

DURHAM COUNTY MEMORIAL STADIUM AUTHORITY

(Minutes of the September 18, 2007 Meeting)

The Durham County Memorial Stadium Authority ("The Authority") convened at 12:00 Noon on Tuesday, September 18, 2007 at the Old Durham County Courthouse in Durham, North Carolina.

Members present included Chairman Tommy Hunt; Vice Chairman Willie Bradshaw; Ms. Becky Heron; and Dan Moushon. Also present were Mike Turner, Director of General Services/Stadium Manager; Carol Hammett, Esquire, Assistant County Attorney; and Heidi York, Assistant County Manager.

The minutes of the August 9, 2007 Special Call Meeting were approved.

Old Business:

- A. The agenda reflected that Heidi York, Assistant County Manager would present an update to the Stadium Authority on the long-term stadium improvements and the cost-sharing by and between Durham County and Shaw University ("SU"). Ms. York reported that notwithstanding efforts since mid-August 2007 to conclude essential deal points to be set forth in a Memorandum of Understanding, SU had continued to delay submission of data necessary to finalize such deal points to the extent that it will be most unlikely that construction at the stadium will commence as planned on or about December 1, 2007. Much of the delay was centered around a proposed playback screen that SU wanted included as a permanent structure, and a listing of the specific uses of the stadium which SU would require. As to the latter, SU had indicated only that they would require the use of the stadium 75 times per year without any specificity as to the nature or duration of such use.

The members of the Authority, individually and collectively, expressed deep disappointment that negotiations were not receiving the requisite attention that the Authority had anticipated. After considerable discussion motion was made and adopted that the Assistant County Attorney write a letter to Dr. Martel Perry, Executive Vice President of SU with a copy to the President, that the data requested by Ms. York be submitted to the County Attorney's office on or before Tuesday, September 25, 2007 in order to be considered by the Authority at its meeting on October 2, 2007, or in the absence of such submission the Authority will be forced to consider other options including the option to proceed with improvements to the Stadium without SU's participation.

- B. Mr. Turner informed the Authority of structural evaluation of the Stadium conducted by Lassater, Hopkins & Chang, Structural Consultants, to include the stadium's structural steel, press box, precast risers, exterior masonry walls, and the area beneath the grandstands had been concluded . Mr. Turner was pleased to report that the consultant was of the opinion that the facility was in very good condition, although the rust and corrosion would have to be dealt with within the next few years. A copy of the consultant report is attached and made a part hereof.

Requests for Use of the Stadium:

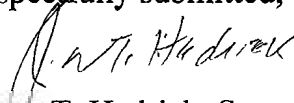
The following action was taken:

- A. The North Carolina National Guard had submitted an amended request for use of the south side of the stadium parking lot for the purpose of overflow parking only, on weekend drills. The Authority earlier turned down the request because the North Carolina National Guard was unable to provide insurance to protect Durham County against damages arising out of accidents for training personnel using government vehicles and helicopters. This particular use would not involve any training of military personnel or vehicles. The use was approved subject to a revocable license agreement being prepared by Ms. Hammett.
- B. Jason Hightman requests the use of the stadium parking lot for a car show on Sunday, November 4, 2007 from 8:00am until 5:00pm. This use was approved with a rental fee of \$800.00 plus \$55.00 charge for restrooms and \$29.49 charge for county attendant.
- C. Mt. Zion Christian Academy requests the use of the stadium for a high school football game on September 28, 2007 and October 5, 2007 from 5:30pm until 10:00pm. This use was approved subject to standard rental fee to be charged for high school games at \$725.00 plus county attendant fee.
- D. Durham County requests the use of the stadium for its 2007 Annual United Way Kick-Off Event on Wednesday October 3, 2007 from 10:00am until 4:00pm. This use was approved at no charge with exception of attendant fee and charge for restroom use.
- E. The Stadium Manager requests authority to approve in certain instances the use of facility for 2007 calendar year in order to reduce the necessity for special call meetings. The following recommendation was approved based on an average 6-hour event:

	For-Profit (FP)	Not-For Profit (NFP)
Football Stadium (Inside)	\$250/hr or \$1,500/day	\$125/hr or \$750/day
Parking Lot (Outside)	\$133/hr or \$800/day	\$67/hr or \$400/day
With restrooms add	\$55.00 each	\$20.00 each
County Attendant Fee	An additional \$29.49/hr	An additional \$29.49/hr

There being no further business to come before The Authority the meeting was adjourned.

Respectfully submitted,



James T. Hedrick, Secretary
 Durham County Stadium Authority