

August 14, 2006 Regular Session

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

Monday, August 14, 2006

5:30 P.M.—Special 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, Philip R. Cousin Jr., and Michael D. Page

Absent: None

Presider: Chairman Reckhow

Property Tax Appeal Hearing/Intec Properties, LLC

Chairman Reckhow welcomed everyone to the Special Session. She announced that the Board was requested to hear testimony and make a decision about assessed tax value of real property owned by Intec Properties, LLC located at 4319 South Alston Avenue.

The Clerk to the Board administered the oath to everyone who had signed up to speak.

Chairman Reckhow recognized Tax Administrator Ken Joyner, who provided background information. Mr. Joyner stated that in August 2003, the Taxpayer received a tax bill for its property located at South Alston Avenue, Durham, NC. In November 2003, the Taxpayer moved from Morrisville to the aforementioned address. The Taxpayer directed the United States Post Office to forward all its mail to the new address. On December 17, 2003, the Durham County Tax Administrator mailed a notice of change in valuation of the subject property to the Taxpayer. The Taxpayer stated that the notice was not received.

In January 2004, the Durham County Tax Administrator sent a listing form to the Taxpayer's address of record, the Morrisville address. In January 2004, the Durham County Tax Office corrected the Taxpayer's mailing address from that of Morrisville to the South Alston address. In August 2004, the Taxpayer received a tax bill from the Durham County Tax Office. Upon receipt of the tax bill, the Taxpayer contacted the Durham County Assessor questioning the amount. The Tax Assessor informed the Taxpayer of the reappraisal of the subject property for tax year 2004 and that it was too late to appeal with the Durham County Board of Equalization and Review, as it had adjourned on April 12, 2004.

By a letter dated September 24, 2004, the Taxpayer filed an appeal with the Durham County Board of Equalization and Review regarding the valuation of the subject property. By a letter dated September 24, 2004, the Taxpayer requested information from the Board of Equalization and Review regarding its appeal. By a letter dated October 1, 2004, the Durham County Tax Administrator advised the Taxpayer that its appeal was not timely since the 2004 Board of Equalization and Review had adjourned on April 12, 2004. The Taxpayer appealed to the North Carolina Property Tax Commission, which remanded this matter to the appropriate County Board (the Durham County Board of Commissioners) for hearing regarding the valuation of the subject property for the Tax Year 2004. Tax Administration staff then met with the taxpayer; no agreement could be reached, thus, the hearing is being held.

Jay Miller, Deputy Assessor, stated that all appraisals are ad valorem. In proceedings, the burden of proof is on the taxpayer. Mr. Miller cited the following statutes as they relate to the assessors' responsibilities:

- NCGS § 105-283. Uniform appraisal standards. (market value)
- NCGS § 105-317. Appraisal of real property; adoption of schedules, standards, and rules. (Includes the requirement to appraise partially completed buildings in accordance with the degree of completion on January 1 of each year.)

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- NCGS § 105-287. Changing appraised value of real property in years in which general reappraisal or horizontal adjustment is not made. (Recognize an increase or decrease in the value of the property resulting from a physical change to the land or to the improvements on the land.)

Mr. Miller explained that the appraisal performed each year is based on the retrospective value from the general reappraisal (in Durham County—effective January 1, 2001). The appraisal is not based on the current market value. Commercial Appraisers Steve Worthington and Richard Morgart reviewed the subject parcel (4.74-acre tract) on October 24, 2003. The structure was listed as 70 percent complete as of January 1, 2004 with an appraised value at \$1,644,908. Although the building design may be multipurpose, most of the areas reviewed are used for office space. Mr. Miller requested that the Commissioners uphold staff's recommendation that the January 1, 2004 value is \$1,644,908, which is consistent and uniform with other properties of this type in Durham County.

The Commissioners asked questions of Mr. Miller regarding the retrospective value effective 2001; 2003 appraised value (\$88,197 for unimproved real property [building was constructed between January 2003 and January 2004]); 2004 appraised value (\$1.6 million—70 percent complete); 2005 appraised value (\$1.6 million—75 percent complete); building design and usage; cost method of valuation versus income method; right-of-way easements; and the appeal process.

Bill Wolf, Attorney representing the appellant (Intec Properties, LLC), requested that the Board give Intec a fair hearing as to the property value as of January 2004. He contended that the property should not be valued at 70 percent; only 22 percent was certified for occupancy. In addition, the building is warehouse type space, not office space, and portions of the tract include unusable wetland. The initial 2005 tax value was \$2.2 million, but was reduced by Tax Administration staff to \$1.6 million. Mr. Wolf respectfully requested that the Commissioners determine a 2004 value between \$926,000 and \$950,000.

Chairman Reckhow stated that a minor adjustment seems appropriate since the 2005 agreed-upon value of \$1.6 million (75 percent completion) was the same as the 2004 value at 70 percent complete. She stated that nothing she heard during the hearing indicated that less than 70 percent was complete in 2004. Chairman Reckhow recommended reducing the 2004 value by 5 percent of the 2005 value.

Commissioner Cheek concurred. Fair market value should be determined, not the percentage of the building that is occupied.

Mr. Wolf disagreed that the building was 70 percent complete in 2004. He argued that it was less than 50 percent complete. He beseeched the Board to waive the interest and penalties, because he concluded that the taxpayer was not responsible for the lengthy appeal and hearing process.

County Attorney Chuck Kitchen advised that the Board has no authority to waive penalties and interest.

Commissioner Cheek moved, seconded by Commissioner Cousin, to set a new value for Tax Year 2004 at \$1,562,598.

The motion carried unanimously.

Chairman Reckhow announced that the Commissioners would recess and reconvene at the 7:00 p.m. Regular Session.

7:00 P.M. Regular Session

Opening of Regular Session—Pledge of Allegiance

Agenda Adjustments

Chairman Reckhow noted that a revised agenda had been placed at each Commissioner's station with an additional Closed Session item.

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Announcements

Chairman Reckhow announced that Neighborhood College, a nine-week series of classes to provide information on key City and County services, would begin on Thursday, September 14, 6:00 to 9:00 p.m. in the Commissioners' Chambers, with one Saturday morning class. The last day to apply is August 25.

Minutes

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to approve as submitted the July 24, 2006 Regular Session Minutes of the Board.

Recognition of Chief Preston Burgess for 40 Years of Service to Bethesda Volunteer Fire Department

Chairman Reckhow read a resolution that was prepared in recognition of Chief Preston L. Burgess, who recently retired with 14 years as Chief and 40 years in total service to the Bethesda Volunteer Fire Department.

RESOLUTION

WHEREAS, Preston L. Burgess joined Bethesda Volunteer Fire Company Inc. in July of 1965; and

WHEREAS, through hard work and perseverance, he rose through the ranks to become Fire Chief in July of 1992; and

WHEREAS, Chief Burgess has been instrumental in mentoring and training numerous young people who have become public servants in our community and our state; and

WHEREAS, under Chief Burgess' leadership, the Bethesda Volunteer Fire Company expanded from three employees to 19 county employees, maintained an Insurance Services Office rating of five, and became a Confined Space Rescuer for Research Triangle Park; and

WHEREAS, under his leadership, the Bethesda Volunteer Fire Company provided full-time paramedic coverage, from basic 1st responder to Advanced Life Support Emergency Medical Technician-Intermediate (ALS EMT-I), and implemented an apparatus replacement schedule to meet National Fire Protection Association (NFPA) Standards; and

WHEREAS, Chief Burgess has honorably served the Bethesda Volunteer Fire Company for over 40 years (14 as Chief):

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

CHIEF PRESTON L. BURGESS

for his sincere dedication and service to Durham County Government, Bethesda Volunteer Fire Company, and citizens of the Durham community for over 40 years.

This the 14th day of August, 2006.

/s/ All Five Commissioners

Jeff Batten, Fire Marshal, stated that Chief Burgess has been a mentor and friend to many people in fire service.

Mr. Burgess thanked his friends, the County Commissioners, and the County Manager for supporting Durham County's fire departments for many years. He stated that Durham's fire/EMS service is one of the finest in the state of North Carolina.

Mr. Burgess accepted the resolution from the County Commissioners.

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James Strickland, President, Board of Directors, Bethesda Fire Department, recognized Judy Burgess, Mr. Burgess' wife of 40 years and a retired teacher from Parkwood. He announced that Mr. Burgess was retiring as chief of the Bethesda Fire Department, but would continue to serve as a fire department volunteer.

Recognition of Mr. Sam Fuerst, Winner of the NC State Inspirational Teacher Award

Chairman Reckhow remarked that in early May, North Carolina State University named Mr. Sam Fuerst as recipient of its Inspirational Teacher Award.

Vice-Chairman Heron stated that Mr. Fuerst, a Northern High School career educator, is an Honors and English as a Second Language (ESL) Earth Science teacher. He is a gifted teacher and a compassionate educator who seeks to help all students reach their highest potential. The Durham Public Schools system is fortunate to have outstanding teachers like Mr. Fuerst among its ranks. This award is very special because Mary Waligora, a former student at Northern High who just completed her first year at North Carolina State University, nominated Mr. Fuerst. He is one of only 25 teachers from North Carolina and several other states to receive this prestigious honor.

Vice-Chairman Heron further stated that North Carolina State University established the NC State Inspirational Teacher Award to recognize excellence in high school teachers in the United States. The Division of Enrollment Management and Services at the university initiated this program as a way of showing appreciation to the high school teachers whose hard work instilled a passion for learning in NC State students. NC State freshmen nominate teachers each fall and awards are given during the spring semester.

Vice-Chairman Heron conveyed that Mr. Fuerst received his undergraduate degree at UNC-Chapel Hill and his Master's degree at Duke University. She congratulated Mr. Fuerst on receiving this prestigious award.

Recognition of Senior Planner Pratt Simmons of Durham City-County Planning Department

Chairman Reckhow announced that on August 1, 2006, the North Carolina Association of Zoning Officials, at its 25th Annual Meeting, presented Mr. Pratt Simmons with the award of North Carolina Zoning Official of the Year. She commented that a wonderful improvement in zoning enforcement has been recognized in the Durham community during the past year due partly to the leadership and efforts of Mr. Simmons. Chairman Reckhow thanked Mr. Simmons on behalf of the citizens of Durham County for his good work.

Frank M. Duke, AICP, Planning Director, acknowledged Mr. Simmons, who has been involved in Planning and Zoning for 22 years and has been a Zoning Officer with the Durham City-County Planning Department since 1998. Mr. Simmons earned the State's designation of Certified Zoning Officer (CZO) in 1991, has held elected positions within the North Carolina Zoning Officials organization, and is known throughout the state for his expertise. Mr. Simmons is currently the lead enforcement officer for Durham's District 1 (eastern Durham County). Among other duties in this role, he has been exceedingly effective in working with interdepartmental operations, particularly the combined night and weekend investigations conducted with members of Fire, Police, and Housing Departments.

Mr. Duke extended congratulations to Mr. Simmons for this honorable achievement.

Mr. Simmons expressed his pleasure in working with the Durham City-County Planning Department and in receiving the award.

Vice-Chairman Heron stated that Mr. Simmons is an excellent, dependable Zoning Enforcement Officer.

Consent Agenda

Commissioner Cheek moved, seconded by Vice-Chairman Heron, to approve the following consent agenda items:

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- a. Appointment of ABC Board Chairman (appoint Charles Watts Jr. as recommended by the ABC Board);
- b. Standard Non-Reimbursable Utility Contract with Keystone Crossings, LLC for the Extension of the County Sanitary Sewer System for the Keystone Crossings Subdivision (authorize the Manager to execute the contract for this addition to the System);
- c. Correction Deed (approve the deed to correct the title of the property conveyed to Jennifer L. Kirchherr at 103 Hickory Glen Lane);
- *d. Ordinance Amending Fire Prevention Ordinance (adopt the proposed changes to bring the ordinance into compliance with the State Code);
- e. Offers to Purchase for the Human Services Complex (approve the purchase of 500 East Peabody Street for \$49,500, 510 East Peabody Street for \$550,000, and 201 and 203 S. Dillard Streets for \$160,000; and authorize the Manager to execute a lease with Greater Life Outreach Fellowship Church through June 30, 2007);
- f. Federal Farm and Ranchlands Protection Grant Agreement (approve the Cooperative Agreement between Durham County and the United States by and through the Commodity Credit Corporation for receipt of \$466,134 towards permanent farmland conservation easements, and authorize the County Manager to execute the Agreement); and
- g. Execution of Design Service Agreement with Roughton Nickelson De Luca Architects, P.A., for the Modernization and Upgrade of Elevators at the Durham County Judicial Building (RFQ #06-020) (authorize the execution of an architectural design contract in the amount \$46,000 plus additional services and reimbursable expenses estimated at \$9,000 for a combined total of \$55,000).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda Item No. d. Ordinance Amending Fire Prevention Ordinance (adopt the proposed changes to bring the ordinance into compliance with the State Code).

(Ordinance Amending Fire Prevention Ordinance Recorded in Ordinance Book _____, page _____.)

Public Hearing on Trinity School

Chairman Reckhow requested that County Attorney Chuck Kitchen introduce the item.

County Attorney Kitchen presented the "Affidavit of Publication" to the Clerk for recording. He stated that the Trinity School of Durham and Chapel Hill Inc. (the "School") has requested that the Board of Commissioners hold a TEFRA hearing on a proposed financing by the school. The School is proposing to issue tax-exempt bonds for \$9,000,000 through the State of Colorado to be used for school expansion. The County of Durham has no responsibility or liability regarding the issuance of these bonds; however, the Board is required to hold a public hearing and adopt the resolution approving the project for the School to issue the bonds. The school is located on the Durham-Orange County line; therefore, Orange County must also hold a public hearing and approve the issuance. (Representatives of the School and Bond Counsel were present to answer questions regarding the project or the bond issue.)

John Hand, 213 Collinson Drive, Chapel Hill, 27514, Business School Professor at UNC-Chapel Hill and volunteer treasurer for Trinity School of Durham and Chapel Hill Inc., gave a brief history of Trinity School (kindergarten through eighth grade). He explained that

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the financing would be used to expand the sixth, seventh, and eighth grades and to add high school classrooms.

Chairman Reckhow opened the public hearing that was properly advertised, stating that no one had requested to speak on the matter.

Chairman Reckhow stated, for the public record, that Trinity School backs up to an important regional resource—the New Hope Creek Corridor. Trinity School owns land, most or all in Orange County, on which both the Orange and Durham County Commissioners are interested in obtaining an easement and trail access. Negotiations between the school, Orange County, and the Triangle Land Conservancy are progressing well. Given that Durham County has invested millions of dollars towards creating the New Hope Creek Open Space Corridor and Trail System, the trail segment will be a wonderful resource for Durham County residents.

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

Commissioner Cheek moved, seconded by Commissioner Cousin, to adopt the resolution approving the project for Trinity School to issue the bonds.

The motion carried unanimously.

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$9,000,000
OF THE COLORADO EDUCATIONAL AND CULTURAL FACILITIES AUTHORITY
EDUCATIONAL FACILITIES REVENUE BONDS (TRINITY SCHOOL OF DURHAM
AND CHAPEL HILL PROJECT) SERIES 2006

WHEREAS, at 7:30 P.M., the Chairman announced that the Board of Commissioners (the “Board”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Colorado Educational and Cultural Facilities Authority (the “Authority”) of not exceeding \$9,000,000 of its Educational Facilities Bonds (Trinity School of Durham and Chapel Hill Project) Series 2006 (the “Bonds”);

WHEREAS, the Authority will loan the proceeds of the Bonds to ACSI Capital Corporation, which will loan such proceeds to Trinity School of Durham and Chapel Hill, Inc. (the “School”). The School will use the proceeds of its loan from ACSI Capital Corporation to (1) make improvements to the School’s campus located at 4011 Pickett Road, Durham, North Carolina (the “Campus”), including constructing and equipping (a) an approximately 32,000 square foot South classroom building, (b) an approximately 25,000 square foot student center, which includes a gymnasium and performing arts stage, (c) a new athletic field and (d) approximately 150 additional parking spaces (the “2006 Project”), (2) refund an existing taxable loan, the proceeds of which the School used to acquire, construct and equip improvements to the Campus, including but not limited to modular classrooms, a classroom building, a gymnasium, an athletic field and parking lots (the “Prior Project” and together with the 2006 Project, the “Project”), and (3) pay certain expenses incurred in connection with the issuance of the Bonds. The Project will be owned and operated initially by the School;

WHEREAS, the Chairman of the Board presented an affidavit showing publication in The Herald-Sun on July 31, 2006 of notice of the public hearing. A general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things, have been set forth in such notice of public hearing. The affidavit of publication is attached to this resolution as Exhibit A;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: [None.];

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

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WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, we hereby approve the facilities described in the notice of public hearing to be financed or refinanced with the proceeds of the Bonds and the issuance of the Bonds, provided that in no event shall Durham County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Durham County, the State of North Carolina or any political subdivision thereof.

Section 2. This resolution shall take effect immediately upon its passage.

Public Hearing—Zoning Map Change—3300 US 70 (Z06-30)

Frank M. Duke, AICP, Planning Director, requested that the Board approve a zoning map change for a 0.8-acre site located at 3300 US 70, west of Page Road Extension. [PIN 0759-04-64-0249 (partial)] Request: RR to CG. The Board of Commissioners initiated the request to change the zoning designation of the parcel. Currently, the entire parcel of land, a total of 3.35 acres is split zoned with the frontage of the property zoned CG and the rear zoned RR. The request is consistent with the future land use designation of the Comprehensive Plan.

The Planning Department recommended approval based on consistency with the *Comprehensive Plan* and the information contained in the report.

On June 29, 2006, the Planning Commission recommended approval with a vote of 13-0. The Planning Commission found that the requested revision to the zoning districts of the UDO is consistent with the adopted *Comprehensive Plan*.

Chairman Reckhow opened, then immediately closed the public hearing since no one had signed to speak on the matter.

Vice-Chairman Heron moved, seconded by Commissioner Page, to approve Zoning Map Change—3300 US 70 (Z06-30).

The motion carried unanimously.

Public Hearing—Zoning Map Change—107 Sherron Road (Z06-33)

Frank M. Duke, AICP, Planning Director, requested that the Board approve a zoning map change for a 0.56-acre site located at 107 Sherron Road, east of Sherron Road and south of NC 98. [PIN 0861-03-10-1149] Request: RS-20; F/J-B to CN; F/J-B. The request is consistent with the future land use designation of the Comprehensive Plan. There are no identified environmental or physical constraints on this site that would prevent the site from being developed in accordance with applicable ordinance standards.

Planning staff recommended approval based on consistency with the *Comprehensive Plan* and the information contained in the report.

On June 29, 2006, the Planning Commission recommended approval with a vote of 12-1. The Planning Commission found that the requested revision to the zoning districts of the UDO is consistent with the adopted *Comprehensive Plan*.

Chairman Reckhow asked if anyone wished to speak on the matter. As no one responded, she closed the public hearing and referred the matter back to the Commissioners.

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Commissioner Cheek moved, seconded by Commissioner Page, to approve Zoning Map Change—107 Sherron Road (Z06-33).

The motion carried unanimously.

Amendment to the Durham County Animal Ordinance

Cindy Bailey, Animal Control Administrator, stated that Chapter 4 of the Durham County Code of Ordinances, entitled “Animals”, regulates the keeping of animals within the County and establishes the general administration of Durham County Animal Control. The Ordinance was last amended in May 2004. The Animal Control Advisory Committee has recommended additional changes to clarify or reflect the current manner in which the County administers the animal control program. One substantive change made to the Ordinance is the removal of barking dogs from the nuisance provision [Sec. 4-13(23)(i)]. Both the City and County have a noise ordinance (City Code sec. 11-1, County Code sec. 14-26), which will be enforced by the City Police Department and the County Sheriff as applicable. The attorneys for the City Police Department and the Sheriff have been notified of the proposed amendment. A subcommittee of the Animal Control Advisory Committee was convened to review and propose amendments to the Ordinance. The proposed changes were submitted to the Advisory Committee, which in turn approved the changes and recommended them to the Commissioners for approval. If the Board chooses to enact the Ordinance, the amendments shall become effective immediately.

Vice-Chairman Heron commented that the Police Department and Sheriff’s Deputies should be educated in regards to the Ordinance and enforcement.

Ms. Bailey stated she has met with the PAC captains and several Police Department Majors about the pending change. Animal Control Officers will investigate, on a one-time basis, noise complaints to make sure animals are living in a healthy and safe environment.

Carol W. Hammett, Assistant County Attorney, informed that she has recommended to both Sheriff and Police counsel that education and training should be provided to their respective officers.

Chairman Reckhow encouraged Ms. Bailey and Ms. Hammett to work with the leadership of the Sheriff and Police Departments to determine the criteria whereby intervention is necessary. It should be the same across the City and County. She also suggested outreach to citizens, possibly utilizing the PAC groups and Inter-Neighborhood Council, so they will know who to call and how to handle relevant situations.

Ms. Bailey reported that an educational campaign has been developed to reach neighborhood associations and related groups.

Commissioner Cheek moved, seconded by Commissioner Cousin, to enact the Ordinance Amending Chapter 4, entitled “Animals”, of the Durham County Code of Ordinances.

The motion carried unanimously.

Chairman Reckhow and Vice-Chairman Heron thanked Ms. Bailey and Ms. Hammett for their hard work on the Ordinance and asked them to convey appreciation to the Animal Control Advisory Committee.

(Ordinance Amending Chapter 4, entitled “Animals”, of the Durham County Code of Ordinances in recorded Ordinance Book _____, page _____).

Appointment of Work First Planning Committee

Jim Polk, Chairman of the Work First Planning Committee, stated that North Carolina General Statute Section 108-A-27 requires that the Board of County Commissioners appoint a committee of local leaders (a Work First Planning Committee) to assist in the development of its Work First Block Grant Plan. A critical part of each county’s plan development is a decision as to whether the county will seek electing or standard county status. Mr. Polk

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requested that the Commissioners appoint designees to the committee. The recommendation from the Work First Planning Committee regarding the county's selection of "electing vs. standard status" will be placed on the Commissioners' August 28, 2006 regular meeting agenda for their consideration and approval. It is anticipated that the Work First Planning Committee will hold their first meeting to discuss electing versus standard county status on August 16, 2006.

Chairman Reckhow and Vice-Chairman Heron voiced concern about the request for the Commissioners to make appointments to a committee that is scheduled to meet in two days. The new appointees may be unable to attend a meeting given such short notice.

Rhonda Stevens, Program Manager, Work First, apologized for the short notice. The Department of Social Services was late in obtaining information from the State in order to start the process; however, the decision regarding electing or standard county status is due to the N. C. Department of Health and Human Services by August 31, 2006. Subsequent meetings will be determined at the first meeting of the committee. The plan is due by October 31.

Chairman Reckhow stressed that beginning with the next planning process (2008), the Commissioners should be provided sufficient time to choose and notify nominees.

Sammy Haithcock, DSS Director, expressed regret to the Commissioners for the late notice.

Chairman Reckhow asked that DSS contact Commissioner appointees prior to the August 16 meeting to ask their preferences for future meetings dates.

Commissioner Page stated, for the record, that he would be unable to attend the August 16 meeting; however, he wished to provide input when the committee sets future meetings.

Chairman Reckhow informed the Commissioners that they may attend the committee meetings themselves **or** appoint designees. In addition, it is not mandatory that each Commissioner appoint a representative.

Chairman Reckhow stated that she invited Barker French to join the committee because he is also on the Work Force Development Board. She shared an article from the Economist magazine that provides a Work First Program overview (strengths and weaknesses) for the past decade (since its inception). She requested that the article be shared with committee members. A good point of the article is that more work must be done to interface the Work First effort with the Workforce Development effort.

Ms. Stevens provided clarification to Commissioner Cheek about the appointment process.

Commissioner Page asked why the private sector/corporate community is not adequately represented on the committee.

Chairman Reckhow expressed that it would be good to appoint representatives from the business communities.

Vice-Chairman Heron directed that periodic committee reports be provided to the Commissioners (more often than once every two years).

Commissioner Cheek moved, seconded by Commissioner Page, to approve the recommended Work First Planning Committee, along with Chairman Reckhow's designee of Barker French; additions to the committee may be made later.

The motion carried unanimously.

Announcement of Meeting Schedules

Chairman Reckhow announced that the August worksession would be held on Tuesday, August 22 at 9:00 a.m. The September worksession would be held on Thursday, September 7.

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The Commissioners discussed and decided on a preferred date for the grand re-opening of the Stanford L. Warren Branch Library (September 7 at 9:00 a.m.).

Closed Session

Vice-Chairman Heron moved, seconded by Commissioner Page, to adjourn to Closed Session to consider the performance of a public officer or employee pursuant to G.S. § 143-318.11(a)(6) and to instruct staff concerning the position to be taken in negotiating the material terms for the acquisition of 247 S. Mangum owned by AREC 3, LLC (U-Haul Real Estate Company) pursuant to G.S. § 143-318.11(a)(5).

The motion carried unanimously.

Reconvene to Open Session

Chairman Reckhow announced that the Board met in closed session; direction was given to staff; no action was taken.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 9:28 p.m.

Respectfully submitted,

Vonda C. Sessoms
Clerk to the Board