

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

Monday, December 10, 2012

7:00 P.M. Regular Session

**MINUTES**

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

Present: Chairman Fred Foster, Jr., Vice-Chairman Brenda A. Howerton, and Commissioners Wendy Jacobs, Michael D. Page, and Ellen W. Reckhow

Absent: None

Presider: Chairman Fred Foster, Jr.

**Opening of Regular Session**—Pledge of Allegiance

**Announcements**

Chairman Foster made the following announcements:

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily, 4:00 p.m. on Mondays, and 6:30 p.m. Tuesday – Sundays. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County has a number of boards and commissions that could benefit from citizen participation. Interested citizens should contact the Clerk's Office at (919) 560-0025, visit the County's website, or email Clerk@dconc.gov for more information. All City and County taxes must be current at the time of application.
- The FY 2013-2014 Nonprofit Agency Funding process began on November 2, 2012 with the opening of the pre-application submission period. Durham community nonprofits interested in applying for FY2014 nonprofit funding must first submit a Pre-Application Questionnaire no later than midnight on December 13, 2012. This initial assessment would be used to determine which potential applicants meet the eligibility criteria outlined in the County's nonprofit policy. Those agencies meeting the eligibility criteria would then be invited to apply for FY2014 funding. The Pre-Application Questionnaire and the Nonprofit Agency Funding Program policy would be available on the County's website from November 2 through December 13. Contact Laura Jensen in the Budget and Management Services department at (919) 560-7065 for additional information.
- Durham County to hold a general meeting to receive residents' feedback on needs in northern Durham County. The meeting would be held at 3:30 p.m. on Thursday, December 13, at the Bahama Ruritan Club, 8202 Stagville Road.
- Durham County Cooperative Extension's Welcome Baby Program asks for the Durham community's help with donations of children's coats and diapers for families in need. From December 3, 2012 – January 18, 2013, Welcome Baby would seek donations of

diapers of any size and coats (clean and gently worn) from newborn to size 8. Donations may be dropped off at Cooperative Extension at 721 Foster Street, at the Main Library, or at the Department of Public Health. Citizens may call (919) 560-7150 for more information.

Chairman Foster invited Robin Jacobs, Executive Director, and Milo Pyne, President, Eno River Association, forward to present 2013 Eno River calendars to the Board.

Mr. Pyne thanked the Board for their support and for reallocating funds for Durham open space and trails.

Ms. Jacobs distributed a calendar to each Commissioner.

### **Minutes**

Vice-Chairman Howerton moved, seconded by Commissioner Reckhow, to approve as submitted the November 5, 2012 Worksession and November 26, 2012 Regular Session Minutes of the Board.

The motion carried unanimously.

### **Citizen Comments**

The Board of County Commissioners provided a 30-minute comment period to allow citizens an opportunity to voice their concerns.

Chairman Foster allotted three minutes per speaker and requested that speakers refrain from addressing issues related to personnel matters. He called the following citizens forward for comments:

Vivian McCoy  
Allan Lang  
James Chavis Jr.  
Will Wilson

County Attorney Lowell Siler responded to Mr. Wilson's request for a City-County listserv to allow boards and commissions open yet permanent communications consistent with Open Meetings Law. County Attorney Siler offered to work with the City Attorney's office to research the request.

### **Resolution Honoring Audrey and Sam Sellars, Owners of "Talk of the Town"**

The Board was requested to approve a resolution honoring Audrey and Sam Sellars, owners of Talk of the Town, a successful nightlife establishment in downtown Durham, for 21 years.

Chairman Foster stated that the Sellars believed in the possibility of bringing new life to downtown Durham at a time when other businesses were abandoning the area and that their commitment contributed to the vibrancy of downtown Durham. Mr. and Mrs. Sellars gives back

to the community by providing food to organizations such as Feed the Children, Durham Rescue Mission, and more.

Chairman Foster read the following resolution into the record:

#### RESOLUTION

WHEREAS, Sam and Audrey Sellars opened “Talk of the Town Restaurant” on September 27, 1991, investing in downtown Durham when few were generally encouraged to do so; and

WHEREAS, during its 21 years, “Talk of the Town” has become a vibrant entertainment hub for artists performing various vocal and musical stylings and is indeed a fixture in Durham’s evening social scene; and

WHEREAS, the Sellars routinely open the establishment’s doors for special events for community groups, various meetings, luncheons, and more; and

WHEREAS, “Talk of the Town’s” reputation has attracted visits from musicians such as Stanley Clarke, Freddie Cole, Rebbie Jackson, and Lou Rawls; sports figures including Doug Williams, Jackie Joyner Kersee, and Clyde Drexler; and other visiting luminaries including actors James Earl Jones, Debbie Allen, John Amos, and Louis Gossett Jr.; and

WHEREAS, Mr. and Mrs. Sellars have further demonstrated their love for Durham over the years by unselfishly giving back to their beloved community by providing food to organizations such as Feed the Children, Durham Rescue Mission, and Threshold, and provide ministry/outreach to New Horizon Church:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby congratulate

#### SAM AND AUDREY SELLARS

for maintaining a dynamic business presence in downtown Durham for 21 years and for being humanitarian role models to the community. We call upon all citizens to celebrate their commitment to Durham.

This the 10<sup>th</sup> day of December, 2012.

/s/ All Five Commissioners

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Mrs. Sellars thanked the Board for the resolution and invited the public to visit Talk of the Town on Thursday, December 13, 7:00 – 11:00 p.m., for complimentary food, old school music, and trivia.

Vice-Chairman Howerton thanked the Sellars for their establishment and for continuing its existence in downtown Durham.

Mr. and Mrs. Sellars accepted the resolution from the Board.

**Resolution Honoring the Life of Hildegard S. Ryals**

The Board was requested to approve a resolution honoring Mrs. Hildegard S. Ryals, one of Durham's most stalwart protectors of open space and the environment.

Chairman Foster stated that Mrs. Ryals was highly regarded for her outstanding work that created the Durham County Inventory of Natural and Cultural Resources. Mrs. Ryals served the larger community through her work on the Durham Planning and Zoning Commission, the Durham City-County Planning Commission, and the Durham County Open Space and Trails Commission.

The resolution would be displayed at a memorial service scheduled for Saturday, December 15, at 11:00 a.m. at St. Philip's Episcopal Church.

Commissioner Reckhow briefly shared memories of Mrs. Ryals. She then read the following resolution into the record:

RESOLUTION

WHEREAS, Hildegard S. Ryals was born in Philadelphia, received her education at Mount Holyoke College, and moved to Durham County in 1972 with husband Clyde Ryals who chaired the English Department at Duke University; and

WHEREAS, Mrs. Ryals became well known in the community for her passion and unwavering interest in environmental conservation; and

WHEREAS, Mrs. Ryals' signature accomplishments include the Durham County Inventory of Natural and Cultural Resources and her role in establishing both Leigh Farm Park and Little River Park; and

WHEREAS, she also founded the New Hope Creek Corridor Advisory Committee, a multi-jurisdictional committee established to protect the creek, its tributaries, and surrounding land; and

WHEREAS, she served on many boards and commissions, including Durham Planning and Zoning Commission, the Durham City-County Planning Commission, the Durham County Open Space Commission, the Eno River Association, the Triangle Land Conservancy, the Friends of the New Hope Creek, the League of Women Voters, the Durham Arts Council, and the Durham Art Guild; and

WHEREAS, Mrs. Ryals received numerous honors and awards, including the Golden Leaf Award in 2007 in the Outstanding Individual category, the Bartlett Durham Award in 1994 from the Historic Preservation Society, and the Volunteer of the Year Award in 1986 from the Triangle Council of Governments:

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

MRS. HILDEGARD S. RYALS.

We urge all citizens of Durham County to remember this phenomenal woman who unselfishly devoted her life to improve the quality of Durham's environment for generations to come.

This the 10<sup>th</sup> day of December, 2012.

/s/ All Five Commissioners

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Judy Allen, former Administrative Director for the Eno River Association, thanked the Board for honoring Mrs. Ryals and remarked on Mrs. Ryals' character, dedication, and contributions to the community.

Ms. Allen accepted the resolution on behalf of the Ryals family.

Commissioner Jacobs spoke words of praise about Mrs. Ryals.

### **Consent Agenda**

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

- \*a. Approve Budget Ordinance Amendment No. 13BCC000048 transferring \$22,000 from the Community Health Trust Fund into the General Fund Public Health budget for a Durham physical activity website portal;
- b. Appoint Anthony Taylor to Criminal Justice Advisory Committee;
- c. Recognize and accept the donation from Mr. Halbert's Estate in the amount of \$5,600 for the Vic Pearson EMS Memorial Fund;
- d. Authorize the execution of a contract with Cameron and Cameron Inc. for the moving services for the new Durham County Courthouse (DCCH) building located at 510 Dillard Street, Durham, North Carolina in the amount of \$65,000.00 (Basic Services) and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$71,500.00;
- e. Approve an increase in the concrete flowable backfill allowance by \$250,000.00 and construction contingency by \$499,740.00 for a combined total of \$749,740.00 for the new Durham County Courthouse and Parking Structure presently

under construction and to authorize the County Manager to execute any other related contracts including change orders, if necessary, not to exceed the available construction budget of \$83,227,800.00;

- f. Give the Tax Assessor authority to grant extensions for taxpayers, required by North Carolina General Statutes to list business personal property, who request an extension and show good cause during the month of January until April 15, 2013;
- \*g. Accept the property tax release and refund report for November, 2012 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- h. ITEM REMOVED PRIOR TO MEETING;
- \*i. Approve Budget Ordinance No. 13BCC000049 to appropriate committed for DSS fund balance in the amount of \$29,804.58 and unassigned fund balance in the amount of \$105,595.42 for a total appropriation of fund balance of \$135,400 for DSS to assist our neediest families in a financial crisis;
- \*j. Approve the 2013 Board of County Commissioners' Meeting Schedule; and
- k. Appoint County Commissioner Ellen Reckhow as voting delegate to the North Carolina Association of County Commissioners' Legislative Conference.

The motion carried unanimously.

\*Document(s) related to this item follow:

Consent Agenda Item No. a. Approve Budget Ordinance Amendment No. 13BCC000048 transferring \$22,000 from the Community Health Trust Fund into the General Fund Public Health budget for a Durham physical activity website portal.

DURHAM COUNTY, NORTH CAROLINA  
FY 2012-13 Budget Ordinance  
Amendment No. 13BCC000048

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 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	\$21,647,874	\$22,000	\$21,669,874

Expenditures:

Function  
GENERAL FUND

Community Health  
 Trust Fund                      \$4,071,851                      \$22,000                      \$4,093,851

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

This the 10<sup>th</sup> day of December, 2012.

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Consent Agenda Item No. g. Accept the property tax release and refund report for November, 2012 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 November, 2012.

Releases & Refunds for 2012 Taxes	
Real Estate	\$ 35,078.93
Personal	\$ 63,377.97
Registered Vehicles	\$ 44,056.44
Vehicle Fees	\$ 980.00
Solid Waste	<u>\$ 840.00</u>
Total for 2012 Taxes and Fees	\$ 144,333.34

Prior year's (2008-2011) releases and refunds for November, 2012 are in the amount of \$25,724.66. The current year and prior year's releases and refunds amount to \$170,058.00.

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Consent Agenda Item No. i. Approve Budget Ordinance No. 13BCC000049 to appropriate committed for DSS fund balance in the amount of \$29,804.58 and unassigned fund balance in the amount of \$105,595.42 for a total appropriation of fund balance of \$135,400 for DSS to assist our neediest families in a financial crisis.

DURHAM COUNTY, NORTH CAROLINA  
 FY 2012-13 Budget Ordinance  
 Amendment No. 13BCC000049

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 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	\$ 21,669,874	\$135,400	\$21,805,274

Expenditures:

Function  
GENERAL FUND

Human Services                      \$85,367,311                      \$135,400                      \$85,502,711

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

This the 10<sup>th</sup> day of December, 2012.

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Consent Agenda Item No. j. Approve the 2013 Board of County Commissioners' Meeting Schedule.

2013 Board of County Commissioners' Meeting Dates

Jan 7 WS – 9:00 am  
Jan 14 RS – 7:00 pm  
Jan 28 RS – 7:00 pm  
Feb 4 WS – 9:00 am  
Feb 11 RS – 7:00 pm  
Feb 25 RS – 7:00 pm  
\*\*March 7, 2012 – 9:00 am  
Mar 11 RS – 7:00 pm  
Mar 25 RS – 7:00 pm  
Apr 1 WS – 9:00 am  
Apr 8 RS – 7:00 pm  
Apr 22 RS – 7:00 pm  
May 6 WS – 9:00 am  
May 13 RS – 7:00 pm  
\*May 28 RS – 7:00 pm  
June 3 WS – 9:00 am  
Jun 10 RS – 7:00 pm  
Jun 24 RS – 7:00 pm  
\*\*July 29 RS – 7:00 pm  
Aug 5 WS – 9:00 am  
Aug 12 RS – 7:00 pm  
Aug 26 RS – 7:00 pm  
\*Sept 3 WS – 1:30 PM  
Sept 9 RS – 7:00 pm  
Sept 23 RS – 7:00 pm  
Oct 7 WS – 9:00 am  
Oct 14 RS – 7:00 pm  
Oct 28 RS – 7:00 pm  
Nov 4 WS – 9:00 am  
Nov 11 RS – 7:00 pm  
Nov 25 RS – 7:00 pm  
Dec 2 WS – 9:00 am  
Dec 9 RS – 7:00 pm

\*Date/Time change due to holiday schedules

\*\*Date change due to conferences

**Public Hearing on Coordinated Transportation: FY 2013-2015 Targeted Transit Assistance Program (Section 5310) Grant Application**

Margaret Scully, Mobility Manager, Cooperative Extension, requested that the Board hold a public hearing on and approve the submission of the FY13-FY15 Targeted Transit Assistance Program (TTAP) – Section 5310 grant to the North Carolina Department of Transportation (NCDOT). She informed the Board that the Targeted Transit Assistance Program grant would allow for additional demand-response transportation service to residents aged 60 and over and to persons with disabilities.

The TTAP – Section 5310 grant application requests \$464,188 from the NCDOT for this two-year grant. The revenue from this grant would be budgeted in the FY13-14 budget for Coordinated Transportation. The NCDOT requires a local match of \$232,094 to be appropriated in the FY13-14 budget. The local match will be provided by the annual Rural Operating Assistance Program (ROAP) grant.

Requested Budget

Total Operating Grant:           \$ 464,188       local match: \$ 232,094 provided by ROAP grant

For the benefit of new Commissioners Foster and Jacobs, County Manager Mike Ruffin asked Ms. Scully to provide an example of a transportation request from a resident with a disability.

Chairman Foster opened the public hearing that was properly advertised.

Vice-Chairman Howerton inquired about the policy in which a person is charged a fee if they are not at the requested pickup location.

Ms. Scully explained the “No Show Policy” and communicated that the County does not charge a fee; however, the City does.

Commissioner Jacobs asked about the fee for not providing proper advance cancellation notice or a no show.

Ms. Scully noted that the City charges a \$10 fee; however, the policy was undergoing changes.

Chairman Foster reopened the public hearing. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Page moved, seconded by Vice-Chairman Howerton, to approve the submission of the FY13-FY15 Targeted Transit Assistance Program (TTAP) – Section 5310 grant to the North Carolina Department of Transportation (NCDOT).

The motion carried unanimously.

**Public Hearing on Coordinated Transportation Program (Section 5311): FY2013-2014 Community Transportation Grant Application**

Margaret Scully, Mobility Manager, Cooperative Extension, requested that the Board hold a public hearing on the proposed Section 5311 grant application allowing members of the community the opportunity to comment on the application and the County's transportation needs and to approve the resolution authorizing the submission of the grant application to the NC Department of Transportation (NCDOT).

Durham County's Community Transportation Program provides transportation for persons who are elderly, have a disability, or are transportation disadvantaged. Cooperative Extension had applied for 5311 grant funds through the NCDOT annually since 1999 to purchase vehicles and subsidize the administrative costs associated with the Community Transportation Program.

The CTP 5311 grant application requests \$222,243 from NCDOT. If the County is awarded the grant, the NCDOT requires a local match of \$28,836 to be appropriated in the FY13-FY14 budget. The revenue from this grant and the expenditures required of the county as local match will be budgeted in the FY13-FY14 budget for Coordinated Transportation.

The NCDOT requires a local match of \$28,836 to be appropriated in the FY13-FY14 budget. The revenue from this grant and the expenditures required of the County as local match would be budgeted in the FY13-FY14 budget for Coordinated Transportation.

**Requested Budget**

Admin:	\$ 132,243	(local match \$ 19,836 from County general fund)
Capital:	\$ 90,000	(local match \$ 9,000 from County general fund)
Total Grant	\$ 222,243	(local match \$ 28,836 from County general fund)

Chairman Foster opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Reckhow moved, seconded by Commissioner Page, to approve the resolution authorizing the submission of the grant application to the NC Department of Transportation (NCDOT).

The motion carried unanimously.

**Public Hearing—Unified Development Ordinance (UDO) Text Amendment—Outdoor Recreation and Activity in Downtown Design Districts (TC1100014)**

Pertaining to all text amendments to be presented to the Board at the meeting, Michael Stock, AICP, Senior Planner, stated for the record that all required notifications required per the UDO and State Statutes had been performed and filed for review. He requested that the Board conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Amendment—Outdoor Recreation and Activity in the Downtown Design District (TC1100014) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations.

Chairman Foster opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Jacobs moved, seconded by Commissioner Reckhow, to approve Unified Development Ordinance (UDO) Text Amendment—Outdoor Recreation and Activity in Downtown Design Districts (TC1100014).

The motion carried unanimously.

**Public Hearing—Unified Development Ordinance Text Amendment—Science Research Park Amendments (TC1200002)**

Michael Stock, AICP, Senior Planner, requested that the Board conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Amendment—Science Research Park Amendments (TC1200002) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations, and Article 6, District Intensity Standards.

Chairman Foster opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Reckhow inquired about impending discussions in regards to future UDO amendments in order to implement the new strategic plan for Research Triangle Park.

Steven L. Medlin, AICP, City-County Planning Director, addressed Commissioner Reckhow's question.

Chairman Foster reopened and closed the public hearing.

Commissioner Reckhow moved, seconded by Vice-Chairman Howerton to approve Unified Development Ordinance Text Amendment—Science Research Park Amendments (TC1200002).

The motion carried unanimously.

**Public Hearing—Unified Development Ordinance (UDO) Text Amendment—Downtown Signs and Other General Sign Standards (TC1200003)**

Michael Stock, AICP, Senior Planner, requested that the Board conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Amendment—Downtown Signs and Other General Sign Standards (TC1200003) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 11, Sign Standards, and Article 16, Definitions.

Chairman Foster opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Vice-Chairman Howerton moved, seconded by Commissioner Reckhow, to approve Unified Development Ordinance (UDO) Text Amendment—Downtown Signs and Other General Sign Standards (TC1200003).

The motion carried unanimously.

**Public Hearing—Unified Development Ordinance Text Amendment—Paintball or Similar Recreation Facilities on Natural Sites (TC1200007)**

Michael Stock, AICP, Senior Planner, requested that the Board conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment—Paintball or Similar Recreation Facilities on Natural Sites (TC1200007) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations.

Chairman Foster opened the public hearing that was properly advertised. He called signed speaker Patrick Byker, Attorney, Morningstar Law Group, 2614 Stuart Drive, Durham 27707, forward for comments.

As no one else requested to speak, Chairman Foster closed the public hearing and referred the matter back to the Board.

Commissioner Jacobs moved, seconded by Commissioner Reckhow, to approve Unified Development Ordinance Text Amendment—Paintball or Similar Recreation Facilities on Natural Sites (TC1200007).

The motion carried unanimously.

**Public Hearing—Unified Development Ordinance Text Amendment—Electronic Gaming Operations (TC1200006)**

Michael Stock, AICP, Senior Planner, requested that the Board conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment—Electronic Gaming Operations (TC1200006) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations, Article 10, Off-Street Parking and Loading, and Article 16, Definitions.

Chairman Foster opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Reckhow requested that Mr. Lang's questions during Citizen Comments regarding the distance requirement and imposition of a privilege fee be addressed.

County Attorney Siler replied that the County does not possess the authority to impose a privilege fee.

Mr. Stock elaborated on the 500-foot spacing requirement for gaming operation locations.

Vice-Chairman Howerton asked about levying taxes for electronic gaming.

County Manager Mike Ruffin explained that the County is not authorized to levy a tax.

Commissioner Reckhow moved, seconded by Vice-Chairman Howerton, to approve Unified Development Ordinance Text Amendment—Electronic Gaming Operations (TC1200006).

The motion carried unanimously.

County Manager noted that the answers to Mr. Lang's questions would be emailed to him.

### **Board Appointments**

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board to make appointments to boards and commissions.

The following appointments were made:

#### *Citizens Advisory Committee*

Gregory E. Ward—All Five Commissioners

#### *Community Child Protection Team/Child Fatality Prevention Team*

Tanisha Beasley (At-Large)—All Five Commissioners

Joseph C. Koelling (Death of a Child)—All Five Commissioners

#### *Juvenile Crime Prevention Council*

Stephen Watson— All Five Commissioners

#### *Nursing Home Community Advisory Committee*

Janice Brahams-Butler (Recommended by NHCAC; Unexpired Term Position)—All Five Commissioners

Ernestine L. McKoy (Recommended by NHCAC; Full Term Position)—All Five Commissioners

#### *Women's Commission*

Gilda Womble— All Five Commissioners

### **Closed Session**

Commissioner Page moved, seconded by Commissioner Reckhow, to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business

or industry and pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.

The motion carried unanimously.

**Reconvene to Open Session**

Chairman Foster announced that the Board met in closed session; directives were given to staff; no action was taken.

**Adjournment**

There being no further business, Chairman Page adjourned the meeting at 9:16 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Yvonne R. Jones".

Yvonne R. Jones  
Deputy Clerk to the Board