

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

Monday, October 25, 2004

MINUTES

7:00 P.M. Regular Session

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

Present: Chairman Ellen W. Reckhow, Vice-Chairman Joe W. Bowser, and Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D. Jacobs

Absent: None

Presider: Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Agenda Adjustments

- Commissioner Jacobs added Update: Ethics Complaint Against Internal Auditor.
- Chairman Reckhow announced the Board of County Commissioners' receipt of the Afterschool Leadership Award, "In Recognition of Leadership in Ensuring Quality Afterschool Programs for Durham Children and Youth", presented by the North Carolina Center for After School Programs (NC CAP).

Minutes

Commissioner Cousin moved, seconded by Commissioner Jacobs, to approve as submitted the September 13, 2004 Special Session and October 11, 2004 Regular Session Minutes of the Board.

The motion carried unanimously.

Proclamation—Operation Breakthrough

Chairman Reckhow read the following proclamation:

PROCLAMATION

WHEREAS, Operation Breakthrough Inc., the local Community Action Program, has been serving Durham County residents since 1964; and

WHEREAS, Operation Breakthrough Inc. is governed by an 18-member Board of Directors representing low-income constituents, the public and private sectors; and

WHEREAS, Operation Breakthrough Inc. provides valuable services to low-income people through programs such as Head Start, Community Services Block Grant, Smart Start Transportation, and Weatherization/Energy Conservation; and

WHEREAS, Operation Breakthrough Inc. is commemorating its Fortieth Year historical accomplishments at its Annual Board Meeting on Thursday, November 18, 2004; and

WHEREAS, Operation Breakthrough Inc. will recognize individuals and employees for their outstanding achievements and contributions to the organization:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen W. Reckhow, Chairman of the Durham County Board of Commissioners, do hereby proclaim November 18, 2004 as

“OPERATION BREAKTHROUGH 40TH ANNIVERSARY CELEBRATION”

in Durham County. We urge all citizens to recognize this worthy organization.

This the 25th day of October, 2004.

Frank Johnson, Interim Executive Director, Operation Breakthrough, reported that Operation Breakthrough Inc., a non-profit Community Action Agency, has been serving Durham County residents since 1964. He became active in Operation Breakthrough in 1968. The Chairman of the Board of County Commissioners was asked to proclaim November 18 as Operation Breakthrough's 40th Anniversary Celebration in Durham County. Mr. Johnson thanked the Board for the acknowledgement.

Chairman Reckhow presented the proclamation to Mr. Johnson, along with her congratulations.

Proclamation for Grief Awareness Week, November 2-8, 2004

Chairman Reckhow invited Commissioner Cousin to read the following proclamation:

PROCLAMATION

WHEREAS, there are approximately 2 million deaths in the United States each year that directly affect 10-12 family members (excluding good friends and close colleagues), thus having an impact on approximately 20 million people; and

WHEREAS, in North Carolina, there are approximately 72,000 deaths each year; and

WHEREAS, natural disasters like Hurricane Floyd, tragic deaths like 9/11, and suicides and school shootings touch countless lives and continue to have an impact long after the initial event; and

WHEREAS, grieving is a natural and normal response to death and other losses and is a healthy way for people to take care of themselves; and

WHEREAS, cultural traditions and religious institutions have historically recognized the need for community mourning rituals and individual grief expressions; and

WHEREAS, all Durham County citizens are urged to be sensitive and supportive of their families, neighbors, friends, and colleagues who are adjusting to a significant loss in their lives; and

WHEREAS, a week set aside for grief awareness will enhance solidarity with our human mortality and our common need for mourning and healing and will promote spiritual, mental, physical, and emotional health; and

WHEREAS, we urge all Durham County citizens during this week to remember and support those who have experienced a significant loss in their lives; and

WHEREAS, we urge all Durham County citizens during this week to participate in community activities and educational events to increase their own knowledge of the grief process so that neighborhoods, faith communities, and workplaces can create a more healing environment for those in grief:

NOW, THEREFORE, BE IT RESOLVED that, I, Ellen W. Reckhow, Chairman of the Durham County Board of Commissioners, do hereby proclaim the first week in November 2004 as

“GRIEF AWARENESS WEEK”

in Durham County, in recognition of every person’s right to grieve in the face of death and loss.

This 25th day of October, 2004.

Helen Poole, Director of Major Gifts, Marketing and Development for Duke Health Community Care, announced that November 2-8 is Grief Awareness Week. Representatives of the Duke Community Bereavement Services requested that a proclamation be issued to recognize Grief Awareness Week.

Ms. Poole accepted the proclamation on behalf of the organization and expressed gratitude for the recognition.

Proclamation for Animal Shelter Appreciation Week

Chairman Reckhow proclaimed the week of November 7 - 13 as National Animal Shelter Appreciation Week in Durham County.

Chairman Reckhow asked Commissioner Heron to read the proclamation as follows:

PROCLAMATION

WHEREAS, there are more than 73 million cats and 68 million dogs living in more than 63 million households across the United States, and more that 6,000 are served annually by the Durham County Animal Shelter; and

WHEREAS, the irresponsibility of some pet owners has resulted in animals running loose and unsupervised, causing a threat to public health and safety; and

WHEREAS, indiscriminate breeding allowed by irresponsible pet owners who have not had their companion animals spayed or neutered has contributed to pet overpopulation; and

WHEREAS, animal shelter employees, like police officers and emergency medical personnel, must respond to these community problems and crises; and

WHEREAS, animal shelters act as safe havens for homeless and abused animals, providing them with comfort and care; and

WHEREAS, animal shelters help both animals and people in many ways: by returning lost pets to their owners, enforcing animal control laws, rescuing injured animals, educating the public, and matching up families with new animal companions; and

WHEREAS, the work of animal shelters and the important services they provide often go unnoticed and unappreciated by the citizens:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen W. Reckhow, Chairman of the Durham County Board of Commissioners, do hereby designate the week of November 7 to 13, 2004 as

“ANIMAL SHELTER APPRECIATION WEEK”

in Durham County, in recognition of the Durham County Animal Shelter providing lifesaving services to animals and people in our community.

This the 25th day of October, 2004.

Ms. Shafonda Price, Assistant Durham County Animal Shelter Manager, accepted the proclamation and thanked the Board for the acknowledgement.

Proclamation for Home and Hospice Care Month

Chairman Reckhow proclaimed the month of November as Home and Hospice Care Month in Durham County. She read the following proclamation into the record:

PROCLAMATION

WHEREAS, in-home health, hospice, and community-based services provide for an individual's health and social needs across the continuum of life – compassionate care which serves expectant mothers, infants, children, adults, the disabled and elderly, and also provides love, comfort, and support at the end of life; and

WHEREAS, in-home health, hospice, and community-based services enable Durham County citizens to access a wide variety of quality health and social services, including preventive care, acute care, sustainable long-term care, and palliative care; and

WHEREAS, these services include care provided by home health agencies, licensed home care agencies, hospice agencies, adult day care and adult day health care facilities, and home medical equipment companies; and

WHEREAS, in-home health, hospice, and community-based services build upon a strong tradition of care and compassion, striving to keep families intact and responsible while preserving an individual's independence and dignity in the setting of their choice; and

WHEREAS, Duke Community Hospice services has provided care to terminally ill patients and their families for 25 years:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen Reckhow, Chairman of the Durham County Board of Commissioners, do hereby proclaim November 2004 as

“HOME AND HOSPICE CARE MONTH”

in Durham County. We urge our citizens to celebrate all in-home and community-based services.

This 25th day of October, 2004.

Ms. Poole received the proclamation and extended appreciation to the Board.

Consent Agenda

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

- *a. Property Tax Releases and Refunds for Fiscal Year 2004-05 (August);
- b. Contract with Tax Management Associates Inc. (to conduct audits; amount not to exceed \$200,000);
- c. Change in Durham County Fixed (Capital) Asset Policy (approve the amendments as recommended by the Finance Department);
- *d. Interlocal Agreement—City-County Appearance Commission;
- *g. Budget Ordinance Amendment No. 05BCC000015—Fire Marshal/Emergency Management—FY 2004 State Homeland Security Grant Program Funding (\$438,522 received through the NC Department of Crime Control and Public Safety for expenditure in FY 2004-2005);
- *h. Budget Ordinance Amendment No. 05BCC000017—Public Health (recognize revenue from Duke University Medical Center for \$102,497.00 to establish and hire Nutritionist III and Health Education Specialist);
 - i. Work First Block Grant Plan for 2005-2007; and
 - j. Modification to the Copier Management Service Contract (authorize the Manager to modify the contract with Commercial Equipment Inc. (CEI) to a five-year contract with no renewal options and authorize contract modification based on usage within budget appropriations).

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda Item No. a. Property Tax Releases and Refunds for Fiscal Year 2004-05 (August).

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 September 2004.

Releases & Refunds for 2004 Taxes:

Real Estate	\$	41,984.86
Personal	\$	15,459.42
Registered Vehicles	\$	24,027.67
Vehicle Fees	\$	230.00
Solid Waste	\$	<u>365.00</u>
Total for 2004 Taxes and Fees	\$	82,066.95

Prior years' (2001-2003) releases and refunds for September 2004 are in the amount of \$8,447.62.

The total current year and prior years' releases and refunds amount to \$90,514.57.

Consent Agenda Item No. d. Interlocal Agreement—City-County Appearance Commission.

Interlocal Agreement
Between the City of Durham and Durham County
Creating a Durham City-County Community Appearance Commission

This is an Interlocal Cooperation Agreement (hereinafter "Agreement") between City of Durham, a North Carolina municipal corporation, and County of Durham, a political subdivision of the State of North Carolina. This Agreement is made pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes. The Date of the Interlocal Cooperation Agreement is _____.

Section 1. Creation and Purpose

The Durham City Council and the Durham County Board of Commissioners hereby reauthorize the Durham City-County Community Appearance Commission in accordance with N.C.G.S. §160A-451 (hereinafter the "Commission"). The purpose of this Commission is to enhance and improve the visual quality and aesthetic character of Durham City and County.

Section 2. Powers and Duties

The Commission shall have the following powers and duties:

- A. To initiate, propose and assist in the implementation of programs of general community beautification in Durham City and County.
- B. To seek to coordinate the activities of individuals, agencies and organizations, public and private, whose plans, activities, and programs bear upon the appearance of Durham City and County.
- C. To provide leadership and guidance in matters of area or community design and appearance, including public safety and crime prevention through environmental design principles.
- D. To make studies of the visual characteristics and problems, including surveys and inventories of an appropriate nature, and to recommend standards and policies of design.

- E. To prepare both general and specific plans for the improved appearance of Durham City and County. The plans may include the entire jurisdictions or part of the jurisdictions. The plans may set forth desirable standards and goals for the aesthetic enhancement of Durham City or County.
- F. To respond to any requests from the governing bodies, public agencies, private entities, developers, and Planning Staff to review proposals for buildings, facilities or projects located within Durham City or County. Requests by a governing body shall be totally within the discretion of the governing body.
- G. To make recommendations regarding the adoption or amendment of ordinances that will serve to enhance the appearance of Durham City or County.
- H. To direct public attention toward situations that may affect the appearance of Durham City and County.
- I. To promote public interest in and an understanding of the recommendations, studies, and plans which will enhance the appearance of Durham City or County through notification, publication, and distribution of materials related to the aesthetic environment of Durham.
- J. To conduct public meetings and educational sessions, which will advance the cause of an improved appearance for Durham City and County.
- K. To establish a process to recognize the achievements and contributions to the community related to appearance and design.
- L. To accept grants to further the purpose of community aesthetics and design.

Section 3. Membership

- A. Appointment. The Commission shall consist of fifteen (15) members with eight (8) to be appointed by the Durham County Board of Commissioners and seven (7) to be appointed by the Durham City Council. Members shall reside within the jurisdiction of the appointing authority. While encouraging applicants with expertise in aesthetics, attempts shall also be made to assure that the appointments represent a cross section of the community. All members shall have equal rights regardless of whether the matters at issue are located inside or outside the corporate limits. The Commission may recommend to the governing bodies individuals for appointment to the Commission.
- B. Qualifications. A majority of the members of the Commission shall have expertise in a design field such as architecture, landscape design, city planning, horticulture, urban design or a related field. Members shall also meet those general qualifications specified by the appointing body, which are requirements for all individuals serving on a governmental board or commission. Membership on the commission is declared to be an office that may be held concurrently with any other elective or appointive office pursuant to Article VI, Sec. 9, of the Constitution.
- C. Tenure. Members shall serve three (3) year terms ("Term") and may be reappointed for a second Term. No member shall serve more than two (2) full consecutive Terms. Members may continue to serve until their successors have been appointed. Vacancies occurring for reasons other than the expiration of Terms shall be filled by the appointing authority as they occur for the period of time of the unexpired term. Appointees filling an unexpired Term are eligible for appointment for two (2) additional full Terms

- D. Compensation. Members may be reimbursed for actual expenses incidental to the performance of their duties within the limits of any funds available to the Commission, but shall serve without pay.

Section 4. Organization and Meetings

- A. The Commission shall elect a Chairperson at the first meeting of the fiscal year thereafter and shall create and fill other offices as it may find necessary.
- B. The Commission shall adopt rules of procedure.
- C. The Commission shall meet at least four (4) times per year.
- D. The Commission shall, no later than April 15 of each year, submit to the governing bodies, a written report of its activities, a statement of its expenditures to date for the current fiscal year and its requested budget for the next fiscal year.

Section 5. Receipt and Expenditure of Funds

The Commission may receive contributions from private agencies, foundations, organizations, individuals, the State or federal government or any other source, in addition to any sums appropriated for its use by Durham City or County. The Commission may accept and disburse these funds for any purpose within the scope of its authority. All sums appropriated by the City and County to further the work and purposes of the Commission are deemed to be for a public purpose. Pursuant to N.C.G.S. §160A-454, expenditure of funds shall be administered in accordance with the requirements of the Municipal and County Fiscal Control Acts.

Section 6. Support

The City-County Planning Department (the "Department") shall provide staff for the Commission as specified in the annual Department Work Plan approved by the City and County. Staff shall be responsible for preparing notices and agendas for the Commission's meetings and keeping the record of the Commission meetings, including records of members' attendance. The Commission's budget, if any, shall be established as part of the Department budget each fiscal year, in accordance with the interlocal agreement between the two jurisdictions on Department expenditures.

Section 7. Term of This Agreement

This Agreement shall be effective as of the date it is passed by both the City and the County. Unless terminated sooner, it shall expire at 12:01 AM, July 1, 2009. This Agreement may be terminated by either party, effective at the beginning of the fiscal year after such notice is given, upon 6 months notice given in writing prior to the start of the fiscal year in which termination is effective. Notwithstanding the termination date heretofore established, if the jurisdictions have not indicated their intent to terminate this Agreement, this Agreement shall continue after the termination date indicated above unless either jurisdiction indicates in writing, through its respective manager, that the Agreement is terminated.

Section 8. Amendments

This Agreement may be amended at any time upon mutual written agreement of the City and County. The City Council and County Commissioners shall be the final authority in approving all amendments.

Section 9. Governing Law

This Agreement shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this Agreement shall be brought in the General Court of Justice in the County of Durham and the State of North Carolina.

Section 10. Entire Agreement

This Agreement together with the agreements referenced in this Agreement, shall constitute the entire understanding between the City and the County and shall supersede all prior understandings and agreements relating to the subject matter hereof.

Section 11. Contract Not Divisible

This Agreement is not divisible. The obligations exchanged by the City and County under each part of this Agreement constitute consideration for each and every part of this Agreement.

Section 12. Headings/Interpretation

The subject headings of the paragraphs are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This Agreement shall be deemed to have been drafted by both parties and no purposes of interpretation shall be made to the contrary.

Consent Agenda Item No. g. Budget Ordinance Amendment No. 05BCC000017—Fire Marshal/Emergency Management—FY 2004 State Homeland Security Grant Program Funding (\$438,522 received through the NC Department of Crime Control and Public Safety for expenditure in FY 2004-2005).

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000017

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 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	\$259,077,965	\$438,522	\$259,516,487

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$40,037,515	\$438,522	\$40,476,037

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

This the 25th day of October, 2004.

Consent Agenda Item No. h. Budget Ordinance Amendment No. 05BCC000018—Public Health (recognize revenue from Duke University Medical Center for \$102,497.00 to establish and hire Nutritionist III and Health Education Specialist).

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000018

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 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	\$259,516,487	\$102,497	\$259,618,984

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$318,419,831	\$102,497	\$318,522,328

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

This the 25th day of October, 2004.

Consent Agenda Items Removed for Discussion

Following citizen comment by Ms. Victoria Peterson, P.O. Box 101, Durham, NC 27702:

Commissioner Heron moved, seconded by Commissioner Jacobs, to approve Consent Agenda Item No. e.—Budget Ordinance Amendment No. 05BCC000015—Sheriff's Office—Reconsideration of 2004 G.R.E.A.T. Grant for Gang Resistance Education (not to exceed amount of the grant award, \$43,695).

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA
FY 2004-05 Budget Ordinance
Amendment No. 05BCC000015

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2004-05 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	\$259,034,270	\$43,695	\$259,077,965

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$39,993,820	\$43,695	\$40,037,515

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

This the 25th day of October, 2004.

Chairman Reckhow and Commissioner Heron explained the grant fund disbursement.

Tolling and Accounting Order to Extend the Review Period for Time Warner Cable's 2004 FCC-1240, 1235, 1205 Rate Filing Through January 2005

Lowell L. Siler, Deputy County Attorney, stated that on October 1, 2004, Time Warner Cable submitted an FCC-1240 Updating Maximum Permitted Rates filing; FCC-1205 Determining Regulated Equipment and Installation costs; and FCC-1235 cost of Service Filing for Cable Network Upgrades for Regulated Cable Service with the County of Durham. Time Warner Cable's filing includes actual and estimated costs it may incur during the projected period January – December 2005, along with previous expenses from the "true up" period October 2003 – September 2004.

The Federal Communications Commission has promulgated ratemaking procedures that allow cable operators to estimate future external costs and costs associated with system upgrades, and recover those projected costs utilizing the FCC-1240 filing process, performed annually.

The County of Durham is certified with the FCC to regulate basic cable service, equipment and installation rates, and services within Durham County.

The FCC-§76.933 grants franchise authorities the ability to toll the time in which to review rate filings submitted by cable operators, extending the period of review from the

initial 30 days to an additional 90 days (120 days total) past the original date of receipt by the franchise authority.

Durham County's Cable Consultant, Bob Sepe, Action Audits, LLC suggested that the Board toll the period for review.

The time period in which Durham County will have to review Time Warner Cable's FCC-1240 rate filing will be tolled 90 days past the original 30 days (120 days total) allowed by the FCC, extending the total review period deadline.

Chairman Reckhow called signed speaker Rev. James Vaughn, Chair of the Cable TV Advisory Board, 3206 Cole Mill Road, Durham, NC 27712, forward to comment.

Chairman Reckhow suggested that Rev. Vaughn continue to communicate with Attorney Siler about Cable TV Advisory Board recommendations and that Attorney Siler keep the Board informed.

Commissioner Heron asked if the review period would proceed through the Christmas holidays.

County Attorney Chuck Kitchen responded that the Christmas holidays would not be deducted from the 120 days.

Commissioner Heron moved, seconded by Commissioner Cousin, to extend the review period deadline.

The motion carried unanimously.

Major Site Plan—CCB-Bethesda (D04-278)

Frank M. Duke, AICP, Planning Director, stated that Duane K. Stewart and Associates, on behalf of Central Carolina Bank and Trust Company, submitted a major site plan for additions totaling 834 square feet to an existing bank on a 1.305-acre site, zoned GC and F/J-B, including a landscape modification for street trees greater than 25 feet from the right of way and more than 100 feet apart along U.S. Hwy. 70, due to the dedication of a sanitary sewer easement. The property is located at the northwest corner of U.S. Hwy. 70 and Mineral Springs Road. (PIN 0840-04-80-0930)

Planning staff recommended approval.

Commissioner Jacobs moved, seconded by Commissioner Heron, to approve Major Site Plan—CCB-Bethesda (D04-278).

Commissioner Heron commented on the overcrowding of corners in the Hwy. 70 and Mineral Springs Road area.

The motion carried with the following vote:

Ayes: Cousin, Heron, Jacobs, and Reckhow

Noes: None

Absent: Bowser (out of room when vote was taken)

Update: Ethics Complaint against Internal Auditor

Commissioner Jacobs announced that last week, Interim County Manager Wendell Davis sent the Commissioners a memorandum stating that on October 13, 2004, the Institute of Internal Auditors (IIA) Ethics Committee Chairman wrote Mr. Charlie Hobgood concerning the Committee's review of an ethics complaint filed by former County Manager Michael Ruffin. Attached to the memo were a copy of the letter and IIA's Disciplinary Policies and Procedures. She requested clarification of the letter (following):

Dear Mr. Hobgood:

The IIA Ethics Committee reviewed your response to the complaint filed by Mr. Michael Ruffin.

Based on the documentation provided, we concluded that the principles and rules of conduct of integrity, objectivity, and competency were not breached during the course of the audit and that the documentation principally relates to internal management issues.

We believe that the principle and the rule of conduct of confidentiality were not breached since it is a Durham County Government law that the preliminary draft report was a public record.

However, the content and the tone of the emails exchanged with a person outside of the organization is certainly not in accordance with the ethical and professional standing expected from an internal auditor who is a member of The Institute of Internal Auditors.

You are strongly advised that, if you repeat this practice, you would not comply fully with the rule of conduct: "Internal auditors shall be prudent in the use and protection of information acquired in the course of their duties". Any further complaints along these lines will be dealt with greater severity.

Sincerely,

/s/Joyce Drummond-Hill, CIA, CCSA, CGAP, MIIA

Mr. Davis explained that after consulting with the County Attorney, he concluded the letter to be one “of caution”. He asked the County Attorney to provide legal insight.

County Attorney Chuck Kitchen explained “sanction” vs. “caution” according to the IIA Disciplinary Policies and Procedures.

Vice-Chairman Bowser commented on misleading information published in local newspapers.

The Commissioners discussed various interpretations of the letter.

Chairman Reckhow suggested directing Interim County Manager Davis to contact IIA if the Board requires further clarification of the letter.

Board and Commission Appointments

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots to the Commissioners to make appointments to several boards and commissions. The following citizens were selected:

Adult Care Home Community Advisory Committee

David N. Blodgett
Robert F. Deerin
Dorothy R. Gagnier
S. Celeste Toomke
Miles Simpson

Alcoholic Beverage Control Board

Charles D. Watts Jr.
Charles T. Wilson Jr.

Cable TV Advisory Board

Monique Velasquez

Community Child Protection Team/Child Fatality Prevention Team

M. Clare W. Fair
Karlene Fyffe

Criminal Justice Partnership Act Advisory Board

Judge Craig B. Brown
Robert Buchanan
Christin Coan
Ebony La'Toria Sneed

Durham Board of Adjustment

Daniel Edwards

Durham Convention and Visitor's Bureau

Commissioner Heron moved, seconded by Commissioner Jacobs, to reappoint E'vonne Coleman for another term on the DCVB in the visitor feature seat.

The motion carried unanimously.

Durham Library Board of Trustees

Mary S. Tenuta

Durham Workforce Development Board

*Willie Benson (Private Sector)

*Sharita Green (Public Sector)

*Note: The appointees are not qualified for the positions, which would be readvertised.

Historic Preservation Commission

Robert Emerson

Christin Coan

Industrial Facilities and Pollution Control Financing Authority

Tracy J. Sanders

Juvenile Crime Prevention Council

Alvin Black (under 18)

Ronda Parker (Local Parks & Recreation)

Open Space and Trails Commission

Jeffry Whitlow

Raleigh-Durham Airport Noise Abatement Committee

Miles Simpson

Women's Commission

Vice-Chairman Bowser moved, seconded Commissioner Cousin, to appoint Claise Feldman and Ebony La'Toria Sneed in 2 of the 3 at-large positions, as they received a majority vote.

The motion carried unanimously.

In response to Vice-Chairman Bowser's inquiry, Chairman Reckhow stated that the Operation Breakthrough Board of Trustee vacancy would be advertised in November.

Commissioner Heron directed that Clerk to the Board Garry Umstead indicate, on future cover sheets, the slot for which an applicant is applying.

Closed Session

Commissioner Cousin moved, seconded by Commissioner Heron, to adjourn to closed session to discuss matters relating to the location or expansion of business or industry pursuant to G.S. 143-318.11(a)(4) and to consider the performance of an individual public officer or employee pursuant to G.S. 143-318.11(a)(6).

The motion carried unanimously.

Reconvene to Open Session

Chairman Reckhow announced that direction was given to staff in the Closed Session; no action was taken.

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 10:30 p.m.

Respectfully Submitted,

Vonda C. Sessoms
Deputy Clerk to the Board