

August 10, 1998

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

Monday, August 10, 1998

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 and Commissioners William V. Bell (arrived late), Joe W. Bowser, Becky M. Heron, and Ellen W. Reckhow

Absent: None

Presider: Chairman Black

Opening of Regular Session

Chairman Black called the Regular Session to order with the Pledge of Allegiance.

Agenda Adjustments

Commissioner Heron requested an item be added for discussion with agenda item No. 4(a), "Resolution Supporting Changes in Airline Greeting/Reference Terminology at RDIA."

Minutes

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the following Minutes of the Board as submitted:

- a. June 1, 1998 Worksession
- b. June 8, 1998 Regular Session
- c. June 11, 1998 Budget Public Hearing
- d. June 15, 1998 Budget Worksession
- e. June 17, 1998 Budget Worksession
- f. July 6, 1998 Closed Session

The motion carried unanimously.

Resolution Honoring 100-Year-Old Citizen—Mrs. Jessie D. Lyons

A resolution honoring centenarian Mrs. Jessie D. Lyons was prepared by staff. Mrs. Lyons was recently recognized by family and friends at a community event in celebration of her 100th birthday.

Chairman Black asked Ms. Florentine Carter, daughter of Mrs. Lyons, to make remarks about her mother.

The following resolution was read into the record by Chairman Black:

RESOLUTION

WHEREAS, Mrs. Jessie D. Lyons was born July 10, 1898 in Sanford, North Carolina, and came to Durham at an early age and married her husband Colis Lyons; and

WHEREAS, she spent more than 30 years working at Lincoln Hospital before her retirement; and

WHEREAS, Mrs. Lyons has been faithful in the religious community as demonstrated by her membership at Mt. Vernon Baptist Church for more than 75 years, where she continues to be an active member of the Pastor's Aid, Floral Club, the Chapel Choir, the Senior Citizens Club, and the Missionary Department; and

WHEREAS, she is known throughout her neighborhood and church as a friend who visits the sick, makes beautiful quilts, and always has an inspirational word to share with others; and

WHEREAS, Mrs. Lyons attributes her longevity to putting her faith "in God, rather than in man" and urges everyone to "live right:"

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

MRS. JESSIE D. LYONS

for reaching the tender age of 100, for her vital spirit, and for her continuing efforts to make her community a better place in which to live. Mrs. Lyons is an inspiration to all who have had the pleasure of knowing her. We convey our sincere wishes for her to celebrate many, many more birthdays.

This the 10th day of August, 1998.

/s/ Five Commissioners
Durham County Commissioners

Chairman Black presented the resolution to Mrs. Lyons.

The Commissioners made remarks about Mrs. Lyons.

Resolution Supporting Changes in Airline Greeting/Reference Terminology at RDIA

A resolution supporting changes in airline greeting/reference terminology at Raleigh-Durham International Airport has been prepared by staff. This is in response to a request from Mr. Reyn Bowman, President of the Durham Convention and Visitors Bureau. His request speaks to the "short-handing" references that airlines and airline crews use in saying "Raleigh," while failing to acknowledge the "Durham" area entirely, even though both cities are served by the airport.

Chairman Black read the following resolution into the official record:

RESOLUTION

WHEREAS, fifty percent of the arrivals at Raleigh-Durham International Airport are visitors; and

WHEREAS, there continues to be great concern among Durham officials that airlines and employees use "short-handing" references to the area such as "Welcome to Raleigh;" and

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WHEREAS, community identity is as important to residents as corporate identity is to companies, airlines included; and

WHEREAS, three-fourths of residents in the Triangle region characterize where they live by the name of a specific and distinct city:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby support efforts to encourage airlines and employees to use references which are more complete when referring to arrivals and departures at Raleigh-Durham International Airport. We support all efforts to implement the alternative references noted in correspondence to Airport Director John C. Brantley. We further urge the airlines and employees to adopt the more complete alternative references at all times.

This the 10th day of August, 1998.

/s/ Five Commissioners
Durham County Commissioners

Commissioner Heron spoke about correspondence the Commissioners received relative to the Airport Authority discontinuing the CNN Network Program effective August 31, 1998. CNN wishes to continue the service and will include information about Raleigh and Durham at no additional cost.

Commissioner Heron felt that the Board should ask the Airport Authority to reconsider its decision to discontinue this service as of August 31, 1998.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, that the Chairman send a cover letter asking the Airport Authority to reconsider this action and move forward with CNN's offer to market and promote the region and destinations within the region. The resolution and letter should be sent to John Brantley, Airport Director, and all Airport Authority members.

The motion carried unanimously.

NACo Achievement Award Recognition for "ServSafe," Serving Safe Food—Employee Training

Suzette Goldmon, Durham County Cooperative Extension Service Center; Marc Meyer, Durham County Environmental Health Specialist; and respective staffs were recognized for cooperative efforts which led to a "1998 Achievement Award" from the National Association of Counties (NACo) for "ServSafe," a national certification course for food service operators.

The program was recognized at the Annual Conference held in Multnomah County, Oregon, and will be listed among other winning entries on NACo's Internet home page as well.

Ms. Goldmon and Mr. Meyer made remarks about the program.

Chairman Black presented the Achievement Award to Ms. Goldmon and Mr. Meyer.

The award read:

*National Association of Counties
Achievement Award Winner*

NACo Achievement '98 Award

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*This Award is presented to
Durham County, North Carolina
for
its program
Serving Safe Food - Employee Training
in recognition of an innovative program
which contributes to and enhances county government in
the United States.*

/s/ Randy Johnson
President

/s/ Larry Naake
Executive Director

Commissioner Heron asked if the “ServSafe” certification course could be taught to County employees through the First-Aid course.

Chuck Kitchen, County Safety Chairman, said the committee will discuss the proposal and bring it back to the Commissioners for consideration.

Consent Agenda

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

- * (a) Property tax release and refund report (adopt the property tax release and refund report as presented and authorize the Tax Administrator to adjust the tax records as outlined by the report);
- * (b) Order of Tax Collection for 1998 taxes (adopt the Order of Tax Collection for 1998 property taxes and charge the Tax Administrator, Charles A. Clark, with the responsibility);
- * (c) Receive and approve the 1997 Tax Settlement Report and authorize the relieving of taxes that are more than ten years past due and motor vehicle taxes that are more than two years past due);
- * (d) Resolution Not to Collect Minimal Taxes (adopt resolution directing the Tax Administration not to collect minimal taxes in the amount of less than \$4.00);
- (e) Appointments—Durham and Wake Counties Research and Production District (appoint the following:
 - Nancy Schwarm 7-1-98 to 6/30/2001
 - Robb D. Teer Jr. 7-1-98 to 6/30/2001
 - Ray Gunner 7-1-98 to 6/30/2001
 - Joe Griscti 7-1-98 to 6/30/2001);
- (f) City-County Tax Collection Agreement (approve the agreement);
- (g) Interlocal Agreement for the Countywide Geographic Information Systems Administration (approve the interlocal agreement);
- * (h) Street annexation petition—High Fox Drive (Ferrell Heights) (adopt a resolution to approve the addition of High Fox Drive [Ferrell Heights subdivision] to the state’s road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation);
- * (i) Street closing—Gorman Church Road (SC98-3) (set a public hearing for August 24, 1998 to consider permanently closing 72,005± square feet of Gorman Church Road);
- * (j) Resolution—Nello Leguy Teer (approve the resolution);
- * (k) Cooperative Extension Service/Treyburn LLC Grant Resolution (approve resolution);
- * (l) Public Health—budget amendment to recognize grant revenue for the Tuberculosis Screening Program (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000002 in the amount of \$10,300);

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- * (m) Public Health—budget amendment to recognize grant revenue for the Summer Food Service Program for Children (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000003 for \$2,142);
- * (n) Public Health—budget amendment to recognize grant revenue for the Infant Mortality Prevention Program in health education (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000004 in the amount of \$25,000);
- * (o) Coordinated Transportation—approval of funds for Transportation Services for Elderly and Disabled Residents (EDTAP grant funds) (approve the appropriation of grant funds for Coordinated Transportation [99BCC000005] and authorize the County Manager to increase the current purchase order of \$51,628 to \$84,433. Also approve the Board Chairman and County Manager to sign the certified statement agreeing to the conditions of the grant); and
- (p) Request to set a public hearing for the consideration of allocating Economic Development investment funds to Tivoli, a subsidiary of the IBM Corporation (set the public hearing for Monday, August 24, 1998 at 7:00 p.m.).

The motion carried unanimously.

*The documents related to these items follow:

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

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the reports detail releases and refunds for the month of May and June 1998.

For current FY 97-98, May releases and refunds amounted to \$1,520.51 in taxes for real property, \$4,744.26 in taxes for personal property, \$42,829.56 in taxes for registered motor vehicles, \$810.00 in City vehicle fees, and \$45.00 in solid waste fees to be relieved.

For FY 98-99, releases and refunds amounted to \$90,845.45 in taxes for personal property, \$4,213.72 in taxes for registered motor vehicles, and \$35.00 in City vehicle fees during May.

For prior years, releases and refunds amounted to \$142,962.35 in May.

The June releases and refunds for FY 97-98 amounted to \$5,485.62 in taxes for real property, \$10,331.81 in taxes for personal property, \$21,181.19 in taxes for registered motor vehicles, \$305.00 in City vehicle fees, and \$45.00 in solid waste fees. FY 98-99 releases and refunds, in June, amounted to \$19,563.16 in taxes for real property, \$3,752.82 in personal property taxes, \$15,273.06 in registered motor vehicle taxes, \$265.00 in City vehicle fees, and \$45.00 in solid waste fees. For prior years, releases and refunds amounted to \$40,428.44 in June.

(Recorded in Appendix A in the Permanent Supplement of the August 10, 1998 Minutes of the Board.)

Consent Agenda 6(b). Order of Tax Collection for 1998 taxes (adopt the Order of Tax Collection for 1998 property taxes and charge the Tax Administrator, Charles A. Clark, with the responsibility).

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STATE OF NORTH CAROLINA
DURHAM COUNTY

ORDER OF TAX COLLECTION

TO: Charles A. Clark
Tax Administrator of the County of Durham

You are hereby authorized, empowered, and commanded to collect taxes set forth in the tax records filed in the Office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Durham, and this Order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

You are further authorized to call upon the Sheriff to levy and sell for you.

Witness my hand and official seal, this the 11th day of August, 1998.

/s/ MaryAnn E. Black, Chairman
Board of Commissioners of
Durham County

Attest:

/s/ Garry E. Umstead, Clerk
Board of Commissioners of Durham County

Consent Agenda 6(c). Receive and approve the 1997 Tax Settlement Report and authorize the relieving of taxes that are more than ten years past due and motor vehicle taxes that are more than two years past due).

Property Tax Settlement Report
As of June 30, 1997
(unaudited)

	1997 Real & Personal Taxes	1997 Vehicle Taxes	Total 1997 Taxes
<u>County</u>			
Taxes Due	\$108,725,432.21	\$11,546,835.55	\$120,272,267.76
Less: Discounts	483,476.29		483,476.29
Collections	106,675,674.19	9,542,889.58	116,218,563.77
Non-Collectibles	47,298.74	11,151.65	58,450.39
Bills Less than \$4		5,229.46	5,229.46
Taxes Outstanding	\$ 1,518,982.99	\$ 1,987,564.86	\$ 3,506,547.85
Percent Collected	98.60%	82.79%	97.09%
<u>City of Durham</u>			
Taxes Due	\$ 50,071,525.64	\$ 6,509,289.85	\$ 56,580,815.49
Less: Discounts	239,070.91		239,070.91
Collections	48,951,031.39	5,198,185.74	54,149,217.13
Non-Collectibles	26,435.55	7,295.67	33,731.22
Bills Less than \$4		1,182.58	1,182.58
Taxes Outstanding	\$ 854,987.79	1,302,625.86	\$ 2,157,613.65
Percent Collected	98.29%	79.99%	96.19%

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Town of Chapel Hill

Taxes Due	\$	634,813.50	85,177.49	719,990.99
Less: Discounts		3,927.72		3,927.72
Collections		628,565.39	77,987.05	706,552.44
Non-Collectibles				
Bills Less than \$4			8.65	8.65
Taxes Outstanding	\$	2,320.39	7,181.79	\$ 9,502.18
Percent Collected		99.63%	91.57%	98.68%

*Non-Collectibles—Bankruptcy Accounts

Consent Agenda 6(d). Resolution Not to Collect Minimal Taxes (adopt resolution directing the Tax Administration not to collect minimal taxes in the amount of less than \$4.00).

RESOLUTION NOT TO COLLECT MINIMAL TAXES

WHEREAS, the Board of County Commissioners is authorized by North Carolina General Statutes Section 105-321(f) to direct the Tax Administrator not to collect minimal taxes and fees up to five dollars (\$5.00); and

WHEREAS, the amount set by the Board of County Commissioners for minimal collection should be the estimated cost to the taxing unit of billing the taxpayer for the amounts due on a tax receipt or tax notice; and

WHEREAS, the Tax Administrators Office has determined the estimated cost of billing the taxpayer to be four dollars (\$4.00):

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for the County of Durham does hereby direct the Tax Administrator not to collect taxes and fees in the amount of less than four dollars (\$4.00) and to make a report of the amount of these taxes to Board of County Commissioners at the time of settlement. This resolution shall take effect on August 10, 1998 and shall be effective until amended or repealed by resolution.

By motion properly made and seconded, adopted this the 10th day of August, 1998.

/s/ Garry E. Umstead
Clerk to the Board

Consent Agenda 6(h). Street annexation petition—High Fox Drive (Ferrell Heights) (adopt a resolution to approve the addition of High Fox Drive [Ferrell Heights subdivision] to the state’s road maintenance system subject to the certification of eligibility by the appropriate officials of the North Carolina Department of Transportation).

The resolution follows:

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
REQUEST FOR ADDITION OF STATE MAINTAINED
SECONDARY ROAD SYSTEM

North Carolina
County of Durham
Road Description: High Fox Drive (Ferrell Heights)

WHEREAS, the attached petition has been filed with the Durham Board of County Commissioners requesting that the above described road, the location of which has been indicated in red on the attached map,* be added to the secondary road system; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the secondary road system, if the road meets minimum

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standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system:

NOW, THEREFORE, BE IT RESOLVED by the Durham Board of County Commissioners that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Durham Board of County Commissioners at a meeting on the 10th day of August, 1998.

Witness my hand and official seal this the 11th day of August, 1998.

/s/ Garry E. Umstead
Clerk, Board of Commissioners
County of Durham

*In the office of the Clerk to the Board.

Consent Agenda 6(i). Street closing—Gorman Church Road (SC98-3) (set a public hearing for August 24, 1998 to consider permanently closing 72,005± square feet of Gorman Church Road).

RESOLUTION DECLARING THE INTENT OF THE BOARD OF COUNTY
COMMISSIONERS OF THE COUNTY OF DURHAM TO CONSIDER
PERMANENTLY CLOSING
72,005 Square Feet of Gorman Church Road

WHEREAS, the Clerk to the Board of County Commissioners of the County of Durham has received a petition to close 72,005± square feet of Gorman Church Road:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Durham that:

1. The Board of County Commissioners proposes to consider permanently closing 72,005± square feet of Gorman Church Road, west from Red Mill Road 1,195± linear feet.
2. A public hearing is hereby called on the question of permanently closing the street named in Paragraph 1 above. Said public hearing shall be on the 24th day of August, 1998, at 7:00 p.m. in the Board of County Commissioners' Chambers, Durham, North Carolina.
3. The City-County Planning Department shall notify all owners of property adjoining the street named in Paragraph 1 above as their interests may appear on the County Tax Records.
4. Notice of the closing and public hearing shall be prominently posted in at least two places along the street named in Paragraph 1 above.
5. Any person may be heard at the public hearing on the question of whether or not the proposed closing would be detrimental to the public interest or to the property rights of any individual.
6. If it appears to the satisfaction of the Board of County Commissioners after said public hearing that the closing of all of said street is not contrary to the public interest, and that no property owner would thereby be deprived of reasonable means of ingress and egress to his property, the Board of County Commissioners may adopt an Order permanently closing the street named in Paragraph 1 above.
7. BE IT FURTHER RESOLVED that notice of such hearing shall be published in the Durham Herald once a week for two successive weeks, the first publication to be not less than ten days nor more than 25 days before the date fixed for the hearing.

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This the 10th day of August, 1998.

Consent Agenda 6(j). Resolution—Nello Leguy Teer (approve the resolution).

The resolution follows:

RESOLUTION

WHEREAS, Nello Leguy Teer was born in Durham County on August 24, 1888; and

WHEREAS, while a young boy, he lost his hand in an accident, but was able to turn that tragedy into triumph because of his strong desire to succeed; and

WHEREAS, he established the Nello L. Teer Company in 1909 with a few mules and a few men, and his first job was clearing land for some of the buildings on what is now known as Duke University's east campus; and

WHEREAS, from that small beginning and armed with a good reputation, the Nello L. Teer Company landed large construction projects around the world, built thousands of miles of roads, including over 5,000 miles of roads in North Carolina, South Carolina, and Virginia; and

WHEREAS, Nello L. Teer's company set up sprawling military bases around the world including four Strategic Air Command bases in North Africa; and

WHEREAS, the Teer Company also built sections of the Blue Ridge Parkway and played a major role in the development of Research Triangle Park:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby request that the Board of Transportation of the State of North Carolina does hereby consider naming Roxboro Road (Highway 501) North of I-85 in honor of

NELLO LEGUY TEER

in recognition of his invaluable contributions spanning more than 50 years as founder and chief of the internationally-known Nello L. Teer Company.

This the 10th day of August, 1998.

/s/ Five Commissioners

Durham County Board of Commissioners

Consent Agenda 6(k). Cooperative Extension Service/Treyburn LLC Grant Resolution (approve resolution).

RESOLUTION SUPPORTING LITTLE RIVER STREAMBANK
RESTORATION PROJECT

WHEREAS, the Durham County Board of Commissioners (hereinafter the County) desires to protect environmental quality and has taken measures to protect Falls Lake water quality, we hereby desire to serve as sponsor for the Durham County Streambank Stabilization Project for the Little River on Treyburn Limited Liability Company property downstream of the Little River Reservoir. The existing streambanks are experiencing accelerated erosion that is contributing sediment to the Little River. Any sediment deposited in the Little River at this location likely ends up in Falls Lake, which is located three miles downstream. Treyburn LLC along with assistance from the N.C. Cooperative Extension Service, Hazen and Sawyer, and Durham County is proposing to restabilize the eroding streambanks using bioremediation techniques. The completed project will protect adjacent property owned by Treyburn LLC and reduce sedimentation of Little River and

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Falls Lake. The site will be used by the North Carolina Cooperative Extension Service as a demonstration site for bioremediation techniques:

NOW, THEREFORE, BE IT RESOLVED that:

1. The County requests the State of North Carolina to provide financial assistance to Durham County for the Durham County Streambank Stabilization Project in the amount of \$35,267 or 66 percent of construction cost, whichever is the lesser amount;
2. The County will disburse grant funds to project contractors after inspecting the work to ensure it meets all quality standards. Treyburn LLC will pay for 33 percent of the project plus work that it provides in-kind;
3. The County has obtained all necessary State and Federal permits;
4. The County through its Sedimentation and Erosion Control Division will oversee construction of the project to assure compliance with permit conditions;
5. The County through the N.C. Cooperative Extension Service will use the project for teaching and demonstration purposes; and
6. The County will hold the State harmless from any damages that may result from the construction, operation, and maintenance of the project.

Adopted by the Durham County Board of County Commissioners this 10th day of August, 1998.

/s/ Garry E. Umstead
Clerk to the Board

/s/ MaryAnn E. Black, Chairman
Board of County Commissioners

Consent Agenda 6(l). Public Health—budget amendment to recognize grant revenue for the Tuberculosis Screening Program (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000002 in the amount of \$10,300).

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1998-99 Budget Ordinance
Amendment No. 99BCC000002

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,423,609	\$10,300		\$175,433,909
<u>Expenditures</u>				
Human Services	\$208,382,052	\$10,300		\$208,392,352

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

This the 10th day of August, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(m). Public Health—budget amendment to recognize grant revenue for the Summer Food Service Program for Children (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000003 for \$2,142).

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The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1998-99 Budget Ordinance
Amendment No. 99BCC000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,433,909	\$2,142		\$175,436,051
<u>Expenditures</u>				
Human Services	\$208,392,352	\$2,142		\$208,394,494

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

This the 10th day of August, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(n). Public Health—budget amendment to recognize grant revenue for the Infant Mortality Prevention Program in health education (approve FY 1998-99 Budget Ordinance Amendment No. 99BCC000004 in the amount of \$25,000).

DURHAM COUNTY, NORTH CAROLINA
FY 1998-99 Budget Ordinance
Amendment No. 99BCC000004

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for the Public Health Department.

GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,436,051	\$25,000		\$175,461,051
<u>Expenditures</u>				
Human Services	\$208,394,494	\$25,000		\$208,419,494

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

This the 10th day of August, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Consent Agenda 6(o). Coordinated Transportation—approval of funds for Transportation Services for Elderly and Disabled Residents (EDTAP grant funds) (approve the appropriation of grant funds for Coordinated Transportation [99BCC000005] and authorize the County Manager to increase the current purchase order of \$51,628 to

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\$84,433. Also approve the Board Chairman and County Manager to sign the certified statement agreeing to the conditions of the grant).

The resolution follows:

State of North Carolina, County of Durham

Appendix B
Certified Statement
FY 1998-99

Pursuant to G.S. 136-44.27, the North Carolina Elderly and Disabled Transportation Assistance Program, this is to certify that the undersigned is the duly elected, qualified, and acting chairperson of the Board of County Commissioners of the County of Durham, North Carolina, and that the following statements are true and correct:

1. That the funds received pursuant to G.S. 136-44.27 will be used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to the receipt of these funds.
2. That the funds received pursuant to G.S. 136-44.27 will not be used to supplant existing Federal, State, or local funds designated to provide elderly and disabled transportation services in the county.
3. That the funds received pursuant to G.S. 136-44.27 will be used in a manner consistent with the local Transportation Development Plan and application approved by the NC Department of Transportation and the Board of Commissioners.
4. That any interest earned on these funds will be expended in accordance with G.S. 136-44.27.
5. That the funds received pursuant to G.S. 136-44.27 will not be used toward the purchase of capital equipment.

WITNESS my hand and official seal, this 10th day of August, 1998.

ATTEST: <u>/s/ Garry E. Umstead, Clerk</u>	<u>/s/ MaryAnn E. Black, Chairman</u>
Durham County Board of Commissioners	Board of County Commissioners

State of North Carolina	<u>/s/ David F. Thompson</u>
County of Durham	County Manager

Subscribed and sworn to me this 10th day of August, 1998.

(SEAL)	<u>/s/ Susan B. Page</u>
	Notary Public*

My commission expires 12-20-2000.	Durham County Government Complex
	200 E. Main Street
	Durham, NC 27701

*Note that the signatures on this statement should be those of four (4) separate individuals.

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 1998-99 Budget Ordinance
Amendment No. 99BCC000005

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 1998-99 Budget Ordinance is hereby amended to reflect budget adjustments for Coordinated Transportation.

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GENERAL FUND

	<u>Current Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Revised Budget</u>
<u>Revenues</u>				
Intergovernmental	\$175,461,051	\$32,805		\$175,493,856
<u>Expenditures</u>				
Human Services	\$208,419,494	\$32,805		\$208,452,299

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

This the 10th day of August, 1998.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Public Hearing--Ronnie Cox (Rezoning Case P98-27)

Ronnie Cox presented to the Board of County Commissioners a request to rezone 3 acres on the north side of Chin Page Road, TM 582-1-7A and 7E. Request: RD (Rural District) to I-2 (Light Industrial). The 2020 Community Growth Map indicates the site as Suburban Neighborhood and as adjacent to, but outside two Regional Corridor Study Areas. Triangle Township Small Area Plan Future Land Use Map supports industrial/business park zoning and uses for this site and the whole of the Chin Page Road area. The request is in conformance with the adopted Triangle Township Small Area Plan and the 2020. Staff recommended approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on June 9, 1998, and voted 7-0 to recommend approval.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, was present to answer any questions of staff regarding the request.

Commissioner Heron and Vice-Chairman Reckhow asked several questions about the rezoning case to which Ms. Stains-Ramp responded.

Chairman Black opened the public hearing that was properly advertised.

Mr. Ronnie Cox, 2210 Conestoga Drive, petitioner, said he knows all the residents on Chin Page Road and they are not opposed to locating the garage on this site. He urged the Commissioners to approve the rezoning case.

As no one asked to speak, Chairman Black closed the public hearing and referred the matter back to the Commissioners for consideration.

Commissioner Bell moved, seconded by Commissioner Bowser, to approve the request to rezone 3 acres on the north side of Chin Page Road, TM 582-1-7A and 7E (Rezoning Case P98-27).

The motion carried unanimously.

(Legal description recorded in Ordinance Book _____, page _____.)

Public Hearing--Sun River Builders Inc. (Rezoning Case P98-9)

Sun River Builders Inc. presented to the Board of County Commissioners a request to rezone an 11.67-acre site located at 500 Clayton Road, identified as Tax Map 675, Block 2, Lot 3. Request: R-20 (Residential 20) to R-10 (Residential 10 District); F/J-B. The Community Growth Map in the Durham 2020 Comprehensive Plan designates this

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site as "Suburban Neighborhood." Staff recommended approval. The Zoning Committee of the Durham Planning Commission conducted a public hearing on July 14, 1998, and voted 7-0 to recommend approval.

Sheila Stains-Ramp, Senior Planner, Durham City-County Planning Department, was present to answer any questions of staff regarding the request.

Gail Sherron, Planner, showed a video of the proposed site and area.

The Commissioners asked several questions about the rezoning proposal to which Ms. Stains-Ramp and Ms. Sherron responded.

Chairman Black opened the public hearing that was properly advertised.

Mr. Barnette C. Crabtree, 2805 Saddle Drive, developer, remarked that his proposal was to build detached single-family homes and that the plan complies with all adopted plans (2005 Plan and 2020 Plan). Letters were mailed to the neighbors on two occasions, in addition to the Planning Department mailings. Having met with the neighbors on July 9, 1998, eight of nine families were pleased with the proposal. They were concerned with some of the road connections. The neighbors want a cul-de-sac off of Clayton Road. Emmett L. Harrington is not satisfied with the proposal.

Mr. Emmett L. Harrington, 1015 Clayton Road, wanted to keep the area a rural neighborhood, zoned R-20 (Residential 20). He expressed concern about the traffic, especially before school and at the end of the school day.

Ms. Joyce Page, 14 Bridgeport Drive, representing the J. L. Page family, sellers of the property, supported the sale of the land to Mr. Crabtree. She discussed the neighbors concerns and the neighborhood meetings.

The Commissioners asked several questions and made comments about the proposal to which Mr. Crabtree responded.

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

Chairman Black asked Lowell Siler, Deputy County Attorney, to speak to the protest petition.

Mr. Siler said that the protest petition was a valid petition; therefore, four positive votes would be required by the Commissioners to approve the rezoning request.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the request to rezone an 11.67-acre site located at 500 Clayton Road, identified as Tax Map 675, Block 2, Lot 3 from R-20 to R-10 (Residential 10 District); F/J-B.

The motion carried unanimously.

(Legal description recorded in Ordinance Book _____, page _____.)

Introduction—Boy Scout

Brandon Lockwood from Boy Scout Troop 408 attended the meeting. He was working towards the Communication Merit Badge.

The Commissioners welcomed Brandon to the meeting.

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Public Hearing—Proposed Amendment to the Performance Section of the Durham Zoning Ordinance Revised Standards for Fences (TC73-98)

Bonnie Estes, Planning Department, presented the proposed amendment to the performance section of the Durham Zoning Ordinance to revise standards for fences. The JCCPC and the Zoning Committee recommended approval. A public hearing was set to receive citizen comments concerning the proposed amendment

The Commissioners asked questions and made comments about the proposed amendment to which Ms. Estes responded.

Chairman Black opened the public hearing that was properly advertised.

As no one asked to speak, Chairman Black closed the public hearing and referred the matter back to the Commissioners for consideration.

Chairman Black moved, seconded by Vice-Chairman Reckhow, to approve the proposed amendment (TC73-98) to the performance section of the Durham Zoning Ordinance revised standards for fences.

The motion carried unanimously.

The proposed amendment follows:

TC73-98 Adopted by County 8/10/98 (Slight variation from City regarding terms used for fences on lots of 2 acres or more: “Open to public view” vs. “See through” on line 44.)

AN ORDINANCE TO AMEND THE DURHAM ZONING ORDINANCE
REGARDING PERFORMANCE STANDARDS FOR FENCES

WHEREAS, the Durham Board of County Commissioners wishes to amend the zoning ordinance; and

WHEREAS, the standards for fences in residential, office, and neighborhood commercial zones lack clarity and are difficult for citizens to interpret; and

WHEREAS, improved clarity will assist the health, safety, and welfare of the public; and

WHEREAS, these standards will improve Durham's appearance; and

WHEREAS, a community's appearance and character are significant resources linked to economic development and quality of life:

NOW THEREFORE, BE IT ORDAINED THAT:

SECTION 1

That Section 8.1.8 [Fences and Walls] Subsection (1) be replaced with the following:

"1. Fences and walls in residential, office, and neighborhood commercial (NC) zones: Fences and walls not exceeding 8 feet in height shall be permitted within side and rear yards or along side yard and rear yard property lines. Opaque fences on rear yards with street frontages exceeding 4 feet in height (for example, a stockade fence between a rear yard and a street) shall have a vegetative cover along the street side of the fence. The vegetation, at maturity, shall cover 75% of the fence. Fences and walls within any portion of the front yard extending across the full width of the lot and lying between the street frontage of the lot and the building front shall not exceed 4 feet in height, unless a use permit is obtained from the Board of Adjustment. For corner lots, fences and walls

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located directly between the primary structure and the side street shall not exceed 4 feet in height along a side yard which is adjacent to a street unless a use permit is obtained from the Board of Adjustment. An exception shall be granted for lots of 2 acres or more where fences may exceed the 4 foot height limit up to 8 feet without Board of Adjustment approval if the fence is located at least 50 feet from the right of way and is made of a material which allows public view through the fence; for example, a rail fence or a chain link fence. In cases where the Board of Adjustment is asked to rule on a request for a higher fence, the Board shall consider, among other things, the size and location of the lot, the dimensions of setbacks on adjacent lots, whether the fence or wall will be detrimental to nearby properties, or will affect the health and welfare of the citizens. Fences or walls existing at the time of adoption of this amendment (8/10/98) shall be considered nonconforming and must meet existing regulations if damaged more than 50% of replacement value and rebuilt.

In addition, fences and walls required to be higher by other provisions of this ordinance shall be allowed. Higher fences or walls shown and approved on a development plan or site plan are also allowed. Adjustments to the height limits may be permitted by staff due to field conditions or in order to accommodate decorative features on the fence or wall.”

SECTION 2

That the zoning ordinance be renumbered if necessary to accommodate this change.

SECTION 3

That this ordinance become effective upon adoption.

(Zoning Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Public Hearing—Proposed Amendment to the Sign Section of the Durham Zoning Ordinance to Refine Certain Sign Standards (TC77-98)

Bonnie Estes, Planning Department, gave the Commissioners an overview of the proposed amendment to the sign section of the Durham Zoning Ordinance. The JCCPC and the Zoning Committee recommended approval.

County Attorney Chuck Kitchen commented that the County had received a letter from the American Civil Liberties Union indicating several questions about the sign ordinance. He recommended that the public hearing be held tonight on this proposed amendment but that any action be deferred until the next meeting.

Deputy County Attorney Lowell Siler and Ms. Estes would review the ordinance and bring recommendations to the next Commissioner meeting.

Chairman Black opened the public hearing that was properly advertised.

As no one asked to speak, Chairman Black closed the public hearing and stated action would be taken on the item at the August 24, 1998 Regular Session.

Public Hearing—Proposed Amendment to the Supplementary Standards Section (Section 7) of the Durham Zoning Ordinance to Revise Standards for Certain Swimming Pools (TC78-98)

Bonnie Estes presented this item. The JCCPC and the Zoning Committee recommended approval.

County Attorney Chuck Kitchen stated that state health rules already govern duplex and triplex housing but not single-family residences. The proposed amendment is to extend the health rules to single-family lots.

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Vice-Chairman Reckhow urged all of the development departments to work together. She proposed that the City and County Managers meet regularly with the development departments so the public can be served as well as possible on these issues.

Chairman Black opened the public hearing that was properly advertised.

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

Vice-Chairman Reckhow moved, seconded by Commissioner Bell, to approve the amendment with the changes recommended by the County Attorney to delete the words "duplex" and "triplex."

The motion carried unanimously.

The ordinance follows:

TC78-98 Adopted by County 8/10/98 (Slightly different from City version. In county, applies to single family. In City, applies to single family, duplex, triplex.)

AN ORDINANCE TO AMEND THE DURHAM ZONING ORDINANCE
TO ADDRESS SETBACKS FOR RESIDENTIAL SWIMMING POOLS

WHEREAS, the Durham Board of County Commissioners wishes to amend the Durham Zoning Ordinance to allow residential swimming pools to be placed within rear yard spaces of dwellings; and

WHEREAS, the current standards do not allow swimming pools to be placed within any yard spaces of dwellings:

NOW THEREFORE, BE IT ORDAINED:

SECTION 1

That in Section 7 [Performance Standards] that Subsection 2 of Swimming Pools be rewritten to read:

"Private swimming pools, as well as the decking and equipment associated with the pool, on single-family lots shall not be located in the front or side yards and not be closer than 5 feet to the rear property line. The pool shall be completely enclosed by an opaque fence at least 6 feet in height if any portion of the pool or pool decking is within 20 feet of a property line. Pools not within 20 feet of the property line shall be enclosed with an opaque fence that is at least 4 feet in height. The exterior walls of the residence or buildings may be incorporated as a portion of the fence to create a fully enclosed area around the pool. All fence openings into the pool area shall be equipped with self-closing and self-latching gates. These regulations shall apply to in-ground and above-ground swimming pools which have a water depth over 24 inches or have a surface area of at least 100 square feet."

SECTION 2

That the Section be renumbered as necessary to accommodate this change.

SECTION 3

That this ordinance shall become effective upon adoption.

(Zoning Ordinance Amendment recorded in Ordinance Book _____, page _____.)

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Purchase of Real Property to Expand the Brogden Middle School Site

The Durham Public Schools Board of Education has made an offer of \$65,000 to purchase real property located adjacent to Brogden Middle School comprising 4.02 acres of undeveloped land. This property is crucial for fully developing the Brogden Middle School, as it will increase its acreage to comply with the impervious surface requirements in keeping with Durham's watershed protection ordinance. The proposed two-story building expansion and parking improvements bring our impervious surface to 24 percent which is the allowable limit for this site. The additional acreage will allow for the construction of the athletic track. The site was surveyed and an environmental assessment was conducted; everything was found to be in order. Funding for this purchase will come from the 1996 State Bond Funds allocated to this project. In accordance with G.S. 115C-426, the Board of Education requests approval by the Board of County Commissioners to complete this purchase.

Michael Mulheim, Assistant Superintendent for Operations Services, was present to discuss the acquisition.

The Commissioners asked several questions and made comments to which Mr. Mulheim responded.

Commissioner Heron moved, seconded by Commissioner Bowser, to approve the purchase of the 4.02 acres of undeveloped land for \$65,000 to fully develop Brogden Middle School. The Board of Education will purchase the property.

The motion carried unanimously.

Application—Public School Building Capital Fund—Durham Public Schools

Previously the Durham Public Schools Board of Education and Durham County Commissioners approved the budget for the new Hope Valley Elementary School. The budget totaling \$8,947,000 comprises \$2,914,990 State Bond Funds, \$4,200,000 Public School Building Capital Funds, and \$1,832,010 Insurance Proceeds.

This project consists of a 79,228-square-foot building scheduled for completion the summer of 1999 with a planned capacity of 638 students. The site work includes new parking and drives and the renovation of an existing classroom wing and gymnasium.

The Durham Public Schools Board of Education requested approval of a partial release of funds totaling \$3,150,000 from the Public School Building Capital Fund.

Michael Mulheim, Assistant Superintendent for Operations Services, was present to discuss the request.

The Commissioners asked questions and made comments to which Mr. Mulheim responded.

Commissioner Heron suggested that Mr. Mulheim talk with Richard Self, Johnston County Manager, to find out the square-foot cost of school construction in Johnston County. At one time, the cost in Johnston County was \$65.00 per square foot compared to \$85.00 in Durham County.

Vice-Chairman Reckhow asked if restroom facilities were being built with an outside entrance for people using the playing fields.

Mr. Mulheim responded in the affirmative.

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Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve a partial release of funds totaling \$3,150,000 from the Public School Building Capital Fund to build the new Hope Valley School.

The motion carried unanimously.

Consent Agenda Items Removed for Discussion

Consent Agenda 6(r). Lease between Lincoln Community Health Center and Durham County (approve the lease agreement to formalize the continuing relationship between LCHC and Durham County).

Vice-Chairman Reckhow asked if Lincoln Community Health Center had received the \$2.1 million lease payment from Duke.

Mr. Gilmore, Chairman, Lincoln Community Health Center Board, said a written request was sent to Duke in July for \$500,000. The remainder of the funds were requested after the July board meeting. The \$500,000 request had been received. Mr. Gilmore said the remainder may have been received; he did not know.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve the lease between Lincoln Community Health Center and Durham County.

The motion carried unanimously.

Consent Agenda 6(s). Final qualifying bid to purchase County property (.44-acre tract located at rear of 2422 Broad Street, parcel 326-02-001) (accept the offer of \$30,000 submitted by Central Medical Park II, LLC for parcel 326-02-001 located at 2422 Broad Street and authorize staff to prepare a deed for the Chairman's signature).

Vice-Chairman Reckhow asked if this sale is contingent upon rezoning to Office Zone.

David Powell, Real Estate Manager, said the zone change request would be finalized before the sale is completed.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the final qualifying bid to purchase County property.

The motion carried unanimously.

Board and Commission Appointments

Garry E. Umstead, CMC, Clerk to the Board, distributed ballots to make appointments to the following boards and commissions:

- Area Mental Health Board
- Criminal Justice Partnership Act Advisory Board
- Durham Civic Center Authority
- Durham Convention and Visitors Bureau
- Library Board of Trustees
- Youth Services Advisory Board

The following votes were cast (asterisks indicate appointees):

Area Mental Health Board: One position for a professional representative in psychology, social work, nursing, or religion (term expires July 1, 2002).

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*Virginia E. Fox—Bell, Black, Bowser, and Reckhow
Iowana C. Hagler—no votes
Hugh F. Lecky Jr.—no votes
Joseph Mattiacci—no votes
Marilyn K. Shipman—Heron

Area Mental Health Board: One unexpired at-large position (term expires July 1, 2002).

*Stephen P. Puckett—Bell, Black, and Reckhow

Criminal Justice Partnership Act Advisory Board: One position for a criminal defense attorney, one position representing the business community, one position for a community member who has been a victim of a crime, and four at-large members including persons who are recovering from chemical dependency or are previous consumers of substance abuse treatment services (terms expire July 31, 2001). Positions may be filled with a person having past experience within the criminal justice system or having a special interest in improving public confidence in the criminal justice system and can work to develop sentencing options including community correction programs.

*Peter Baker—Bell, Black, Heron, and Reckhow

*Wilbert J. Hamilton—Bell, Black, Heron, and Reckhow

*Lao Rubert—Bell, Black, Bowser, Heron, and Reckhow

(Note: All vacancies are for at-large positions.)

Durham Civic Center Authority: One expired term (expires July 31, 2001).

*Angela M. Elkins—Bell, Black, Bowser, Heron, and Reckhow
Kimberly D. Shaw—no votes

Durham Convention and Visitors Bureau: One expired term for the community and cultural resources position (term expires July 31, 2001).

*Rosemarie Kitchin—Bell, Black, Bowser, and Reckhow

Library Board of Trustees: Two expired terms and two new positions to enlarge the board (all terms will expire July 31, 2001).

*Ann Windon Craver—Bell, Black, Bowser, Heron, and Reckhow

*Thomas R. French—Bell, Black, Bowser, Heron, and Reckhow

*William G. Ingram—Bell, Black, Bowser, Heron, and Reckhow

*Catherine Petroski—Bell, Black, Bowser, Heron, and Reckhow

Robert Stevens—no votes

Youth Services Advisory Board: One unexpired term (expires September 2000).

*Mickey Brown—Bell, Bowser, Heron, and Reckhow

Appointment to Board of Directors of Downtown Durham Inc.

The Board of Directors of Downtown Durham Inc. invited the Durham County Commission to make an appointment to the Board of Directors for 1998-99. In 1997-98, the appointment was Commissioner Bell.

The appointment would be for July 1, 1998 to June 30, 1999. The Board member would serve in an ex-officio capacity with full voting privileges.

Chairman Black requested that the Commissioners reappoint Commissioner Bell to the Board of Directors of Downtown Durham Inc.

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Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to reappoint Commissioner Bell to the Board of Directors of Downtown Durham Inc.

The motion carried unanimously.

Consent Agenda Item Removed for Discussion

Consent Agenda 6(q). Agreement on appointments to Duke University Health System Board (approve the agreement).

Vice-Chairman Reckhow suggested that an agreement be prepared relating to the appointment of Durham County Hospital Corporation Board of Trustees to the Duke University Health System Board of Directors. Four names were submitted.

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the agreement on appointments to the Duke University Health System Board of Directors.

The motion carried unanimously.

The agreement follows:

AGREEMENT AS TO NOMINATION OF APPOINTEES TO DUKE UNIVERSITY
HEALTH SYSTEM BOARD

THIS AGREEMENT is made and entered into as of the 1st day of August, 1998 by and between the County of Durham, (hereinafter the "County") and Durham County Hospital Corporation, (hereinafter "DCHC") (collectively the "parties").

WITNESSETH:

The parties hereto have entered into certain agreements to effectuate the sublease of Durham Regional Hospital to Duke University Health System, including, among others, an Operating Agreement by and among Durham County, Durham County Hospital Corporation ("DCHC"), and Duke University Health System ("DUHS"). Article 10 of the Operating Agreement provides for the nomination and appointment of two members of the DCHC Board of Trustees to serve on the DUHS Board of Directors. The Operating Agreement further provides that the nominees shall be as determined by DCHC and the County. The Parties have agreed to make the nominations to the DUHS Board of Directors as follows:

1. The DCHC Board of Trustees shall nominate not less than two (2) and not more than three (3) of its members to be appointed to the DUHS Board of Directors.
2. The County shall nominate not less than two (2) and not more than three (3) of the members of the DCHC Board of Trustees to be appointed to the DUHS Board of Directors.
3. Once the County has determined its nominees, it shall transmit this information to the DCHC Board of Trustees who shall in turn transmit the names of the nominees from the County along with the names of the nominees from DCHC to the DUHS Board of Directors. DCHC shall indicate which nominees are made by DCHC and which nominations are made by the County when transmitting the names to DUHS Board of Directors.
4. This agreement shall remain in effect until modified or terminated by the Parties, or until the Operating Agreement referred to above is terminated.
5. The laws of the State of NC shall control and govern this contract.
6. This Contract may be modified only by written agreement executed by the Parties.

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IN WITNESS WHEREOF, the Parties have executed the agreement the day and year above written.

DURHAM COUNTY HOSPITAL CORPORATION

(SEAL)

/s/ George K. Quick
Chairman of the Board

Attest: /s/ Carolyn Thornton
Secretary

COUNTY OF DURHAM

(SEAL)

/s/ MaryAnn E. Black
Chairman of the Board

Attest: /s/ Garry E. Umstead
Clerk to the Board

Appointments—Durham County Hospital Corporation Board of Trustees and Duke University Health System Board

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

Durham County Hospital Corporation Board of Trustees: Four terms will expire at the end of August 1998. The new terms will begin on September 1, 1998 and expire at the end of August 2001.

The following names were submitted by Duke University Health System. (Asterisks indicate appointees.)

- *James Knight—Bell, Black, Bowser, Heron, and Reckhow
- *Jean G. Spaulding, M.D.—Bell, Black, Bowser, Heron, and Reckhow
- Paul Lindia—no votes
- Kevin Sowers—no votes

The following names were recommended for reappointment:

- *Charles Blackmon—Bell, Black, Bowser, Heron, and Reckhow
- *Linda Chandler-Rhodes—Bell, Black, Bowser, Heron, and Reckhow

Other applicants:

- Ralph Randal Bollinger, M.D., Ph. D.—no votes
- Cora Cole-McFadden—no votes
- Bonnie Keeter Griffin—no votes
- Audrey E. Johnson, Ph. D.—no votes
- Sue Evelyn McLaurin—no votes
- Charles Chapman—no votes
- Gordon Neal Diem—no votes
- William G. Ingram, Ed.D.—no votes
- Mary Jane Love Nye, M.D.—no votes
- Herbert A. Saltzman, M.D.—no votes

Duke University Health System Board

- Carolyn I. Thornton—no votes
- Charles Blackmon—no votes
- Caroline H. Dixon—Heron
- George K. Quick—no votes
- Deborah G. Giles—no votes

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Mary M. Elkins—no votes
*Dr. Mehrdad M. Sahba—Black, Heron, and Reckhow
*Joe W. Bowser—Bell, Black, Bowser, Heron, and Reckhow
M. Anita Page Holmes—no votes
Linda Chandler-Rhodes—no votes
*Gary S. Wilson—Bell, Black, Heron, and Reckhow
Dr. Mary D. Jacobs—no votes
Dr. James Lathan Allen—no votes
Eugene L. Staples—no votes
Dr. Dwight D. Perry—no votes

Excused From Meeting

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to excuse Commissioner Bell from the August 24, 1998 Regular Session.

The motion carried unanimously.

Announcement

Vice-Chairman Reckhow announced that the Durham County Council on Physical Fitness and Sports will sponsor the Durham County Commissioners' Great Family Fun Walk on Saturday, October 3, 1998 at Wallace Wade Stadium.

Nursing Home Community Advisory Committee

Chairman Black stated a report is needed from the committee to determine how the problems with several of the nursing homes will be addressed.

Adjournment

Chairman Black adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board

GEU:VCS