordance with the provisions of this section.

Section 3. The Clerk to the Board of Commissioners shall cause a notice to be published in The Herald Sun once at least fourteen days before October 12, 2007 (being the last day on which persons may register for said referendum except as otherwise provided in said notice set forth in Section 3 of this resolution) and once again not less than seven days before said day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM
IN THE
COUNTY OF DURHAM, NORTH CAROLINA

A special bond referendum will be held throughout the County of Durham, North Carolina, between 6:30 A.M. and 7:30 P.M., on Tuesday, November 6, 2007 at which there will be submitted to the qualified voters of said County the following questions:

SCHOOL BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$194,240,000 School Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for erecting additional school buildings and other school plant facilities, remodeling, enlarging and reconstructing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings and equipment therefor, in order to provide additional school facilities in said County to maintain the school term as required by Section 2 of Article IX of the Constitution, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

COMMUNITY COLLEGE BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$8,680,000 Community College Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for expanding and improving the facilities for Durham Technical Community College, including the acquisition of land and a building and the expansion and renovation of buildings and other facilities to provide additional and improved teaching, parking, storage and other related facilities and the acquisition of necessary furnishings and equipment therefor, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

MUSEUM BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$4,180,000 Museum Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging and improving

visitor facilities, exhibits, administrative, storage and maintenance facilities and landscaping at the North Carolina Museum of Life and Science and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

The questions hereinabove set forth contains a statement of the purposes for which the bonds are authorized by the orders referred to in such questions.

If said bonds are issued, taxes in an amount sufficient to pay the principal thereof and interest thereon will be levied upon all taxable property in the County of Durham.

For said referendum the regular registration books for elections in the County of Durham will be used and the registration books, process or records will continue to be open for the acceptance of registration applications and the registration of qualified persons from 8:30 A.M. until 5:00 P.M. on Monday to Friday, inclusive, of each week at the office of the Durham County Board of Elections located at 706 West Corporation Street, in Durham, North Carolina.

For said referendum registration applications will be accepted and qualified persons may register also at any Drivers License Examining Station located in the State of North Carolina (the "State") during normal business hours when applying for, renewing or correcting driver licenses.

Moreover, registration applications will be accepted and qualified persons may register at every office in the State which accepts claims for benefits under the Employment Security Law or applications for a program of public assistance under Article 2 of Chapter 108A or Article 13 of Chapter 130A of the General Statutes of North Carolina and at every office in the State designated by the State Board of Elections which accepts applications for State-funded State or local government programs primarily engaged in providing services to

persons with disabilities. Such programs include Medicaid, Aid to Families with Dependent Children, Food Stamps, Women, Infants and Children and programs of the Division of Mental Health and the Division of Services for the Blind.

Qualified persons may also register by mail on forms to be available at the above-mentioned places and otherwise as provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Furthermore, certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces, members of the Peace Corps and certain overseas voters may register by mail at any time prior to said referendum in the manner provided in Article 21 of Chapter 163 of the General Statutes of North Carolina and in person at any time, including the day of said referendum.

The last day for new registration of those not now registered under Durham County's permanent registration system and who wish to register for said referendum is Friday, October 12, 2007, except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

The last day on which registered voters who have changed residence may notify the Durham County Board of Elections of their changes of address in order to be registered for said referendum is Friday, October 12, 2007, except as otherwise provided in Article 7A of Chapter 163 of the General Statutes of North Carolina.

Any qualified voter of the County who is qualified to vote by absentee ballot in said special bond referendum may apply to the Durham County Board of Elections for an absentee ballot. Any qualified voter who is qualified to vote by absentee ballot pursuant to Section 163-245 of the General Statutes of North Carolina may also apply for an absentee

ballot as provided by Section 163-247 of the General Statutes of North Carolina. Any such qualified voter may vote an absentee ballot in person at the time of applying for it or by mail or otherwise as provided in Article 20 and Article 21 of the General Statutes of North Carolina.

Persons who are not certain whether they are registered to vote or qualified to vote or who desire further information concerning the registration process or said referendum should contact the Durham County Board of Elections at the office of said Board mentioned above, telephone number (919) 560-0700, or by visiting its website, www.co.durham.nc.us/elec/, or by e-mailing it at elections@co.durham.nc.us.

The registration books for elections in Durham County will be open to inspection by any registered voter of the County during the normal business hours of the Durham County Board of Elections on the days when the office of said Board is open, and such days are challenge days.

The chief judges, judges and other officers of election appointed by the Durham County Board of Elections will serve as the election officers for said referendum.

The Durham County Board of Elections will conduct said referendum.

The precincts and voting places for said referendum, subject to change as provided by law, are as follows:

<u>Precinct</u>	<u>Voting Place</u>
1	W.J. Brogden Middle School 1101 Leon St.
2	George Watts School 700 Watts St.
3	E.K. Powe Elementary School 913 Ninth St.

<u>Precinct</u>	<u>Voting Place</u>
4	N.C. School of Math & Science 1912 Broad St.
5	W.I. Patterson Recreation Center 2614 Crest St.
6	Lakewood Elementary School 2520 Vesson Ave.
7	Durham School of the Arts 400 N. Duke St.
8	Morehead Montessori Magnet School 909 Cobb St.
9	Forest Hills Club House 1639 University Dr.
10	C.C. Spaulding Elementary School 1531 S. Roxboro Rd.
12	Monument of Faith Church 900 Simmons St.
13	Burton School 1200 Mathison St.
14	Y.E. Smith Elementary School 2410 E. Main St.
15	Mt. Calvary Lighthouse of Faith 500 N. Driver St.
16	Holy Infant Catholic Church 5000 Southpark Drive at Highway 54
17	Durham County Main Library 300 N. Roxboro St.
18	First United Antioch Baptist Church 1415 Holloway St.
19	American Legion Post #7 406 E. Trinity Ave.
20	Durham County Agricultural Building

<u>Precinct</u>	<u>Voting Place</u>
	721 Foster St.
21	Club Blvd. Humanities Magnet School 400 W. Club Blvd.
22	VFW Post 2740 3705 Dearborn Dr.
23	The River Church 4007 Holt School Rd.
24	Durham County Public School Staff Dev. Ctr. 2107 Hillandale Rd.
25	Northern High School 117 Tom Wilkinson Rd.
26	Bahama Vol. Fire-Rougemont Station 11821 N. Roxboro Rd.
27	Creekside Elementary School 5321 Ephesus Church Rd.
28	Bahama Ruritan Club 8202 Stagville Rd. Bahama, NC
29	Glen Elementary School 2415 E. Geer St.
30-1	Oak Grove Elementary School 3810 Wake Forest Rd.
30-2	Southern High School 800 Clayton Rd.
31	Bethesda Ruritan Club 1714 S. Miami Blvd.
32	Neal Middle School 201 Baptist Rd. (WF Hwy)
33	Lowe's Grove Baptist Church 4430 S. Alston Ave.

<u>Precinct</u>	<u>Voting Place</u>
34	Pearsontown Elementary School 4915 Barbee Rd.
35	Crown of Righteousness Community Church 5110 Revere Rd.
36	Yates Baptist Church 2819 Chapel Hill Rd.
37	Cole Mill Rd. Church of Christ 1617 Cold Mill Rd. (Berini)
38	Hope Valley Baptist Church 6900 Garrett Rd.
39	St. Stephens Episcopal Church, Parish Hall 82 Kimberly Dr.
40	Rogers-Herr Middle School 911 Cornwallis Rd.
41	White Rock Baptist Church 3400 Fayetteville Rd.
42	James E. Shepard Magnet School 2401 Dakota St.
43	Forest View Elementary School 3007 Mt. Sinai Rd. (Erwin)
44	Carrington Middle School 227 Milton Rd.
45	Temple Baptist Church 4504 Sterling Dr.
46	Edison Johnson Community Ctr. 600 W. Murray Ave.
47	Irwin R. Holmes, Sr. Rec. Ctr. at Campus Hills 2000 S. Alston Ave.
48	Christ the King Moravian Church 4405 Hope Valley Rd.

<u>Precinct</u>	<u>Voting Place</u>
50	McMannen United Methodist Church 4102 Neal Rd.
51	Southwest Elementary School 2320 Cook Rd.
52	Evangel Assembly of God 1011 Lynn Rd.
53-1	Triangle Presbyterian Church 5001 Tudor Pl. (Hwy. 54)
53-2	Triangle Church 5510 Barbee Chapel Rd., Chapel Hill
54	Waterford Village Apartment Homes 4405 Waterford Valley Drive
55-11	Weaver Street Community Center 3000 Weaver St.
55-49	NCCU-Miller-Morgan Building 1801 Fayetteville St.

Ronald Gregory
Chairman of the Durham County Board of Elections
North Carolina

Vonda C. Sessoms
Clerk to the Board of Commissioners for the
County of Durham, North Carolina

Section 4. The form of the questions to appear in the ballots and in the instructions to voters for said referendum shall be substantially as follows:

.....

SCHOOL BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$194,240,000 School Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for erecting additional school buildings and other school plant facilities, remodeling,

enlarging and reconstructing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings and equipment therefore, in order to provide additional school facilities in said County to maintain the school term as required by Section 2 of Article IX of the Constitution, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....

COMMUNITY COLLEGE BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$8,680,000 Community College Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for expanding and improving the facilities for Durham Technical Community College, including the acquisition of land and a building and the expansion and renovation of buildings and other facilities to provide additional and improved teaching, parking, storage and other related facilities and the acquisition of necessary furnishings and equipment therefore, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....

MUSEUM BONDS

Shall the order adopted on July 23, 2007, authorizing not exceeding \$4,180,000 Museum Bonds of the County of Durham, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging and improving visitor facilities, exhibits, administrative, storage and maintenance facilities and landscaping at the North Carolina Museum of Life and Science, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

.....

Section 5. The Clerk to the Board of Commissioners is hereby directed to mail or deliver a certified copy of this resolution to the Durham County Board of Elections within three days after the passage hereof.

Section 6. This resolution shall take effect upon its passage.

Public Hearing—Zoning Map Change—1411 Old Oxford Highway (Z07-19)

Steve Medlin, Assistant City-County Planning Director, introduced a new addition to Planning staff – Julia Mullen, Planner, Research Division.

Ms. Mullen noted for the record that staff has given proper notification of this public hearing per N.C.G.S. She requested that the Board of County Commissioners conduct a public hearing and receive public comments on the UDO zoning map change for 1411 Old Oxford Highway (Z07-19). She also requested that the Board adopt an ordinance amending the Unified Development Ordinance, the same being Chapter 24 of the Durham City Code, by taking the described property in zoning map change case Z07-19 out of RS-20; F/J-B and placing same in and establishing same as IL; F/J-B.

Vice-Chairman Heron cautioned Planning staff about new construction near the school site and Hebron Road.

Ms. Mullen informed Vice-Chairman Heron that the area is heavily developed, resulting in minimal room to new construction.

Chairman Reckhow agreed with Vice-Chairman Heron's concern; however, she concurred with Ms. Mullen's perception of the Old Oxford Highway and Hebron Road area. She stated that the area is clustered with small industrial developments; therefore, it would be inappropriate to construct properties in that area for non-industrial use.

Commissioner Page emphasized Vice-Chairman Heron's concern regarding new construction in the area. He inquired about issuing a statement of guarantee that such construction would not occur.

Chairman Reckhow opined that no developments could be constructed in this area given the small size of the site (that would be in compliance with the Unified Development Ordinance).

Ms. Mullen responded to Chairman Reckhow's question, stating that she would need to view a larger map to determine how much undeveloped land is in the area traveling north on Old Oxford Highway.

Chairman Reckhow directed Planning staff to send a follow-up memo to the Board regarding undeveloped sites in the area. The memo should explain property uses from the intersection of Wolfpack Drive and Old Oxford Highway in each direction, particularly in the north towards the intersection of Hebron Road. This information should explain the existing land use, what the comprehensive plan shows, and the zoning. Also, she requested a map to illustrate where the school site is located and how the properties around it are zoned and designated.

Commissioner Cheek asked Chairman Reckhow to clarify the Board's current position on the matter.

Chairman Reckhow explicated that if the Board raises any concerns subsequent to reviewing the memo, the concerns would then be forwarded to the County Manager to be placed on the September worksession agenda for discussion.

Chairman Reckhow opened the public hearing that was properly advertised. As no one signed up to speak, she closed the public hearing and referred the matter back to the board.

Vice-Chairman Heron moved, seconded by Commissioner Page, to approve Zoning Map Change—1411 Old Oxford Highway (Z07-19).

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Public Hearing—Plan Amendment—Evaluation and Assessment Report (EAR) Amendments (A07-07)

Steve Medlin, Assistant City-County Planning Director, noted for the record that staff has given proper notification of this public hearing per N.C.G.S. He requested that the Board of County Commissioners conduct a public hearing on a plan amendment Evaluation and Assessment Report (EAR) Amendments (A07-07) and take the following three actions:

- 1) To approve the Evaluation and Assessment Report (EAR);
- 2) To rectify the Future Land Use Map of the *Durham Comprehensive Plan* by approving the amendments adopted by the City, including:
A06-01 900 Davidson Avenue,
A06-03 Lowes of South Durham,
A06-07 Highgate II,
A06-10 Fayetteville Road Senior Community,
A06-12 Foster/West Geer Street,
A06-13 Treyburn Village,
A06-16 2902 South Miami Boulevard, and
A06-17 5601 Fayetteville Road; and
- 3) To amend the *Durham Comprehensive Plan* by defining the Downtown Tier as the central business district for purposes of NCGS 160A-458.3.

Mr. Medlin stated that the Planning Commission recommended approval, with a 12-0 vote, on May 8, 2007.

Commissioner Page inquired about A06-10 Fayetteville Road Senior Community.

Mr. Medlin explained that the A06-10 is a private sector project at the intersection of Woodcroft Parkway and Fayetteville Road. The site plan and zoning has been approved for the project.

In response to Vice-Chairman Heron's question, Mr. Medlin responded that the property will consist of a multi-unit facility and smaller attached units (i.e. duplexes).

Chairman Reckhow opened the public hearing that was properly advertised. As no one requested to speak, she closed the public hearing and referred the matter back to the Board.

Commissioner Cheek moved, seconded by Commissioner Page, to approve Plan Amendment A07-07.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Public Hearing—Unified Development Ordinance (UDO) Text Change—FIRM Technical Changes (TC07-09)

Steve Medlin, Assistant City-County Planning Director, noted for the record that staff has proper certification affidavits related to notification of this public hearing in pursuance with the North Carolina General Statute requirement. He requested that the Board of County Commissioners receive public comments on Text Change—FIRM Technical Changes (TC07-09) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 8, Environmental Protection.

Vice-Chairman Heron asked Mr. Medlin about additional properties in the floodplain area according to the new map and its relation to Item No. 10, Public Hearing—Unified Development Ordinance (UDO) Text Change—Floodplain Fill (TC07-05) (removed from the agenda at the beginning of the meeting).

Mr. Medlin responded that some flood elevations have been modified. The 2006 version of the updated FEMA maps, which were prepared by the State of North Carolina, was more conclusive and included more properties in the floodplain. Item No. 10 is related to other aspects of the Floodplain Ordinance, specifically with the approval authorities and additional text amendments.

In response to a question posed by Vice-Chairman Heron, Mr. Medlin replied that residents in homes within South Durham that have been affected by the new map may acquire flood insurance. If this item is not approved, then those residents would be at risk of not being able to obtain coverage as of August 2 because the County would not have certification to participate in the Nation Flood Insurance Program (NFIP).

Chairman Reckhow opened the public hearing that was properly advertised. As no one requested to speak on this item, she closed the public hearing and referred the matter back to the Board.

Vice-Chairman Heron moved, seconded by Commissioner Page, to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 8, Environmental Protection.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
CONCERNING SPECIAL FLOOD HAZARD AREAS AND FUTURE CONDITIONS
FLOOD HAZARD AREAS

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions regarding Special Flood Hazard Areas and Future Conditions Flood Hazard Areas in the Unified Development Ordinance; and

WHEREAS, it is the objective of the Durham County Board of Commissioners to have the UDO promote the health, safety, and general welfare of the community.

NOW, THEREFORE, be it ordained that Article 8, Environmental Protection is amended to make the following changes:

SECTION 1

Modify the following as set forth in the strikeouts and underlining below:

Section 8.4.2, Applicability, introductory paragraph;

8.4.2 Applicability

This section shall apply to all Special Flood Hazard Areas and Future Conditions Flood Hazard Areas within the City and County of Durham as identified by the Federal Emergency Management Agency (FEMA) or produced under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Hazard Boundary Map (FHBM) or Flood Insurance Study (FIS) and its accompanying flood maps, such as the Flood Insurance Rate Map(s) (FIRM) and/or the Flood Boundary Floodway Map(s) (FBFM), for Durham County dated May 2, 2006; February 2, 2007; April 16, 2007; June 4, 2007; or August 2, 2007, are adopted by reference and declared to be a part of this ordinance. Also adopted by reference and declared to be a part of this ordinance are associated Physical Map Revisions and Letters of Map Change issued by FEMA as of August 2, 2007. The Special Flood Hazard Areas and Future Conditions Flood Hazard

Areas also include those defined through standard engineering analysis for private developments or by governmental agencies, but which have not yet been incorporated in the FIRM. This includes, but is not limited to, detailed flood data:

SECTION 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

SECTION 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.

Public Hearing—Street Closing—Valetta Road (SC07-04)

Steve Medlin, Assistant City-County Planning Director, noted for the record that proper notice had been given for the public hearing in pursuance with the North Carolina General Statutes requirement. He requested that the Board of County Commissioners conduct a public hearing on the closing of a 250-linear-foot portion of Valetta Road, on the west side of Koback Drive, north of Torredge Road and south of Palimino Lane. He also requested that the Board adopt an Order permanently closing a 250-linear-foot portion of Valetta Road, on the west side of Koback Drive, north of Torredge Road and south of Palimino Lane, conditioned on the recombination of lots.

Chairman Reckhow opened the public hearing that was properly advertised. She called signed speaker Douglas Herndon Sr., 129 Argonne Drive, Durham 27704, for comments.

Mr. Herndon expressed concern about installing utilities in the old right-of-way. He stated that per his conversation with the developer, it was said that his father Thomas Herndon (who owns the property north of Valetta Road) would gain title to half of the right-of-way if the road is closed.

Mr. Medlin clarified that no utilities are proposed in the old right-of-way; this had been verified with Barnette Crabtree, Sun River Builders Signature Homes Inc. County Engineering has reviewed the request for an easement and concluded that utilities are not needed in the right-of-way.

Mr. Crabtree added that a miscommunication had occurred between Mr. Herndon and Jonathan Murphy, Land Surveyor, about the utilities. He assured the Herndons and the Board that a sewer line will not be installed in the right-of-way.

Chairman Reckhow closed the public hearing and referred the matter back to the Board.

Vice-Chairman Heron asked County Attorney Chuck Kitchen to address proper ownership of a newly closed road.

County Attorney Kitchen responded that generally, if only one property adjoins the right-of-way when it is closed, then that owner would take ownership. If two properties are adjoining the right-of-way, then a provision in the General Statutes states that one of the owners may assume complete ownership if the other does not want it. However, if both owners are interested in taking ownership, then the right-of-way is divided evenly between the two proprietors. If the City or County would like to install a utility once the road is closed, then it must present its request to the appropriate owner. If the owner denies the request, then the easement can only be granted by condemning the property.

Mr. Medlin informed the Commissioners that a copy of the final plat, which indicates the distribution of the property, is in their agenda packets.

Commissioner Cheek moved, seconded by Commissioner Page, to adopt an Order permanently closing a 250-linear-foot portion of Valetta Road, on the west side of Koback Drive, north of Torredge Road, and south of Palimino Lane, conditioned on the recombination of lots.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Public Hearing—Proposed 2008 Revaluation Schedule of Values

Tax Administrator Ken Joyner introduced this item. He requested that the Board of County Commissioners conduct a public hearing on the proposed schedules of values, standards, and rules pursuant to North Carolina General Statute 105-317.

Chairman Reckhow opened the public hearing that was properly advertised. She recognized Dr. E. Lavonia Allison, representing DCABP, PO Box 428, Durham 27702, to speak on this item; however, Dr. Allison was not present to comment.

Chairman Reckhow closed the public hearing and referred the matter back to the Board.

Mr. Joyner stated that per N.C.G.S., the Schedule cannot be approved until the Board's next regular session on August 13, 2007.

Regulation of Solicitation on the Streets and Highways of Durham County

Chairman Reckhow recognized County Attorney Chuck Kitchen to introduce this item.

County Attorney Kitchen reported that after receiving information regarding the possible adoption of an ordinance regulating solicitation in the rights-of-way outside the municipal limits of cities in Durham County, the Board passed on April 9, 2007 an ordinance regulating

solicitation by a 3-1 vote. As the ordinance was not passed by a unanimous vote of the Board, it was required to be passed on a second vote. However, due to the length of time since the first vote, the ordinance is again on the Board's agenda for consideration as a first introduction.

County Attorney Kitchen advised the Board to introduce the ordinance, receive public comment, and schedule the vote for a future meeting, as a unanimous vote would not be possible at tonight's meeting due to Commissioner Cousin's absence.

Commissioner Cheek expressed interest in moving forward with the ordinance, although per the County Attorney's advice, the ordinance cannot be enacted without a full board present.

Chairman Reckhow recognized signed speakers for public comments.

The following speakers opposed the ordinance:

Jay Davis, representing Open Tables Ministry, 507 Bill Poole Road, Rougemont 27572

Wayne Taylor, representing Open Tables Ministry, 2635 Kirk Road, Durham 27705

Rev. Douglas Wagner, representing Open Tables Ministry, 8009 Bunny Road, Rougemont 27572

Commissioner Cheek responded to citizens' comments, stating his support for the ordinance. He opined that solicitors on the streets cannot receive help by remaining on the streets; the County can help by removing them from the streets and referring them to available assistance.

Commissioner Cheek recommended delaying a vote until the August 27 meeting to allow for additional suggestions as to how to alleviate solicitation on the streets and highways of Durham County.

Commissioner Page suggested that the Board vote on this item at the next regular session on August 13

Vice-Chairman Heron echoed Commissioner Cheek's recommendation to delay a vote until August 27.

Chairman Reckhow informed Mr. Davis that she and Commissioner Page have been working with Mental Health and the Homeless Shelter to try to provide more comprehensive services. A follow-up meeting will be held in mid-August for staff to provide data regarding the population served, types of conditions clients have, and a plan of action. She suggested that a vote should not be delayed any longer than the October 8 Regular Session.

Commissioner Cheek supported Chairman Reckhow's suggestion to delay a vote until October; however, he agreed with Commissioner Page that this matter has been severely prolonged.

Chairman Reckhow directed the County Manager to place Open Tables Ministry on the October 1 Worksession agenda to allow them to report on their outreach activities and to allow the County mental health director and collaborating staff give a presentation on their approach with the expanded services through the homeless shelter and other services.

Commissioner Page expressed appreciation for the Board's attempt to assist solicitors. He concurred with Mr. Taylor's comment that not all solicitors are homeless; they solicit due to job rejections. Commissioner Page suggested that assistance be provided for jobless, as well as the homeless.

Chairman Reckhow informed Commissioner Page that job placement and literacy training were discussed during a meeting with Mental Health and the Homeless Shelter. She announced that she would not be in attendance at Wednesday's Workforce Development meeting; this issue should be raised at a meeting.

Vice-Chairman Heron advised Mr. Davis, Mr. Taylor, Rev. Wagner, and other Open Tables Ministry members to work with Mental Health and the Homeless Shelter staffs to bring about a favorable result for Durham County.

Chairman Reckhow directed the Clerk to the Board to get the names of citizens in attendance who would like to volunteer and forward the list to the County Manager. Staff will contact the volunteers prior to the August 13 meeting with Mental Health and the Shelter.

Chairman Reckhow reiterated that this item would be delayed until the October 1 Worksession.

Vice-Chairman Heron encouraged Mr. Davis and Rev. Wagner to inform the Board if little to no progress has been made on resolving this issue.

Settlement of 2006 Property Taxes and the Charge of 2007 Property Taxes to the Tax Collector

Chairman Reckhow praised Mr. Joyner and his staff for this year's tax collections. Currently, Durham County is ranked No. 2 in the state for highest tax collection rate. She asked Tax Administration staff who was present to stand and be recognized.

Kenneth L. Joyner, RES, Tax Administrator, introduced Kim Simpson, Deputy Tax Administrator; Jay Miller, Deputy Assessor; Teresa Hairston, Division Appraisal Manager; Robie McLamb, Collection Division Manager; and Herman Alston, Deputy Tax Collector.

Mr. Joyner submitted the settlement report of 2006 property taxes to the Board of County Commissioners as required by G.S. 105-373. He presented a PowerPoint presentation to outline the 2006 Property Tax Settlement as follows:

- Introduction
- 2006 County of Durham

- Current Collections for Tax Year 2006
- Total Levy as of Date
- Total Collections as of Date
- Five-Year Comparison County Only Collection Rate
 - Five Year Comparison of Collection Rate
 - 2003 Five-Year Comparison
 - Five-Year Comparison of Prior Year Taxes
 - All Years Charged for Collection in FY05-06
 - Percentage of Collection for the FY Year and Collection Percentage of Original Levy County Only
- How we compare with other counties
 - Information compiled from top ten counties in population
 - Durham's rank in the top ten counties
 - Comparison of collection rate growth
- Tax Department Accomplishments
 - Increased the collection rate
 - Implemented enhancements to One Tax software
 - Updated the website collection module to include the ability to schedule payments for taxes

Chairman Reckhow expressed delight in the high collection rate this year, which would result in lower taxes.

Mr. Joyner noted that staff has worked diligently to collect taxes this year, resulting in \$4.5 million in additional revenue, which would help to alleviate tax rates for the City and County. He requested to invite additional staff to the August Worksession to be recognized by the Board.

Vice-Chairman Heron asked about progress with the 2008 revaluation.

Mr. Joyner replied that a press release was sent out recently. The notices are scheduled to be mailed in mid-November.

Commissioner Cheek moved, seconded by Commissioner Page, to approve the 2006 Property Tax Settlement Report, charge the Tax Collector with 2007 Property Taxes, and authorize the relieving of taxes that are more than 10 years past due and motor vehicles taxes that are more than 2 years past due.

The motion carried with the following vote:

Ayes: Cheek, Heron, Page, and Reckhow
Noes: None
Absent: Cousin

Board and Commission Appointments

Vonda Sessoms, CMC, Clerk to the Board, distributed ballots to make appointments to boards and commissions.

Chairman Reckhow stated the appointment to the Design District Review Team would be deferred until it has been reviewed by the Joint City-County Planning Committee.

County Manager Ruffin that the North Carolina Association of County Commissioners (NCACC) has released its annual revenue projections for state-collected, locally authorized revenues, which concluded that approximately 45 counties in North Carolina have raised taxes this year. Currently, Durham County ranks no. 16 on that list.

Chairman Reckhow remarked that the ABC Board has adopted a budget that includes a payment to Durham County next year that is substantially higher than what has been given within the past eight to ten years. The payment is anticipated to be approximately \$750,000.

The Board made the following appointments (incumbents are underlined):

Alcoholic Beverage Control Board

Charles D. Watts Jr.

Durham Technical Community College Board of Trustees

Ted Conner

EMS Advisory Council

Amy E. Files (Lebanon Representative)

Library Board of Trustees

Kenneth Berger

Sharon Brunson

Allan Lang

Elsa E. Woods

Nursing Home Community Advisory Committee

Sallie Anthony (Recommended by the NHCAC)

Planning Commission

(To be brought back at the September 24 Regular Session due to a tie vote.)

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 9:33 p.m.

Respectfully Submitted,

Yvonne R. Gordon
Deputy Clerk to the Board