

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

Monday, April 22, 2002

7:00 P.M. Regular Session

MINUTES

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

Present: Chairman MaryAnn E. Black, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser, Philip R. Cousin Jr., and Becky M. Heron

Absent: None

Presider: Chairman Black

Opening of Regular Session

Chairman Black called the meeting to order with the Pledge of Allegiance.

Agenda Adjustments

Commissioner Heron thanked Tax Administrator Steve Crysel for the information he sent to the Commissioners relative to revaluation.

Vice-Chairman Reckhow requested that an item be added regarding the Citizens Advisory Committee.

Chairman Black said the item would be added prior to "Board Appointments—Durham County Hospital Corporation Board of Trustees."

Minutes

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the February 7, 2002 BOCC/DPS Board of Education Minutes and the March 14, 2002 BOCC/Legislative Delegation/The Durham Center Area Board Minutes as submitted and the March 25, 2002 Regular Session Minutes as corrected.

The motion carried unanimously.

Introduction of Interim Mental Health Director

Deputy County Manager Carolyn Titus introduced Ms. Ellen Holliman, the newly appointed Interim Area Director of The Durham Center.

Ms. Holliman's background includes over 30 years of experience in management, working with both public and nonprofit agencies as well as with the private sector. She has held positions with O'Berry Center, the Division of Mental Health, Developmental Disabilities and Substance Abuse Services as a Regional Manager of Developmental Disability Services; Area Director of the Davidson County Area Program; and more recently, serves as a human services consultant to area programs and private nonprofit programs statewide.

In January of this year, Ms. Holliman was appointed to the North Carolina Commission for Mental Health, Developmental Disabilities and Substance Abuse Services. The commission has two primary responsibilities: to establish rules for state agencies and community programs and to advise the Secretary of Health and Human Services on all state plans required by federal or state law.

Ms. Holliman holds a BS degree from Appalachian State University and has had additional course work and training in business management, personnel management, and program administration.

Ms. Holliman was appointed by the Area Board of Mental Health, Developmental Disabilities and Substance Abuse Services as of April 1, 2002 and will continue her interim appointment for one year.

Resource Person(s): Carolyn P. Titus, Deputy County Manager

County Manager's Recommendation: The Manager recommended that the Board welcome Ms. Ellen Holliman as Interim Area Director of The Durham Center.

Ms. Holliman expressed her gratitude for being allowed to work in Durham County with the Area Board, the staff, and the Board of County Commissioners. She told of the tremendous task ahead, especially with the system reform in the forefront.

Chairman Black said that Ms. Holliman had gotten off to a good start at the Area Mental Health Board meeting and was able to handle the issues at hand. She welcomed Ms. Holliman.

Introduction of New Animal Control Administrator and Animal Shelter Manager

Mike Turner, Director of General Services, introduced Ms. Cindy Bailey as the new Animal Control Administrator.

On March 18, 2002, Ms. Bailey was selected as the County's Animal Control Administrator. Ms. Bailey previously served the Animal Protection Society of Durham

Inc. as the Shelter Manager from 1990 until 1999 and as the Durham County Animal Control Administrator from October 1999 through October 2000 prior to leaving her position for family-related medical reasons. Ms. Bailey is a North Carolina State University graduate with a bachelor's degree in Animal Science. Also, she has received certification from the National Animal Control Training Academy and the National Cruelty Investigations School at the University of Missouri in Columbia, Missouri.

Ms. Bailey thanked the Commissioners and Mr. Turner for the opportunity to work for Durham County and informed the Commissioners of various issues she has been dealing with over the last four weeks.

Vice-Chairman Reckhow asked if Ms. Bailey had ideas about how to better serve citizens on the weekends.

Ms. Bailey responded that service hours have been lengthened Monday through Friday. Also, flexible hours are being considered for employees so to allow for some coverage on the weekends.

Patty Croom, President of the Animal Protection Society of Durham Inc., introduced Mr. Dean Edwards as the new Animal Shelter Manager.

On October 15, 2001, Mr. Edwards was appointed by the Animal Protection Society of Durham Inc. as the Animal Shelter Manager. Mr. Edwards has seven years prior experience with the Society for the Prevention of Cruelty to Animals (SPCA) in Lakeland, Florida. Five of those years, he served as a member of the Board of Directors and the remaining two years as the Executive Director for the Animal Shelter. Mr. Edwards also has three and one-half year's experience with the Animal Protection Society of Orange County, North Carolina as the Associate Director of the County's Animal Shelter. Mr. Edwards is a Manatee Community College graduate with an Associates degree in Business Administration and a graduate of the National Academy of Broadcasting in Washington, DC.

The County Animal Control Division and the Animal Shelter are located at 2117 E. Club Boulevard.

Mr. Edwards remarked that his appointment is a great opportunity provided by the Animal Protection Society, which truly cares about the animals. It is also a unique opportunity to have the chance to work with two professionals like Ms. Bailey and Mr. Turner. They will work together to provide the best service humanly possible to our citizens and to the animals. He thanked the Commissioners for their great support in the past; he looks forward to working with them in the future.

Resource Person(s): Michael Turner, Director of General Services, and President Patty Croom, Animal Protection Society of Durham Inc.

County Manager's Recommendation: The County Manager recommended that the Board welcome Cindy Bailey as the new Animal Control Administrator and Dean Edwards as the new Animal Shelter Manager.

Consent Agenda

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

- * (a) Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- (c) Final Offer to Purchase County Property (0 Kenmore Road) (approve the offer of \$4,600 submitted for 0 Kenmore Road by Ms. Hilda Tillman and prepare a non-warranty deed for the Chairman's signature. This action is consistent with the Board's policy of recovering the County's investment and returns the property to the tax rolls.);
- * (e) Approval of Construction Contract with Norina Electrical & Mechanical Co. for the Integration and Installation of a Fire Alarm System for the Carmichael Building (Project No. IFB 02-020) (authorize the execution of a contract with Norina Electrical & Mechanical Company in the amount of \$52,300 and authorize the County Manager to execute change orders, if necessary, not to exceed \$7,845); and
- (f) Disposal of Obsolete Personal Computers (approve the request and applaud the organizations involved for their efforts to save the County money while supporting the education of young people).

Consent Agenda 6(f). Disposal of Obsolete Personal Computers (approve the request and applaud the organizations involved for their efforts to save the County money while supporting the education of young people).

Vice-Chairman Reckhow asked whether Durham Public Schools expressed a lack of interest in the computers.

Information Technology Director Perry Dixon responded that he had contacted Nancy Hester, Chief Information Officer for Durham Public Schools. She told him that the schools could not support the computers because of their age.

Vice-Chairman Reckhow asked if any interest was shown in the schools' computer technology courses where computers are taken apart and put back together.

Mr. Dixon said he found no interest for this use of the computers.

Vice-Chairman Reckhow suggested that the item be approved with the understanding that Mr. Dixon make one more call to determine whether the computers could be used in the technology courses as opposed to the classrooms or labs.

Mr. Dixon agreed to make the call and also would call in the future when other computers become available.

Cheryl Lloyd, Cooperative Extension Director, added that the Cooperative Extension Service uses the computers for its 4-H and Youth Development programs to allow young people to take them apart and work on them. She would contact the schools and invite the technology students to participate in the boot camps.

Commissioner Heron recently visited the technology program at Riverside High School and saw the students taking computers apart and putting them back together. She thinks that the future plans for Hillside include implementing a technology program. She wants IT to make sure our schools can't use the computers.

Chairman Black asked what plan has been put in place to determine if community groups need some of these computers for students.

Ms. Lloyd explained that Cooperative Extension will provide opportunities to young people throughout the community through its summer programs. The summer camps and summer activities will be advertised in various ways. The intent of the program is to help the middle-school age group better understand what pieces are involved in the development of a computer. We recognize that the technology in the computers that we are using are not at a level that would provide new knowledge for students who are at a higher level, perhaps the high school students. Advertisements for the programs are carried out by sending notifications to all of the schools within the area, posting on the Cooperative Extension's Website, and advertising along with all the other summer activities.

Chairman Black asked that a local search be done when computers are declared obsolete.

The motion carried unanimously.

*Documents related to these items follow:

Consent Agenda 6(a). Property Tax Releases and Refunds (accept the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report).

Norina Electric & Mechanical Co. 201 N Greensboro St Carrboro, NC 27510 Tel: (919) 942-3777	20959-U	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$52,300
Security Solutions, Inc. 3224 Lake Woodard Dr. Raleigh, NC 27604 Tel: 800-948-5255	15299-SP-LV	No		Yes	Yes	Yes	Yes	Yes	\$77,840
Vaughan Electric, Inc. P O Box 11677 Durham, NC 27703 Tel: (919) 596-1327	14-U	Yes	Yes	No	Yes	Yes			\$73,333
Woods Electric, Inc. 831 South Eighth Street Mebane, NC 27302 Tel: (919) 563-6988	4511-U	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$87,750

Consent Agenda Items Removed for Discussion

Consent Agenda 6(b). Lease Agreement (706 Rigsbee Ave.) (authorize the execution of the Lease Agreement between Durham County and LifeSpan Inc.).

Commissioner Heron wanted to know if there is a reduction in the cost of the service contract.

Mr. Jack Ramsey from The Durham Center responded that the contract was negotiated from that assumption or on that basis.

George Quick, Finance Director, was called on to answer specifics about the lease.

Vice-Chairman Reckhow asked the appropriateness of obtaining a reasonable security deposit to protect the County's interest.

Commissioner Heron asked about parking facilities and wanted to know about the lease for parking to JOKE Inc. Is the lease and rent up-to-date?

Mr. Quick responded that the rent from JOKE Inc. is eight months in arrears and a letter has been sent informing them of immediate termination of the lease.

County Attorney Chuck Kitchen was instructed to include the requirement of a security deposit in future leases.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, that the Board approve the County entering into the lease in an amount that is determined and authorize the County Manager to sign the lease after a determination has been made on an appropriate security deposit amount.

The motion carried unanimously.

Consent Agenda 6(d). Ambulance Franchise Renewals (approve the franchise renewals as requested).

Chairman Black pulled this item to be excused from the voting (conflict of interest). She asked Vice-Chairman Reckhow to carry the motion through for her.

Commissioner Bowser moved, seconded by Commissioner Heron, to approve consent agenda item No. 6(b).

The motion carried with the following vote:

Ayes: Bowser, Cousin, Heron, and Reckhow
Noes: None
Excused: Black

Public Hearing—The NRP Group, LLC, Applicant (Rezoning Case P02-1)

The NRP Group, LLC requested to rezone 31.29 acres between Danube Lane and Cub Creek Road, south of Carver Street extension. PIN 0833-01-35-8770, 8690, 9511, 9431, 9361, 9282, 6604, 6524, 6454, 6375, 6296, 7115, 7046; 0833-14-34-7964, 7885, 8706, 8635, 8564, 9413, 9396, 0265, 8273; 0833-01-45-0102, 0033, 2047, 2125, 2216, 1385, 1464, 1544, 1624, 1704, 4276, 4196, 5007, 3855, 3775, 3696, 4526, 4436, 4556; 0833-14-44-0931, 0720, 1706, 2802, 2974, 4791, 3685, 2599, 1591, 2378, 3482, 4497, 5570, 6564 (Tax Map 738, Block 1, Lots 14-29; Block 3, Lots 1-21; Block 4, Lots 1-3, 6-14, and 39-44) Request: The proposal is in general conformance with the small area plan. Staff recommended denial. The Zoning Committee of the Durham Planning Commission conducted a public hearing on March 12, 2002 and voted 6-1 to recommend denial.

The public hearing for this request was advertised on April 5 and April 12, 2002 in the Durham Herald-Sun.

Resource Person(s): Sheila Stain-Ramp, Senior Planner, and Frank Duke, Planning Director

County Manager's Recommendation: The Manager's recommendation was that the Board hold the public hearing, receive public comment, and deny the rezoning, if appropriate, based on public comment. Staff recommended denial of this application due to access issues related to adjacent parcels. The Zoning Committee has recommended denial.

Vice-Chairman Reckhow asked that under "Development Characteristics," the required number of parking spaces and the provided number of spaces be shown as a standard so the Commissioners can see the comparison.

Commissioner Heron was concerned about the stormwater management and the runoff and how it is to be handled. She didn't see much reference in the staff report. This is a

major concern to the residents. The Board wants guarantees that the residents will not be impacted by this development.

County Manager Ruffin said that the County Engineer does not agree with the findings of the stormwater analysis and the engineer for the project is redoing that analysis.

County Attorney Chuck Kitchen said our County Engineering Department does have to approve stormwater calculations on all these plans.

Toby Dickens, 15300 Western Parkway, Cary, NC, representing a Cary engineering firm, had talked with a representative from the City and County's stormwater departments and was told that the stormwater plan was adequate.

Chairman Black expressed that she was disturbed by the word "adequate." There needs to be an assurance that the existing properties will be protected and not end up having to deal with the runoff from the proposed apartment complexes.

County Manager Ruffin said, for clarification, that the approving authority for this stormwater plan is the County, not the City and he had received no message from the County Engineer that he agrees with the stormwater analysis.

Chairman Black stated that she is not prepared to vote on this item. She asked the County Attorney whether she should hold the public hearing.

County Attorney Kitchen recommended that the public hearing be held and then continued until the next Regular Session. At the next meeting, the concerns of the Board can be answered.

Chairman Black opened the public hearing that was properly advertised.

The following citizens spoke in opposition to the rezoning case:

Dr. Lavonia I. Allison, 1315 Mclaurin Avenue, Durham, NC 27707

Mr. David Painter, 3707 Cub Creek Road, Durham, NC 27704

Jack Markham Jr., attorney for The NPR Group, LLC, addressed the various issues of concern that were raised by the Commissioners and citizens.

John Wood, architect, Cline Design Associates, addressed drainage, parking, and buffers.

Chairman Black referenced the following memorandum:

MEMORANDUM

TO: Members of the Board of County Commissioners

FROM: Annette G. Montgomery, Chair Development Review
Committee and Durham Open Space and Trails Commission

RE: P02-01/The Village of Eno Point

The Committee reviewed this request at its regular meeting January 16, 2002. Cub Creek is a designated greenway on our Master Plan.

We note the sidewalk system indicated within the plan along with pedestrian access to the designated open space. This amenity will be a benefit for the future residents.

Due to the very wet conditions in the floodplain of the Cub Creek, we may need to consider an alternative to the trail along the creek. We recommend that an acceptable alternative would be an 8' wide sidewalk along Carver Street Extension in lieu of the greenway trail.

Finally, we suggest an alternative project name. The Village of Cub Creek would be more appropriate as it is located just north while the Eno River is much further north from this location.

Respectfully submitted for DOST.

Chairman Black deferred any action and continued the public hearing for two weeks (until the May 13 Board meeting) so the issues of stormwater runoff, access, and the appropriateness of density can be addressed.

Public Hearing—Land Use Plan Amendments Calendar Year 2001

According to adopted procedures, coordination of land use plan amendments is required on an annual basis. The procedures require a public meeting before each governing body for the purpose of rectifying any differences between the adopted land use plans of the City and County. During calendar year 2001, the City Council approved three plan amendments for areas within the City's zoning jurisdiction while the Board of County Commissioners approved two plan amendments within the County's zoning jurisdiction; thus, coordination of the affected plans is necessary. As a result of pending litigation (since resolved), no amendments in the NC 54/I-40 Corridor Study Area are presented at this time.

The resolutions amending the future land maps of the East Central Durham and the Southwest Durham Plans were adopted by City Council on September 17, 2001 (13-0) and December 17, 2001 (6-0), respectively. Plan amendment procedures do not require

that Board adopt resolutions for an amendment; however, an affirmative vote by the Board to rectify differences between amended versions and adopted versions of the East Central Durham Plan and the Southwest Durham Plan is required.

Resource Person(s): Frank Duke, Planning Director and Dwight Yarborough, Senior Planner

County Manager's Recommendation: The Manager's recommendation was that the Board amend the future land use maps of the East Central Durham Plan and Southwest Durham. This action will not require any amendments to the 54/I-40 Corridor Study area.

Chairman Black opened the public hearing that was properly advertised.

Dr. Lavonia I. Allison, 1315 Mclaurin Avenue, Durham, NC 27707, expressed concern in situations where both the City and the County have to act. She desires that the coordination between the City and County be more effective.

As no one else asked to speak at the public hearing, Chairman Black closed the hearing and referred the item to the Commissioners for consideration.

Vice-Chairman Reckhow explained to Dr. Allison that the City and County established this procedure. The jurisdiction with authority would approve the amendment and then it would be brought back on a regular basis before the other body for the reconciliation.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to amend the future land use maps of the East Central Durham Plan and Southwest Durham Plan.

The motion carried unanimously.

Public Hearing—Land Use Plan Amendment #A01-18 (North Durham Plan)

In the adopted Plan, the future land use designation for the area on the north side of Hebron Road between Denfield Street and the existing residential subdivision along West Avenue is high density residential. Modification of the North Durham Plan to indicate medium density residential uses on the subject site affords an opportunity to establish a land use pattern that is more compatible with existing and planned residential development in the area. While the modification reduces the amount of land designated for high-density uses, a better arrangement of uses in the general area is achieved. Additionally, the modification affords flexibility in design to produce integrated developments while lessening the demands on traffic arteries.

The proposed amendment to designate the subject site for medium density residential uses is supported by the goals of the North Durham Plan and the 2020 Plan. The relationship of the subject site to existing and planned residential development supports

the potential for medium density residential development. The Planning Department recommends approval of the proposed amendment. The Planning Commission reviewed the proposed amendment and recommended approval (11-0) at its meeting on January 23, 2002.

Resource Person(s): Frank Duke, Planning Director, and Dwight Yarborough, Senior Planner

County Manager's Recommendation: The Manager's recommendation was that the Board amend the North Durham Plan FLUM to designate the area on the north side of Hebron Road between Denfield Street and West Avenue for medium density residential uses.

Chairman Black, Vice-Chairman Reckhow, and Commissioner Heron were concerned about the number of apartments being built in this community and in the entire county. They requested that Planning staff look at high density and medium density areas during a review of the comprehensive plan.

Chairman Black opened the public hearing that was properly advertised.

Dr. Lavonia I. Allison, 1315 McLaurin Ave., Durham, NC 27707 asked the Commissioners to review this plan and asked that the Board reduce the density to R-20.

The following citizens opposed the proposed development and expressed concern about stormwater runoff:

Mr. Rueben Reddrick, 701 Felicia Street, Durham, 27704

Ms. Lillie Izi, 702 Felicia Street, Durham, 27704

Mr. James A. Covington Sr., 715 Felicia Street, Durham, 27704

Tony Tate, 1912 E. NC Hwy. 54, Durham, 27707, representing Crossman Communities of NC, stated that a "sister" rezoning case (PDR) on this piece of property would be brought before the Board in two weeks. As a requirement in submitting this plan, the developers were required to request a change in the small area plan. The request is to change the density from high to medium.

As no one else asked to speak at the public hearing, Chairman Black closed the hearing and referred the item to the Commissioners for consideration.

Chairman Black directed County Manager Ruffin to get someone to look at the sinking water and sewer lines on Felicia Street.

Vice-Chairman Reckhow asked Mr. Duke why a plan amendment is required to change from high to medium density if the number of proposed homes is below the maximum.

Mr. Duke responded that the way the plan is set up, each residential district has a range. If a proposed development is consistent with that range, then a plan amendment is not needed. If a proposed development has a rezoning outside of that range (either lower or upper), a plan amendment is required.

Vice-Chairman Reckhow questioned the current high-density zoning. Going to medium density makes a lot of sense. She felt that a policy guideline is in order to allow a developer to go to a lower rezoning level without all of this processing of the request.

Chairman Black asked Mr. Duke how many applicants are trying to put apartments in this particular area.

Mr. Duke did not know the answer.

Vice-Chairman Reckhow asked for a transportation analysis whereby the Board could see whether there is capacity to deal with the traffic generated from all this medium density if the Northern Durham Parkway isn't built.

Mr. Duke stated that this is one of the issues to be looked at in the comprehensive plan.

The Commissioners discussed the rezoning referred to by Mr. Tate that was to come before the Board in two weeks.

Vice-Chairman Reckhow asked if Planning could look at the cumulative impact of the three large new projects (one approved and two coming before the Board) to see whether the road system in that area, including Roxboro Road, could handle this traffic if a new thoroughfare isn't built.

Mr. Duke responded that transportation planning is not within the Planning Department, but he will see what he can do to honor the request.

Commissioner Heron said that the schools capacity must be considered also.

Commissioner Cousin concurred with the comments made by Vice-Chairman Reckhow and Commissioner Heron.

Commissioner Bowser asked Planning staff about the notification process for area residents before a new plan is brought forward.

Mr. Dwight Yarborough responded to Commissioner Bowser's question.

Also, Mr. Tate responded that he had held a meeting with area residents in a church and had explained the plan.

The Commissioners concurred that they would like to see this move from high density to low density.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the land use plan amendment.

Chairman Black wanted to clarify that this is only a change in the land use plan to move the area from high density to medium density.

Commissioner Cousin wanted to be clear that in moving this plan amendment, the Commissioners are moving in the right direction. This decision tonight in no way impacts any future decision the Board makes on allowing or not allowing developers to come in with apartment complexes in this area.

The motion carried unanimously.

Major Site Plan Approval—AW North Carolina—4112 Old Oxford Highway

To approve a Major Site Plan for a building and parking expansion to an existing manufacturing facility located in the F/J-A Watershed District.

Arcadis G&M and Shimizu America Corporation, on behalf of AW North Carolina, is proposing building additions with related parking to an existing light manufacturing facility at the intersection of Old Oxford Highway and Teknika Parkway. The building expansions consist of a 9,800-square-foot addition to the cafeteria on the south side of the building and a 435,344-square-foot assembly factory expansion on the east side of the existing structure. The plan also includes parking lot expansions from the existing 268 spaces to a total of 640 spaces, which exceeds the minimum requirement of 569 parking spaces for this use. These expansions will result in a total impervious surface coverage of 24.8 percent.

As required under Sec. 5.5.5(1) of the Durham Zoning Ordinance, consideration of this site plan has been advertised in the Durham Herald-Sun.

Resource Person(s): Dennis Doty, Planner, and Steve Medlin, Planning Supervisor

County Manager's Recommendation: The Manager's recommendation was that the Board approve this site plan.

Mr. Doty presented this agenda item.

Vice-Chairman Reckhow requested that in the future the number of required and proposed parking spaces be placed under "Table of Requirements."

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the site plan.

The motion carried unanimously.

Interlocal Agreement Regarding the Membership of the Durham Tourism Development Authority

In December 2001, the General Assembly enacted Chapter 480 of the Session Laws of North Carolina which consolidated Durham County's room occupancy tax provisions, authorized a 1% increase of the tax, and created the Durham Tourism Development Authority (hereinafter "Authority"), a public authority under the Local Government Budget and Fiscal Control Act. Pursuant to Chapter 480 of the Session Laws, from March 1, 2002, through June 30, 2004, the Board of Directors of the Authority will be the members of the Durham Convention and Visitors Bureau Board of Directors and the Durham Convention and Visitors Bureau Advisory Board. Beginning July 1, 2004, membership of the Authority will be as specified by this Interlocal Agreement. Further, Chapter 480 of the Session Laws mandates that this Interlocal Agreement be entered into by May 1, 2002. The parties may amend this agreement at any time.

Board approval was requested in order to comply with Chapter 480 of the Session Laws of North Carolina.

Resource Person(s): Carol S. Wolff, Assistant County Attorney

County Manager's Recommendation: Approve the Interlocal Agreement between Durham County and the City of Durham regarding the Membership of the Durham Tourism Development Authority.

Vice-Chairman Reckhow asked whether any consideration had been given to requesting that the authority present an annual report to the two governing bodies which focuses primarily on how it is spending the money received through this tax revenue.

County Attorney Chuck Kitchen suggested adopting this tonight and amending it later because of the timeline involved.

Commissioner Heron moved, seconded by
Commissioner Bowser, to approve the interlocal
agreement.

The motion carried unanimously.

Citizens Advisory Committee

Chairman Black said that the Board must submit two or three names to the Duke Health Care System so it can appoint from those names the person to serve on the board. The names that go forward must be names of people already sitting on the regional board. She recommended Dr. Arnett Coleman (one of the community doctors), Mary Elkins, and Dr. Dwight Perry.

Chairman Black asked Garry Umstead, Clerk to the Board, to send a letter to Ms. Mary Kritsch with those three names.

Vice-Chairman Reckhow asked that Garry Umstead contact the Raleigh News and Observer to determine whether our open board and commission positions could be placed under “Volunteer Opportunities.” If not, we do need to consider running a very small ad in the News and Observer.

Vice-Chairman Reckhow then referenced the advertisement for the Citizens Advisory Committee. In talking with the Manager today, she learned that the interlocal agreement with the City does not specify how many positions we have and any other guidelines related to it. But the group, without any County representation, established by-laws that specify that the three County appointees must live outside the City limits but within the County. Ads have run in the past and we have received no applications. It might be helpful to have one of our administrators serve on the committee as the Board’s representative. She suggested that the Board request that the by-laws be amended to allow us to appoint anyone who lives within the county. That would give us more latitude in our appointments and hopefully we would be able to fill these three slots. We could try to target some people outside the City limits but be open to the idea that we might have one or two people who might live within the City limits.

Commissioner Heron wanted to concentrate first on people outside the City limits but does not mind having the flexibility.

Chairman Black recommended that the by-laws be changed to say that the appointments could be made within the city or county but preferably outside of the City limits.

County Attorney Chuck Kitchen stated he would look at it this but feels that the Board can appoint whomever it chooses.

Vice-Chairman Reckhow asked if the advertisement in the Herald-Sun and Carolina Times for Citizen Advisory Committee members could read, “All County appointees must live within the county” (delete “outside the City limits”).

County Attorney Kitchen replied in the affirmative.

Board Appointments—Durham County Hospital Corporation Board of Trustees

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots to make appointments to the Durham County Hospital Corporation Board of Trustees.

Resource Person(s): Garry E. Umstead

The vote follows (asterisks indicate appointees):

Durham County Hospital Corporation Board of Trustees

Five expired terms (will expire August 31, 2002). The new terms will begin on September 1, 2002 and expire August 31, 2005. One unexpired term (will expire August 31, 2004).

Representative from the Duke University Health System:

*Dr. Steve Schwab—Black, Bowser, Cousin, Heron, and Reckhow (recommended by DCHC Board of Trustees)

Dr. Carl Ravin—no votes

Representatives from Lincoln Community Health Center:

*Joyce C. Nichols—Black, Bowser, Cousin, Heron, and Reckhow (incumbent recommended by the DCHC Board of Trustees)

Delores W. Clement—no votes

Representatives from the Durham Regional Hospital medical staff:

*Dr. Arnett Coleman—Black, Bowser, Cousin, Heron, and Reckhow (incumbent recommended by the DCHC Board of Trustees)

Dr. Robert Buchanan—no votes

*Dr. Walter E. Davis—Black, Bowser, Cousin, Heron, and Reckhow (incumbent recommended by the DCHC Board of Trustees)

Representatives for the DCHC community seats:

Barbara Best-Nichols—no votes

*Charles F. Chapman—Black, Bowser, Cousin, Heron, and Reckhow

Harold R. Silberman, MD—no votes

Anthony J. Verucchia—no votes

Nathaniel Butler—no votes (recommended by the DCHC Board of Trustees)

Randolph S. Voller—no votes

*Exter G. Gilmore Jr.—Black, Bowser, Cousin, Heron, and Reckhow (recommended by the DCHC Board of Trustees)

Adjournment

Chairman Black adjourned the meeting at approximately 9:30 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board