

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

Monday, October 8, 2001

7:00 P.M. Regular Session

AGENDA

1. **Opening of Regular Session** Pledge of Allegiance

2. **Agenda Adjustments**

Vice-Chairman Reckhow announced a workshop for the 15-501 Transit Alignment" from Duke University to UNC-Chapel Hill on October 15, 5:00 p.m. to 7:00 p.m. at City Hall.

Chairman Black announced a series of visits to three elementary schools Club Boulevard, Pearsontown Elementary, and E. K. Powe.

3. **Minutes**

Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the August 30, 2001, Worksession Minutes as submitted.

4. **Consent Agenda**

- a. Closed Session Minutes (approve minutes to be opened as public record);
- b. Resolution honoring the life of John P. "Jack" Bond (approve the resolution for presentation to Mr. Bond's family);
- c. Proclamation St. Joseph's Historic Foundation Inc./Hayti Heritage Center Week (proclaim the week of September 30 through October 6, 2001 as St. Joseph's Historic Foundation Inc./Hayti Heritage Center Week);
- d. Board Appointment Convention and Visitors Bureau joint appointment (appoint Commissioner Joe W. Bowser subject to approval of City Council);
- e. Final offer to purchase County property?717 Kent Street (approve the offer submitted of \$10,000 and prepare a nonwarranty deed for Chairman's signature);
- f. Public Health Establishment of a security guard position (approve the establishment of a security guard position at the Health Department);
- g. Budget Ordinance Amendment No. 02BCC000019?Public Health/Health Education Division (approve budget ordinance amendment to recognize \$12,500 in grant funds from the Department of Health and Human Services for the Minority Infant Mortality Program);
- h. Budget Ordinance Amendment No. 02BCC000021?Public Health/Health Education Division (approve budget ordinance amendment to recognize \$24,000 in grant funds from the Department of Health and Human Services for the Syphilis Elimination Project);
- i. Budget Ordinance Amendment No. 02BCC000022?Public Health/Nutrition Division (approve budget ordinance amendment to recognize revenue in the amount of \$10,309.50 for the Health Department's Nutrition Division);
- j. Budget Ordinance Amendment No. 02BCC000023?Public Health/ Environmental Health Division (approve budget ordinance amendment to recognize \$2,618 from the Department of Health and Human Services for the Summer Food Program to purchase computer upgrades);

- k. Budget Ordinance Amendment No. 02BCC000024?Public Health/Health Education Division (approve budget ordinance amendment to recognize \$6,687 in revenue from the Department of Health and Human Services for the Adolescent Pregnancy Program); and
- l. Budget Ordinance Amendment No. 02BCC000025?Public Health/Health Education Division (approve budget ordinance amendment in the amount of \$17,608 to recognize a one-time payment from Duke Health Systems for health education services provided in FY 1999-2000, to be used to purchase computer equipment).

Commissioner Cousin moved, seconded by Vice-Chairman Reckhow, to approve the consent agenda.

The motion carried unanimously.

Vice-Chairman Reckhow commented on item 4(a). Those closed session minutes with errors in spelling, etc. will be corrected by the Clerk to the Board.

5. Public Hearing Consider Allocating Economic Development Investment Funds to EMD Pharmaceuticals

EMD Pharmaceuticals, Inc. (EMD) is considering expanding its U.S. Headquarters and building its new manufacturing plant in Treyburn Industrial Park. EMD develops, manufactures, and commercializes biopharmaceutical products for the treatment of cancer and diabetes.

The proposed investment for the campus in Treyburn is estimated to be approximately \$262.7 million upon completion. The campus consists of a manufacturing plant, warehouse, office buildings, and parking structures. Upon completion of the campus in 2010, it is expected that EMD will bring 1,400 new jobs to Durham County.

EMD Pharmaceuticals, Inc. is in the process of making the final decision as to where to locate the proposed campus. Staff is aware of several other sites being considered for this investment, including two in the Boston, MA area and one in Germany. EMD has communicated to the County Manager and staff that Durham County's financial support for this project will be a key consideration in the final decision. EMD is requesting that the County participate in the costs of site preparation activities, such as site clearing and grading, and the extension of utilities to the campus.

Staff is recommending that the County participate in this economic development project by reimbursing EMD up to two million dollars (\$2,000,000) for the costs of site preparation activities, extension of utilities, and associated County development fees.

This public hearing was advertised on Friday, September 28, 2001 as required by Statute.

Resource Person(s): Michael M. Ruffin, County Manager, and Carolyn P. Titus, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board hold the public hearing and, based upon the information received, approve the Contract between the County of Durham and EMD Pharmaceuticals, Inc. to allow for the reimbursement of costs associated with the site preparation, such as site clearing and grading, and the extension of utilities to the proposed campus.

The Chairman recognized Mr. Dave Hughey, President of the Durham Chamber of Commerce. Mr. Hughey introduced the order of the supporting speakers and turned over the podium for their comments:

Mr. Phillip Vereen, Greater Durham Chamber of Commerce

Ms. Kathy Elliott, Employment Security Commission

Mr. Gordon Copeland, Durham Technical Community College

Mr. Ted Conner, Greater Durham Chamber of Commerce

County Manager Mike Ruffin introduced the item. Deputy County Manager Carolyn Titus presented the proposal to the Commissioners.

Chairman Black opened the public hearing which was advertised. Mr. Ralph McKinney was the only speaker signed. He spoke in support of EMD locating in Durham County.

The Chairman closed the public hearing.

The Board of Commissioners made comments to support the contract between the County of Durham and EMD Pharmaceuticals.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve the Contract between the County of Durham and EMD Pharmaceuticals, Inc. to allow for the reimbursement of costs associated with the site preparation, such as site clearing and grading, and the extension of utilities to the proposed campus.

The motion carried unanimously.

6. Board and Commission Appointments

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

- Adult Care Home Community Advisory Committee
- Bicycle and Pedestrian Advisory Commission
- Community Child Protection Team/Child Fatality Prevention Team
- Criminal Justice Partnership Act Advisory Board
- Durham Planning Commission
- Historic Preservation Commission
- Open Space and Trails Commission

Resource Person: Garry E. Umstead, CMC, Clerk to the Board

Appointments were voted by the Commissioners and announced by County Attorney Chuck Kitchen.

There being no further business, the Chairman adjourned the meeting at 7:50 p.m.