

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

Monday, June 11, 2007

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 Ellen W. Reckhow, Vice-Chairman Becky M. Heron, and Commissioners Lewis A. Cheek, Philip R. Cousin Jr., and Michael D. Page

Absent: None

Presider: Chairman Reckhow

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

**Announcements**

Commissioner Cheek briefly stated his appreciation to the Board, County Administration, and citizens for support received during his six-week medical leave.

Chairman Reckhow welcomed back Commissioner Cheek.

Vice-Chairman Heron invited citizens to attend Adopt-a-Cat Day at the Durham County Animal Shelter on Saturday, June 23, 2007.

**Minutes**

Vice-Chairman Heron moved, seconded by Commissioner Cheek, to approve as submitted the May 21, 2007 Worksession, May 23, 2007 Budget Worksession, and May 24, 2007 Budget Worksession Minutes, and as corrected the May 22, 2007 Budget Worksession Minutes.

The motion carried unanimously.

**Proclamation in Recognition of Juneteenth**

Chairman Reckhow stated that Juneteenth commemorates the attainment of freedom for African Americans and emphasizes African-American education, culture, art, history, and achievement. She read the following proclamation to recognize Juneteenth week in Durham:

## PROCLAMATION

WHEREAS, Juneteenth, which originated in Galveston, Texas in 1865, was observed on June 19 as the African-American Emancipation Day, and soon spread across the United States and beyond; and

WHEREAS, Juneteenth is the oldest known celebration of the ending of slavery; and

WHEREAS, Juneteenth commemorates the attainment of freedom for African Americans and today emphasizes African-American education, culture, art, history, and achievement; and

WHEREAS, Juneteenth has become a time for assessment, self-improvement, remembering the past, and planning the future; and

WHEREAS, during the month of June, there will be celebrations and activities throughout the country, including the County of Durham, to celebrate this important commemoration:

NOW, THEREFORE, BE IT RESOLVED that I, Ellen W. Reckhow, Chairman of the Durham County Board of Commissioners, do hereby proclaim June 16-23, 2007 as

### “DURHAM JUNETEENTH CELEBRATION WEEK”

in Durham County. I encourage all citizens to join together and support these efforts to heal, learn, understand, and embrace this historical event in our community.

This the 11<sup>th</sup> day of June, 2007.

/s/ Ellen W. Reckhow, Chairman

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Ricky Hart of The Stagville Society was not present to accept the proclamation.

### **Consent Agenda**

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

- \*a. Budget Ordinance Amendment No. 07BCC000068—General Services—Revenue for the Public Building Division (recognize \$98,719 from Shaw University for improvements to the County Stadium for the 2007 football season);
- \*c. Budget Ordinance Amendment No. 07BCC000070—Department of Social Services—Adjustment to Budget Additional Pass-Through Funds for Medicaid;
- \*d. Budget Ordinance No. 07BCC000071—Appropriation of DJJDP Funds (recognize and appropriate \$3,000 in revenue

- for expenditure to the P.R.O.U.D. program in FY2006-2007);
- e. Appointment—NACo Annual Conference Voting Delegate (appoint Commission Chairman Ellen W. Reckhow as the voting delegate);
- \*f. Offer to Purchase County Surplus Property—2415 State Street (pursue the upset bid process for the sale of 2415 State Street; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process);
- g. ~~Removed—Durham—Public—Schools—Approval—of—Construction—Contract—for—Lowe’s—Grove—Middle—School—(approval—for—the—Manager—to—enter—into—a—contract—for—the—renovation—of—Lowe’s—Grove—Middle—School—with—DeVere—Construction—Co.—Inc.—for—\$7,620,000);~~
- \*h. Adopt the Reimbursement Resolution for the Justice Center and Human Services Building; and
- i. Cultural Master Plan Spending Request (approve the grant for the Arts and Business Initiative authorizing the expenditure of implementation funds).

The motion carried unanimously.

\*Documents related to these items follow:

Consent Agenda Item No. a. Budget Ordinance Amendment No. 07BCC000068—General Services—Revenue for the Public Building Division (recognize \$98,719 from Shaw University for improvements to the County Stadium for the 2007 football season).

DURHAM COUNTY, NORTH CAROLINA  
FY 2006-07 Budget Ordinance  
Amendment No. 07BCC000068

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Revenues	\$760,857	\$98,719	\$859,576

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$30,608,232	\$98,719	\$30,706,951

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

This the 11<sup>th</sup> day of June, 2007.

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Consent Agenda Item No. c. Budget Ordinance Amendment No. 07BCC000070—  
Department of Social Services—Adjustment to Budget Additional Pass-Through Funds for  
Medicaid.

DURHAM COUNTY, NORTH CAROLINA  
FY 2006-07 Budget Ordinance  
Amendment No. 07BCC000070

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the  
FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$332,029,091	\$10,000,000	\$342,029,091

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$380,271,965	\$10,000,000	\$390,271,965

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

This the 11<sup>th</sup> day of June, 2007.

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Consent Agenda Item No. d. Budget Ordinance No. 07BCC000071—Appropriation of  
DJJDP Funds (recognize and appropriate \$3,000 in revenue for expenditure to the P.R.O.U.D.  
program in FY2006-2007).

DURHAM COUNTY, NORTH CAROLINA  
FY 2006-07 Budget Ordinance  
Amendment No. 07BCC000071

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the  
FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$342,029,091	\$3,000	\$342,032,091

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$390,271,965	\$3,000	\$390,274,965

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

This the 11<sup>th</sup> day of June, 2007.

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Consent Agenda Item No. f. Offer to Purchase County Surplus Property—2415 State Street (pursue the upset bid process for the sale of 2415 State Street; the Board has the authority to accept or reject any offer at the conclusion of the upset bid process).

#### RESOLUTION

WHEREAS, Durham County owns a certain parcel of real property situated in Durham County, North Carolina and properly described as follows:

2415 State Street  
PIN #0832-10-36-1479  
Parcel ID #120262

WHEREAS, Alan Seawell has made an offer to the County to purchase the above property for \$50,000 and has made a bid deposit in the amount of \$3,000, which is not less than 5 percent of the bid; and

WHEREAS, G.S. 160A-269 provides for an “Upset Bid Method” for sale which provides for publication of the notice of upset sale including a description of the property, the amount of the offer, requirements for submission of an upset bid, and other details of the sale; and

WHEREAS, the Durham County procedure for sale of the parcel is as follows:

1. Publication of the Notice of Sale;
2. Upset bids must be received within ten days after the date the notice is published;
3. To qualify as an upset bid, the bid must raise the original or current offer by an amount of at least 10 percent of the first \$1,000.00 and 5 percent of the remainder of the original or current offer;
4. Bids shall be made to the Clerk to the Board or the Real Estate Manager, together with a 5 percent bid deposit by certified check, money order, or cash;
5. When the bid has been successfully raised (upset), the new bid becomes the current offer;
6. The highest bid received during the 10-day period is the upset bid rather than the first bid which meets the minimum upset bid requirements;
7. When the bid has been successfully raised (upset), the procedure is repeated;
8. Once the final qualifying offer has been received, it shall be reported to the Board of County Commissioners which must then decide whether to accept or reject it within 30 days of the date which the final qualifying offer so qualifies; and
9. Should the Board of County Commissioners accept the final qualifying offer, a nonwarranty deed will be prepared for the Chairman of the Board's signature and a time for closing will be scheduled:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Durham County that a Notice of Sale be published and that the upset bid procedure for this sale take place as set forth in this resolution and as authorized by G.S. 160A-269.

Upon motion properly made and seconded, adopted by the Board at its meeting on June 11, 2007.

/s/ Vonda Sessoms  
Clerk, Board of Commissioners

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Consent Agenda Item No. h. Adopt the Reimbursement Resolution for the Justice Center and Human Services Building.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF DURHAM, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN CONNECTION WITH CONSTRUCTING A NEW JUSTICE CENTER AND A HUMAN SERVICES COMPLEX.

WHEREAS, the County of Durham, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County will pay, on and after the date hereof, certain expenditures in connection with (a) constructing a new Justice Center, including the construction of a building to house courtrooms, facilities for the County Sheriff, the District Attorney and the Clerk of Court and other related facilities, the construction of a related parking structure and the acquisition of necessary land, furnishings and equipment (the "Justice Center Project"), and (b) constructing a Human Services Complex, including the construction of a building to house facilities for the provision of public health services, mental health services and social services, the construction of a related parking lot and the acquisition of any necessary land, furnishings and equipment (the "Human Services Complex Project"); and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined that certain moneys of the County to be advanced on and after the date hereof by the County to pay such expenditures (the "Expenditures") are available only for a temporary

period and it will be necessary to reimburse the County for the Expenditures from the proceeds of one or more tax-exempt financings of the County in the form of one or more installment financings that are expected to be authorized by the Board (collectively, the “Tax-exempt Financings”);

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County’s intent to reimburse the County with the proceeds of the Tax-exempt Financings for the Expenditures made on and after the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financings.

Section 2. Each Expenditure will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financings, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 3. The maximum principal amount of the Tax-exempt Financings expected to be entered into with respect to the Justice Center Project is \$109,600,000 and the maximum principal amount of the Tax-exempt Financings expected to be entered into with respect to the Human Services Complex Project is \$103,000,000.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County’s use of proceeds of the Tax-exempt Financings to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Justice Center Project or Human Services Complex

Project, as may be applicable to the Expenditure, is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years.

Section 5. This resolution shall take effect immediately upon its passage.

**Consent Agenda Item Removed for Discussion**

Consent Agenda Item No. b. Budget Ordinance Amendment 07BCC000069—Social Services—Recognize Additional Revenue (approve an increase in the Smart Start Child Care Subsidy of \$5,000 and Special Children Adoption Fund of \$96,000 for a total increase of \$101,000).

Chairman Reckhow pulled this item to allow signed speaker Victoria Peterson, PO Box 101, Durham 27702, to comment.

Commissioner Cheek moved, seconded by Commissioner Page, to approve Consent Agenda Item No. b.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA  
FY 2006-07 Budget Ordinance  
Amendment No. 07BCC000069

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u> Intergovernmental	\$331,928,091	\$101,000	\$332,029,091

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u> Human Services	\$380,170,965	\$101,000	\$380,271,965

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



This the 11<sup>th</sup> day of June, 2007.

### **Public Hearing on the FY2007-2008 Recommended Budget**

County Manager Mike Ruffin gave the following PowerPoint presentation to provide an overview of the recommended budget for FY 2007-2008:

#### Overview of Recommended Budget Fiscal Year 2007-2008

##### Goals of the FY07-08 Budget

- Maintain Durham County's strong financial position
- Maintain County services at current levels
- Continue to hold property tax rates as low as possible
- Provide adequate funding for the Durham Public Schools and the Durham Technical Community College
- Provide employees with the technology to carry out their duties
- Provide adequate funding for planned capital improvements
- Continue to partner with nonprofit agencies for important County services

##### Fiscal Year 2007-2008 Recommended Budget

- General Fund—\$642.9 million
- All Funds—\$760.86 million

##### General Fund Revenue Excluding DSS Pass Through

(This slide presented pie charts that detail how the recommended appropriations are received and allocated by function and how recommended expenditures are allocated by function for next year.)

##### Budget Highlights

- \$13.7 million for the County's share of Medicaid—a 29% increase
- \$98.4 million for Durham Public Schools—a 8.8% increase from Approved budget
- \$4.6 million for Durham Technical Community College—a 12.3% increase
- \$1.25 million for next phase of compensation plan
- \$452,880 increase for health insurance benefits
- \$532,469 for new positions (10.76 FTE)
- \$358,450 for electronic records conversion in Legal, Social Services, and Public Health
- \$210,924 for the development of an Intensive Outpatient Treatment Program
- \$166,623 in additional funding for the adult and child system of care initiatives
- \$45,099 for the Animal Protection Society (Animal Shelter)

##### Tax Rate

- Tax rate increase recommended at 3.9 cents per \$100 of valuation
- For the owner of a home valued at \$150,000, the increase would be \$58.50 yearly or \$4.88 a month

- The increase represents a 4.8% increase on the tax rate
- The new tax rate is recommended to be 84.8 cents per \$100 of valuation

Tax Rates for Volunteer Fire Districts

<b>Fire Districts</b>	<b>FY06-07 Tax Rate</b>	<b>FY07-08 Requested</b>	<b>FY07-08 Recommended</b>
Bethesda	.0650	.0850	.0850
Lebanon	.0750	.1000	.1000
Parkwood	.1100	.1100	.1100
Redwood	.1000	.1150	.1150
New Hope	.0675	.0675	.0675
Eno	.0570	.0570	.0570
Bahama	.0600	.0600	.0600

Budget Adoption

- Monday, June 25<sup>th</sup> at 7:00 p.m. in the Commissioner's Chambers

For Further Information:

- Durham County Public Library
- Office of the Clerk to the Board (560-0025)
- Budget Office (560-0018)
- County Manager's Office (560-0000)
- Recommended Budget Document, Manager's Message & Presentation  
<http://www.durhamcountync.gov>

Chairman Reckhow opened the public hearing that was properly advertised to receive citizen input on the FY 2007-08 recommended budget. She called signed speakers forward for comments. (Each speaker was allotted three minutes for comments.)

The following speakers emphasized the roles of their represented agencies and beseeched the Board to approve their agencies' requested funding:

Aurelia Sans Belle, representing Durham Women's Agenda Assembly, 206 West Dillard Street, Durham 27701

Dr. Rebecca Fleming, representing Durham Women's Agenda Assembly, 811 Arnette Avenue, Durham 27701

Dwight Bunce, representing Bushido Judo School, 3116 Lassiter Street, Durham 27707

Julie Lawhorn, representing the Food Bank, 1014 West Lakewood Avenue, Durham 27707

Dana Lange, representing the Food Bank, 708 Gilbert Street, Durham 27707

Alice Sharpe, representing Downtown Durham Athletic Association, 208 Rigsbee Avenue #106, Durham 27701

Nichele Bynum, representing Alliance of AIDS Services, 800 Falls Pointe Drive, Apt. 103, Durham 27713

Rev. Theresa Hodges, representing the Food Bank, 1008A Simmons Street, Durham 27701

John Bowman, representing the Urban Ministries of Durham, 311 Watts Street, Durham 27701

Linda Kolstee-Ozkaynak, representing Academy of Durham, 4 Fenton Place, Chapel Hill 27517

Victoria Peterson, PO Box 101, Durham 27702, spoke on economic development and the recommended budgets for the Sheriff's Office and Durham Technical Community College.

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

On behalf of the Board, Chairman Reckhow thanked the citizens for their comments; the comments will be considered in the Board's deliberations on the budget.

**Major Site Plan and Preliminary Plat—Ravenstone Phase III (D06-974)**

Frank M. Duke, AICP, City-County Planning Director, requested that the Board approve a major site plan and preliminary plat for "Ravenstone Phase III" submitted by Horvath Associates, on behalf of Sherron Road Ventures LLC, for a 140-single-family lot cluster subdivision on a 59.28-acre site, zoned RS-10(D) and F/J-B. The plat includes a requested 18% reduction in lot area and setbacks for perimeter lots on the north, west and east boundaries. [The property is located south of Hillview Drive, west of Rondelay Drive, and east of Sherron Road. PINs 0860-03-15-1405, -01-16-2250] The Development Review Board recommended approval on March 2, 2007 by a vote of 8-0. Staff recommended approval.

Commissioner Page inquired about constructing one parking space per unit.

Ron Horvath, Engineer/Land Planner, Horvath Associates PA, responded that each single-family home would have the option of a combined garage and driveway (two to three parking spaces); however, the site plan shows the committed minimum of two parking spaces per home.

Vice-Chairman Heron commended Mr. Horvath on the site's tree coverage and open space.

Chairman Reckhow echoed Vice-Chairman Heron's commendation, particularly regarding the trail outlining the open space area.

Commissioner Cousin commented that the work on the plan was time well spent.

Vice-Chairman Heron asked Mr. Horvath for an update on pollution in the Lick Creek stream.

Mr. Horvath replied that he is working jointly with a shareholder's group to restore the stream.

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to approve Major Site Plan and Preliminary Plat—Ravenstone Phase III (D06-974).

The motion carried unanimously.

**Preliminary Resolution on 2007 General Obligation Bond**

Chairman Reckhow recognized a revised Preliminary Resolution at each Commissioner's station.

County Attorney Chuck Kitchen requested that the Board adopt a preliminary resolution which authorizes the County Administration to begin the process which would lead to a vote in November on the issuance of general obligation bonds by the County. He stated that if the Preliminary Resolution is passed, the Preliminary Bond Order, which specifies the individual general obligation bonds which would be subject to voter approval and sets the date for the public hearing, would be presented to the Board at its next meeting. The Preliminary Resolution further authorizes the employment of Bond Counsel and authorizes the filing of an application for the issuance of general obligation bonds with the Local Government Commission. The total amount of the proposed GO bond issue is \$210,400,000.

County Manager Mike Ruffin reviewed the changes in the revised resolution.

Commissioner Cheek moved, seconded by Commissioner Cousin, to adopt the Preliminary Resolution to start the bond process.

The motion carried unanimously.

**RESOLUTION RELATING TO THE AUTHORIZATION OF GENERAL OBLIGATION BONDS OF THE COUNTY OF DURHAM, NORTH CAROLINA**

WHEREAS, the Board of Commissioners for the County of Durham, North Carolina (the "County"), is considering authorizing the issuance of general obligation bonds of the County pursuant to Article 4 of Chapter 159 of the North Carolina General Statutes, as amended, for the purpose of providing funds, with any other available funds, for various purposes, as follows:

- (a) \$197,540,000 School Bonds with voter approval for erecting, remodeling, enlarging and reconstructing school buildings and other school plant facilities and acquiring necessary land, furnishings and equipment therefore,

(b) \$8,680,000 Community College Bonds with voter approval for expanding and improving the facilities for Durham Technical Community College, including the acquisition of land and a building and the expansion and renovation of buildings and other facilities to provide additional and improved teaching, parking, storage and other related facilities and the acquisition of necessary furnishings and equipment therefore, and

(c) \$4,180,000 Museum Bonds with voter approval for enlarging and improving visitor facilities, exhibits, administrative, storage and maintenance facilities and landscaping at the North Carolina Museum of Life and Science; and

WHEREAS, it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the proceeds of such School Bonds and Community College Bonds will be used to finance a portion of the costs of the respective projects determined to be needed by The Durham Public Schools Board of Education (the "Board of Education") and The Trustees of Durham Technical Community College (the "Trustees") to meet urgent needs for additional and improved school facilities and technical community college facilities to serve the residents of the County and the proceeds of the such Museum Bonds will be used to finance a portion of the costs of the respective projects to meet urgent needs for additional and improved museum facilities or provide desirable museum facilities to serve the residents of the County and, accordingly, the issuance of such bonds (collectively, the "Bonds") is necessary or expedient for the County, (ii) the principal amounts of the Bonds are adequate and not excessive for the proposed respective purposes of the Bonds because

they are based upon best estimates of the Board of Education and the Trustees in the case of such School Bonds and Community College Bonds and the County in the case of such Museum Bonds of the costs of the respective projects and will be supplemented with other funds to be adequate for the respective purposes of the Bonds, (iii) the County's debt management procedures and policies are good and will be managed in strict compliance with law, (iv) the increase in taxes necessary to service the Bonds will not be excessive because it is expected that any increase in taxes will not exceed six and sixty-two hundredths cents (6.62¢) per one hundred dollars (\$100) of the appraised value of property subject to taxation by the County and (v) the Bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Finance Director and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of the Bonds with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with authorizing the issuance of the Bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as bond counsel of the County in connection with the authorization and issuance of the Bonds.

Section 4. This resolution shall take effect immediately upon its passage.

**Closed Session**

Commissioner Cousin moved, seconded by Commissioner Page, to adjourn to closed session to discuss a claim and to consult with an attorney in order to preserve the attorney-client privilege pursuant to N.C.G.S. § 143-318.11(a)(3).

The motion carried unanimously.

**Reconvene to Open Session**

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

**Adjournment**

There being no further business, Chairman Reckhow adjourned the meeting at 8:35 p.m.

Respectfully Submitted,

Yvonne R. Gordon  
Deputy Clerk to the Board