

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

Monday, June 8, 2009

1:30 P.M. Budget Worksession

**MINUTES**

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

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

Absent: None

Presider: Chairman Page

**Public Health**

Gayle Harris provided an update to the Board regarding the following:

- Vacancies
- Community nursing
- Jail health contract

Mr. Harris stated that County Manager Ruffin has recommended that 3.55 school nurse positions be re-added. She addressed issues regarding the maternity clinic. She informed the Board that over the past three years, the clinic has experience significant growth. As of March 1, Duke notified Public Health stating that the Saturday clinic sessions would no longer be available. She made a request for additional staff for the clinic to better utilize county dollars.

The Board asked questions and raised concerns as follows:

- Concerns about the plan of action.
- Neighborhood health advisors.
- Is there going to be a reduction in school nurses?
- Would it be better to have the nurses rotate between the schools as opposed to not having them at all?
- Would funding depend on what the State does as it relates to the positions?
- Are the core nurses in Durham Public School system being affected?

- Follow-up related to the feedback received at the June Worksession in regards to contacting the hospitals in the area, obtaining better rates, and considering other ways to trim the cost.
- Follow-up on other Counties that try to get health insurance providers to pay when inmates have insurance.
- Does the County still have the Disaster preparedness positions?

Vice-Chairman Reckhow referenced an article from County News from National Association of County Commissioners regarding ways to reduce jail health-care cost by working with counties across the Country in terms of reducing certain charges. She expressed concerns about the contracting agency being responsible for contacting the insurer. She reviewed the contract and stated that the increase in the contract is fairly high as a percentage of the base contract.

Ms. Harris clarified the neighborhood nurse project for the Board. She stated that a stakeholders meeting was held to determine what could done to get ahead to stay on top of the current issues.

Ms. Harris responded to questions posed by the Board.

#### Directive

1. Receive data as it relates to other contracts regarding the size of the jails, which would to determine how much is being charged in other communities where a contract is in place; and how many inmates are in the facility in order to do a per prisoner cost.
2. Review the core mission of providing and ensuring that there are adequate prenatal care services available in the community.

#### **Sheriff Department**

Keith Lane, Senior Budget Analyst, stated that 31 positions were initially offered as part of Sheriff Hill's attempt to cut 10% of the department's budget. He discussed the different Sheriff programs that would offset the positions. He hoped that COPS funding would be available to assist with the budget; however, there is money in the contingency fund for other issues related to the positions. He stated that JAG funding is currently \$794,000 which would offset half of the funding for warrant control; it also offers support through the City code red program as well as the ADA domestic violence program.

County Manager Ruffin gave a caveat regarding COPS funding. He stated that there is a possibility that COPS funding would not be available; however, the County would not know until after the fiscal year.

Sheriff Worth Hill applauded the County Manager and staff for a reasonable budget, given the economic status. He provided a synopsis of the department's budget cuts. He expressed frustration with the fees that the legislature has for deputy certification.

Vice-Chairman Reckhow thanked Sheriff Hill and all departments who have worked with the Manager and have stepped up regarding the departmental budgets.

County Manager Ruffin informed the Board as it relates to the Detention Center funding. He stated that the State is going to eliminate reimbursement of \$18 per day for misdemeanants that would be housed up to 90 days. This would be a total \$560,000 of additional revenue that the County would have to fund.

Commissioner Bowser expressed concerns about having abnormal amount of cases in the detention facilities, stating that it could supersede what is being predicted.

The Board asked the following:

- What would the alternatives be if the funding is not available?
- Are there water saving devices in the shower?
- Is law enforcement considered essential employees?
- Aside from the raises, what can be done to would boost the morale for the detention officers?
- How would the increase in crime during the summer affect the Sheriff's budget? The number of incidents in Durham County.
- If the pod in the facility has to be open, would that require additional staff?

Chairman Page thanked Sheriff Hill for his presentation.

### **Durham Economic Resource Center**

Jackie Brown, CEO, Durham Economic Resource Center, presented the following:

What is DERC?

- A Warehouse for Goods
- A Job Training Program
- Resource and Action group to address the Roots of Poverty

Why DERC?

Durham has a need:

- An estimated 19,700 unemployed in Durham metro area in March 2009\*
  - North Carolina Employment and Securities Commission
- City has seen sharp decrease in median household income since 2000
- Increasing rates of poverty, especially among Latinos and the elderly
  - From ecanned.com and the U.S. Bureau of the Census 2000 Decennial Census, 2005 American Community Survey

\*Unemployment is often more severe than government statistics show because these counts do not include people who stopped looking for work and people who are under-employed.

### History

- An initiative of End Poverty Durham
- Modeled after Welfare Reform Liaison Project (WRLP) in Greensboro, North Carolina
- Envisioned to address adult poverty by 1) providing job training and low-cost goods to people in need and 2) linking faith-based groups, community groups, and businesses

### What DERC Does?

Houses 1,000 of non-food products that non-profits and the residents they work with can use to:

- Lower overhead costs for non-profits
- Help residents in the Durham communities non-profits serve
- Average cost in Durham:
  - One 56-pack of #1's diapers \$7.65
  - One 12-roll pack of toilet paper \$5.28
- Average cost at DERC:
  - One 56-pack of #1's diapers \$3.00
  - Three four-roll packet of toilet paper \$1.50

### Job Training

- Distribution Center is the training site
- Program consists of three – eight weeks long modules, with progressive incentives
- Trainees receive stipends
- Instructors are Durham Technical Community College staff and WRLP-trained DERC staff
- Job Placement plan now being created through partnerships with organizations like Duke University and AmeriCorps Vista Volunteer Program

### Job Training Model

- Three eight-week modules that offer:
  - Employment Skills,, Personal Development, Financial Management, and Basic Computing instruction

- Leadership Development and Warehouse Technician Training
  - Goal Specific Instruction and On-the-Job Training
- Students eligible for bi-monthly stipends of maximum:
  - \$100 in Module 1
  - \$300 in Module 2
  - \$500 in Module 3
- Results: In their first year at work, 7% WRLP graduates report earning \$15,000 or more. By the fourth year, 22% of those earned over \$20,000

#### Fee Use

- Membership and administrative fees help DERC's work to continue.
- In specific, the fees pay for:
  - Stipends for job trainees in Module 2 and Module 3
  - Other job training and distribution center expenses
- DERC is still in the start up phase and needs grants and contracts like the one with Durham County to supplement revenue generated by the distribution center.

#### FY 2009 Goals

- Enroll 50 member organizations
- Stretch Incomes of 500 families and individuals
- Improve the workplace competency of up to 15 trainees – 18 have completed Module 1
- Provide technical assistance to 25 member organization – “Strengthening Our Communities” Workshop for Non-Profit & Faith Based Organizations, Parents, & Youth Leaders Session (3/28/2009)

#### Member Testimony

“DERC is a much needed resource for our families in need. We are extremely grateful they are here.” ~Sharon Crews with Healthy Families Durham

#### Summary

- The Durham Economic Resource Center (DERC) began as a unique grassroots effort to help fill a critical need in Durham
- DERC has established three programs to meet its founding objectives
- In executing these programs, we will use detailed documentation and internal and external assessment to ensure that we are meeting the needs of our community and our objective of ending poverty in Durham.

The qualifications for being eligible for bi-monthly stipends are:

- Must be a Durham resident.
- Have a high school diploma or GED.
- Must be recommended by one of the member agencies.

The Board posed the following:

- Is Durham CAN a part of your membership agencies?
- How does an organization become affiliated with DERC?
- Why is it important that an individual has a diploma or GED?
- Is there a limited age to be eligible for the program?
- Does the organization accept contributions of clothing?

Ms. Brown informed the Board that the membership agencies that represent the job training programs include Genesis House, Asbury Temple, Union Baptist Church, Watts Street Baptist Church, Durham Raiders, First Calvary, and Orange Grove Baptist Church .

Chairman Page thanked Ms. Brown for her presentation, her training efforts, and her leadership.

### **City County Planning**

Steve Medlin, City-County Planning Director, gave the following presentation:

#### Development Review

- Site Plan & Subdivision Revision
- Land Use Changes (Zoning)
- Board of Adjustment
- Street Closings and Renaming
- Site Compliance

#### Strategic Planning

- Comprehensive Plan
- Urban Design
- Historic Preservation
- Environmental Planning
- Special Studies

#### Program Prioritization

#### Zoning Enforcement

#### Governing and Advisory Board Support

- Two elected boards
- Eight local and three regional

Research/Support

- GIS
- Census
- Demographics
- Text Amendments
- Community Rating System—NFIP/FEMA

Public Information/Customer Service  
 Resources

Operational Impact of Budget Changes

1. Reduction of staff
  - a. Impact: Duties to be absorbed by other staff include: Historic Preservation, Urban Design, Rezoning, Development Review, Development Records Management, and Administrative Support Functions
2. Reduced Operating Funds by 30%
  - a. Impact: Operating funds at minimal levels
  - b. Emphasize local training for professional registration and certificate maintenance
  - c. Impose conservation measures for office supplies and fuel along with increased focus on digitalization of work products
3. Eliminated Board Stipends \$16,200
  - a. Impact: May affect membership retention and morale on certain boards

FY 10 Performance Measures

Measure	Actual FY 2008	Adopted FY2009	Estimated FY2009	Proposed FY2010
% Plan Amendments processed without staff caused delays or substantive staff errors	95%	96%	96%	96%
% Petitions processed without staff caused delays or substantive staff errors	97%	98%	98%	98%
% Zoning violations corrected	95%	96%	96%	96%

**\*Revised Work Program and Performance Measures Under Development**

Mr. Medlin indicated the stipend amounts for the Planning Commission, Board of Adjustment, and the Development Review Board (DRB).

Vice-Chairman Reckhow expressed concerns regarding the DRB stipend. She asked that the Planning Department consider reducing the stipend amounts.

Commissioner Bowser offered the suggestion of phasing out the stipend as new members join the Board.

The Board held a discussion regarding board and commission stipends.

Directive

Consider having a discussion about the board and commission stipends at an upcoming Joint City-County Committee meeting.

**Engineering (Fee Increases)**

Glen Whisler, P.E., County Engineer, provided background regarding the Triangle Wastewater Treatment Plant.

Joseph R. Pearce, P.E., Division Manager, presented the following:

Utility Division

Wastewater Fee Increases

- The Triangle Wastewater Treatment Plant treats wastewater from Southeast Durham County, the City of Durham, and the Town of Cary (at least until June 2013).
- Three primary revenue sources: monthly user fees, capital recovery fees, and Town of Cary fees.

Proposed Fee Increases

- Usage rate increase by 7%
- Surcharge for Total Phosphorus increases to \$6.87 per pound from \$3.31 per pound.

Why are Sewer Rates Being Increased?

- Cost increases – Power (7% increase), Sodium Aluminates (20% increase).
- Concerns about reduced sewer use.

- Water conservation practices during the drought have remained in place.
- Economic conditions may result in a decline in water usage.
- To provide sludge dewatering facility debt services.
- To ensure Debt Service Coverage Ratios are met.

**Why is the Phosphorus Surcharge Rate Being Increased?**

- Phosphorus removal is costly:
  - Requires the use of Sodium Aluminates (~\$3.25 per gallon at ~ 8 gallons per hour)
  - Generates more sludge for disposal; and
  - Demands a great deal of operator attention
- A few users discharge high levels of phosphorus and they would be paying for their phosphorus load above the standard concentration.

**Operational Changes to Control Cost**

- Conversion from Contractor to County staffing
- County staffing performs most equipment maintenance
- County staff completes facility custodial duties
- Inmate labor maintains grounds at TWWTP
- Profit for contractor eliminated

**Funding for CIP Projects**

- TWWTP Phase III (Sludge Dewatering Project) construction scheduled to begin in early 2010
- Additional debt cost in FY 2010 estimated at \$330,000

**Comparison to Other Sewer Rates (Chart)**

<b>Community</b>	<b>Current Rate (per ccf)</b>	<b>Proposed Rate (per ccf)</b>	<b>% Increase</b>
Durham County	\$3.02	\$3.23	7%
Durham City (inside/outside)	\$3.28/\$6.56	\$3.28/\$6.56	No sewer increase, water increase, water increase of 43% for large users.
Raleigh (inside/outside)	\$1.82/\$3.63	\$2.13/\$4.25	15%
Cary (inside/outside)	\$4.32/\$12.96	~\$4.58/\$13.74	~5 – 7%

OWASA	\$3.96	\$4.34	9.75%

Example Monthly Bill Increases (Chart)

The Board asked the following:

- Have you determined why Raleigh’s rates are significantly higher?
- Is there a uniform rate for all customers?

Mr. Whisler responded to questions asked by the Board.

Vice-Chairman Reckhow thanked Mr. Pearce and Mr. Whisler on their presentation.

**Finance**

George Quick, Finance Director, informed the Board that the numbers being presented are slightly different than the numbers County Manager Ruffin presented for his budget.

Susan F. Tezai, CPA Deputy Finance Director, discussed the following:

SWAP

DATE	BMA / LIBOR	MONTHLY				TOTALS	FISCAL YEAR
		SAVINGS	PAYMENTS				
Aug-04	58.72%	\$ 122,355.00	\$122,355.00	First payment	9/15/2004		
Sept	69.85%	\$ 80,716.00					
Oct	85.49%	\$ 28,309.00					
Nov	83.72%	\$ 36,360.00					
Dec	83.62%	\$ 34,598.00					
2005/JAN	89.03%	\$ 17,170.00					
FEB	94.90%	\$ 7,560.00	\$204,713.00	Second Payment	3/15/2005	\$ 327,068.54	FY05
MAR	60.91%	\$ 116,601.00					
APR	79.52%	\$ 21,493.00					
MAY	94.31%	\$ (58,728.00)					
JUNE	77.17%	\$ 33,429.00					
JULY	71.51%	\$ 60,954.00					
AUG	76.90%	\$ 32,619.00	\$206,362.69	Third payment	9/15/2005		
SEPT	61.70%	\$ 115,401.84					
OCT	65.21%	\$ 92,312.59					
NOV	70.63%	\$ 56,905.03					
DEC	76.07%	\$ 18,498.85					

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2006/JAN	74.68%	\$ 27,902.44					
FEB	76.39%	\$ 24,369.91	\$335,387.33	Fourth payment	3/15/2006	\$541,750.02	FY06
MAR	62.12%	\$ 116,267.81					
APRIL	68.44%	\$ 64,071.90					
MAY	70.99%	\$ 42,555.73					
JUNE	73.34%	\$ 25,516.01					
JULY	72.84%	\$ 27,231.97					
AUG	70.67%	\$ 45,244.14	\$321,797.69	Fifth payment	9/15/2006		
SEPT	64.97%	\$ 95,290.21					
OCT	64.74%	\$ 91,521.69					
NOV	65.62%	\$ 86,514.56					
DEC	66.70%	\$ 76,264.46					
2007/JAN	66.24%	\$ 80,457.91					
FEB	65.68%	\$ 86,919.14	\$514,002.28	Sixth Payment	3/15/2007	\$835,799.97	FY07
MAR	66.60%	\$ 77,500.34					
APRIL	69.40%	\$ 54,037.04					
MAY	72.16%	\$ 27,713.93					
JUNE	68.94%	\$ 57,962.96					
JULY	67.88%	\$ 71,048.49					
AUGUST	68.83%	\$ 62,069.00	\$350,330.07	Seventh Payment	9/15/2007		
SEPTEMBER	69.91%	\$ 48,729.81					
OCTOBER	64.80%	\$ 93,526.81					
NOVEMBER	63.25%	\$ 107,387.92					
DECEMBER	60.56%	\$ 132,131.23					
2008/January	54.08%	\$ 191,164.56					
FEBRUARY	58.24%	\$ 338,418.65	\$903,487.21	Eighth	March 18, 2008	\$1,253,817.28	FY2008
March	90.33%	\$ (30,787.26)					
April	69.57%	\$ 72,828.39					
May	70.16%	\$ 69,000.61					
June	53.55%	\$ 149,549.91					
July	56.00%	\$ 139,055.92					
August	61.54%	\$ 111,635.11	\$511,288.20	Ninth	September 16, 2008		
September	121.21%	(\$187,958.95)					
October	130.10%	\$ (243,704.30)					
November	40.61%	\$ 216,999.25					
December	32.23%	\$ 264,375.14					
2009/January	20.22%	\$327,651.31					
February	18.30%	\$314,634.59	\$693,986.28	Tenth	March 17, 2009	\$1,205,274.48	FY 2009 YTD total
March	31.98%	\$188,770.45					
April	29.30%	\$ 190,965.77					
May	26.29%	\$210,439.05					
		<b>\$590,175.27</b>					
			For 3 of 6 month period				

General Fund Balance:

	FY2008 Actual	FY 2009 Projected	Anticipated Change
Total Fund Balance	\$95,112,980.00	\$92,234,197.56	\$(2,878,782.44)
Less:			
Reserved by state statute	\$23,804,558.00	\$23,900,000.00	\$95,442.00
Reserved by state statute—MH	\$1,566,417.00	\$1,566,417.00	-
Reserved for encumbrances	\$3,185,443.00	\$3,185,443.00	-
Reserved for encumbrances-MH	-	-	-
Reserved other purposes	\$5,778,885.00	\$5,278,885.00	\$(500,000.00)
<i>Net Reserved</i>	<i>\$60,777,677.00</i>	<i>\$58,303,452.56</i>	<i>\$(500,000.00)</i>
Designated for MH	-	-	-
Designated for Social Services	\$499,849.00	\$499,849.00	-
Designated for subsequent years	\$17,548,466.00	\$7,500,000.00	\$(10,048,466.00)
Designated for risk management	\$4,285,668.00	\$4,285,668.00	-
Designated for debt service	\$2,489,378.00	\$2,757,793.66	\$268,415.66
Designated for OPEB	\$4,778,407.00	\$6,811,455.23	\$2,033,048.23
Undesignated	\$31,175,909.00	\$36,448,686.67	\$5,272,777.67
<i>LGC Recommended 8% Minimum</i>	<i>16.28%</i>	<i>15.54%</i>	<i>-0.74%</i>

\*The 8% Minimum for FY2009 is based on estimated total expenditures for FY2009.

Note: Actual figures for previous fiscal year from CAFR

### HEALTH TRUST FUND

		As of May 31, 2009
Cash (Duke & DCVB)		\$ 410,803.33
INVESTMENTS:		
FIXED		\$ 10,374,471.27
EQUITIES		\$ 4,863,902.16
<i>Total</i>		<i>\$ 15,649,176.76</i>
Duke	\$3,575,000.00 annually	
DCVB	\$56,450.00 annually	

### HEALTH TRUST PORTFOLIO AS of May 31, 2009

	WITHDRAWALS	MARKET VALUE	MARKET VALUE	PERFORMANCE	INDEX
	After 12/31/2009	12/31/2008	5/31/2009	YTD	
<b>FIXED INCOME</b>				##	##
<b>US TRUST</b>		\$11,359,076.00	\$ 10,374,471.27	0.45% 1	,40% 1
<b>WITHDRAWALS</b>	\$ (994,633.63)				

<b>MARKET</b>	\$ 10,028.90				
<b>EQUITIES</b>					
				#	#
<b>WEDGE</b>		\$ 5,534,615.00	\$ 4,863,902.16	9.13%	6.36%
<b>WITHDRAWALS</b>	\$ (489,894.18)				
<b>MARKET</b>	\$ (180,818.66)				
<b>Grand Total</b>	<b>\$ (1,655,317.57)</b>	\$16,893,691.00	\$ 15,238,373.43		

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## Lehman Intermediate Govt./Credit  
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Ms. Tezai stated that what made the percentage favorable is that there is stimulus funding for the Department of Social Services now thru December 31, 2010 and more federal funding will be received to offset the state funding; however, this offsets County funding as well.

The Board asked the following:

- How much is the stimulus funding for DSS?
- Would the stimulus totals play into the current budget?
- Does the stimulus apply to other DSS programs?
- Is the County relying more on the stimulus money?
- Why do payments from DCVB go into the Health Trust Fund?
- When does Duke make their annual payment?
- When will the funds from the account to go towards debt services for the human services complex?
- Is the nonprofit funding coming out of the trust fund or out of the County's budget?
- When the Board discussed nonprofit funding, was the community health trust fund added to the amount?
- Does the County currently have additional funds to spend on the Wastewater Treatment Facility?

Ms. Tezai explained the benefit of the stimulus funding. She stated that from this point forward, it helps the fund balance percentage look better. In order to show, per the agreement, that the money is being used for health related purposes, the County tracks all the money that goes into the fund from the source. The amount is then transferred to the general fund and that details how the money would be spent

County Manager stated that the stimulus funds would help manage the deficit for the current year.

As it relates to SWAP, Mr. Quick stated the County is currently looking at extending the maturity by adding additional debt by restructuring to the original criteria.

Drew Cummings responded to Vice-Chairman Reckhow's inquiry regarding stimulus funding for water reuse.

Directive

1. In the future, clarify whether the money for nonprofit health related activities are coming out of the normal budget or out of a special fund.
2. County Manager to determine if the County received any relief on any matches as it relates to the stimulus funds.
3. Consider having discussions with the Board about raising the current level to \$187 million.

**Capital Finance Plan**

Pam Meyer, Budget Director, briefed the Board on existing and new debts related to County projects.

County Manager provided clarification about Article 40 and Article 42.

Keith Lane stated that the caveat as it relates to Article 42 changes from a per capita Statewide to a point of sale collection. He discussed the following:

FY 2009-10 County Contribution Projects

Project	2009-10
Admin. Bldg. Refurbishment	\$1,125,000
County Storage Facility	\$100,000
Sheriff-Detention Center Annex	\$165,000
Open Space & Farmland Acquisition	\$550,000
Judicial Building Refurbishment	\$70,000
<i>Total</i>	<i>\$2,010,000</i>

Administration Building Refurbishment consists of

- Fifth floor office reconfiguration and replacement of Halon Fire System (\$500k).
- Replacement of two chillers (\$625k)

County Storage Facility funding (\$100k) is for site selection, surveys, environmental assessments, feasibility studies, etc. Not providing this funding would delay the entire \$3 million project.

Detention Center Annex funds (\$165k) are for studying various location and structure possibilities for increasing needed jail space.

Open Space and Farmland Acquisition funds (\$550k) continue funding the purchase of open space and more importantly providing matching funds for State and Federal grant funding.

Judicial Building Refurbishment funds (\$70k) are for installing video cameras in high traffic areas for increased security of court personnel and citizens. These funds would be added to an existing capital project with available funding of \$44k to complete the project.

Mr. Lane continued his presentation by discussing the recommended Durham County 10-Year Capital Financing Plan FY2010-2019.

Mr. Lane provided clarification regarding the Fund 103 SWAP savings. He explained the graphic representation of where the funds are coming from. He highlighted the following:

- General Fund--\$256,021
- Capital Financing Plan--\$36,578,156
- Capital Project Fund (County Contribution)--\$2,010,000
- Community Health Trust Fund--\$4,626,463
- SWAP Fund--\$550,000
- Capital Project Funds Interest--\$3,025,000
- Debt Service Fund--\$47,456,679
  - Existing Debt--\$39,666,496
  - New Debt--\$7,790,183

The Board inquired the following:

- Clarify the capital project funds as it relates to the lottery funds.
- Does the money have to be used for school buildings and school debt?
- What other debt would the County carry for the school system?
- What impact would this have regarding the school budget?
- Does the County have an idea of what the school board cuts?

Directive

1. Be creative regarding storage sites.
2. Get additional information from the association regarding restructuring of the sales tax; what would be done in each County; and consider placing this on a future agenda for discussion.
3. Convey information with the Legislators.
4. Pam Meyer and Keith Lane to show the Board of County Commissioners and the School Board how debt services are used; explain what the agreement is; what the agreement would be for next year; and present a historical summary.

### **Non Profit Discussion**

Staff welcomed questions from the Board regarding the County Manager's recommendation as it relates to nonprofits.

Vice-Chairman Reckhow asked whether the County is helping to fund any weatherization energy conservation for the Operation Breakthrough.

Chairman Page asked if training funds are being diverted for other alternatives. He asked that the Commissioners rethink the Shodor Foundation request for funding.

Vice-Chairman Reckhow agreed with Chairman Page's request regarding Shodor Foundation.

The Board held a lengthy discussion regarding stimulus funds usage for Operation Breakthrough.

### **Adjournment**

There being no further business, Chairman Page adjourned the meeting at 5:40p.m.

Respectfully Submitted,

Angela M. Pinnix  
Clerk to the Board's office