The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Tuesday, September 30, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None

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Commissioners Ramirez and Woodard were absent when the meeting was called to order and until noted in the minutes.

The purpose of the meeting was to receive a report from Charlotte-Mecklenburg Schools (CMS) regarding their Five-Year Capital Needs and to conduct program reviews and assessments of County services.

Note: No formal action was taken by the Board. General discussion was held on each agenda topic. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

(1) CHARLOTTE-MECKLENBURG SCHOOLS CAPITAL NEEDS

Discussion Highlights

Wilhelmenia Rembert, Chairman of the Charlotte-Mecklenburg Board of Education, Dr. James Pughsley, Superintendent of Schools, and Guy Chamberlain with Charlotte-Mecklenburg Schools addressed the Board regarding CMS capital needs. Mr. Chamberlain was the main presenter.

Commissioner Ramirez entered the meeting during Mr. Chamberlain’s remarks.

The report addressed the following topics:

- Approved projects under construction
- Approved projects not started
- Two (2) new proposed high schools (COPS)
- Approved design only projects
- CIP projects
- Capacity & Enrollment
- Projected bond expenditures

It was noted that the first three years of the 03 Capital Needs Assessment includes the following: Facility Operational Needs
Lifecycle repair and/or replacement of plumbing, roofing, pavement, sitework and HVAC systems at 22 existing schools
Track rebuilding and stadium renovations
Legal mandate compliance (asbestos removal, etc.)
Initiatives that include surveillance and fire alarm upgrades at 48 schools

Baseline Standard Needs
- Full baseline standards projects at 13 schools
  - 7 of the 13 schools will begin designs with 02 bonds
  - 7 of the 13 schools provide required additional capacity

Growth Needs
- Additions to 11 existing schools including 4 overcrowded high schools
- Construction funding for 2 new elementary schools and design and construction funding for 2 additional new elementary schools
- Additional funding to increase capacity a 1 new middle school
- Construction funding for 2 new high schools
- Land acquisition for an additional elementary school site not described in the Long Range Masterplan, sites for 2 Pre-K centers, and property for a north middle school

Also, the unfunded capital projects in the first three years of the 02 request are still needed.

A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Samuelson asked for a definition of a “full equity project.”

Commissioner Mitchell expressed concern for overcrowding and the use of mobile units. He noted that he could not support the building of new schools when there were schools that were underutilized.

Dr. Pughslly stated that the Board of Education and staff were in the process of reviewing the Choice Plan in order to see if something could be done in regards to the mechanics to bring about some refinement of the plan. He said that hopefully this would allow them to address some of the “under capacity”, although not necessarily in total.

Commissioner Samuelson referenced the “capacity without mobile units” information and asked whether or not that capacity assumes build out based on the information provided to the Board or was it capacity without any changes to the information the Board currently has?

Mr. Chamberlain stated that what it meant was that in 03 the permanent seats that currently exist was 95,000.

Commissioner Samuelson asked whether or not in 08 this would be the number of permanent seats if build out were to occur based on the information provided to the Board.

The response was yes.

Commissioner Clarke referenced the Projected Bond Expenditure information for currently funded/ proposed COP’s/construction funding of design only projects on page 13 of the report. He noted that the information states that the total need for 03 is $151 million. He asked when does the 03 period begin and ends?

Mr. Chamberlain stated that these were annual expenditures based on the calendar year, January 1, 2003 – December 31, 2003. Mr. Chamberlain noted that the $151 million that’s shown in the report may not exactly coincide with what was sold by the County because it includes some 1996 funds and 1999 COP’s, therefore the exact amount of cash may not match what Finance Director Weatherly sells.

Commissioner Clarke noted and requested clarification that based on the report the requested amount for a January 04 bond sale was $164 million.
Mr. Chamberlain stated that this was correct, that the $164 million includes 10 million in COP’s, a little of 1996 funds and 1999 COP’s. He noted also that it was his understanding that Finance Director Weatherly has recommended $144 million, which the Schools agree with and feels is adequate.

Commissioner Clarke asked if the $144 million was net of a proposed or COP’s sale for a high school?

Finance Director Weatherly stated that this was correct.

Mr. Chamberlain stated that the cash flow amounts shown do not include the next phase of equity projects, which together would be about $100 million over probably three years.

Commissioner Helms asked if the Board were to agree on the 5-year Plan as outlined by the Board of Education, what would be the overall impact on the equity projects that are either committed, started or in process, would there be delays?

The response was no, not if funded at the levels outlined.

Board of Education Member Kindberg asked Mr. Chamberlain to comment on the number of additional mobiles that would be needed if the Plan had to be spread out over 18 years instead of 10.

Mr. Chamberlain responded that it would be around 800 more additional units, above the 600.

Board of Education Member Kindberg addressed capacity levels based on a recent analysis. She noted that with mobiles district-wide that Elementary schools were at 92% utilization, Middle schools 90%, and High schools 103%. She said that without mobile units the percentages would be 98% for Elementary schools, 105% for Middle, and 119% for High schools.

Commissioner James referenced the information concerning past bond allocations. He noted the amounts that had been spent on inter-city schools and on suburban areas.

He asked for information on how the projected bond expenditure numbers break out by geography and in terms of 0-5, 5-10 and 10-20.

Commissioner James stated that his interest was in how future bond allocations will be spent.

Commissioner Woodard entered the meeting at this time.

Commissioner Puckett asked that student population figures be included in the break out by geography that was requested by Commissioner James.

Commissioner James asked for clarification regarding the Schools Facilities Master Plan whether it was still a draft and subject to change.

Mr. Chamberlain responded, yes.

Commissioner James stated that the issue for him was not that there were some under capacity schools in some areas, but rather about the growth on the “outer edge” of the County. He does not want to return to busing, which means more schools need to be built further out or students will end up in mobile units or on a bus.

Mr. Chamberlain stated that there were plans to build schools further out, in the northern and southern parts of the County.

Board of Education Chairman Rembert expressed concern for inferences made regarding busing. She noted that the Board of Education has not made any decisions and were in the process of reviewing its Student Assignment Plan in an attempt to make modifications to accommodate the
needs of children across the district. She noted that in Mecklenburg County “we are still playing catch up”, which was why the Schools were faced with the challenges it has today. She stated that “we are still trying to renovate and replace facilities that have not been fit for educating children for many years.” She noted that the Board of County Commissioners have been very generous in trying to rectify this situation. She stated that the goals should be bringing schools up to educational standards wherever they are in the County. Secondly, to create opportunities for addressing the rapid growth that is being experienced. She said the goal is not to exclude any group but to address the needs of all.

Chairman Rembert also commented on the PRAG Report. She stated that what stood out to her in the report was the recommendation that the Board of County Commissioners try to balance fiscal flexibility and infrastructure investment. She stated that schools were an infrastructure investment. She also referenced the four sources for dealing with debt service. The County may raise revenue or delay debt. She referenced the 14%-16% debt service to expenditure ratio. Setting a maximum debt ratio. She posed to the Board the question of whether or not the Board would consider some of those other factors that are relative to future bond sales to address the needs of schools; to continue the progress that is being made, the current building that is underway and still address the need for growth. She stated that she would not the want the County to do as it has been done in other communities, to place a moratorium on development until they can catch up with school construction. She stated that growth should be welcomed in Mecklenburg County because it’s good for economic development, etc. She stated that the focus should be on addressing growth needs. She stated that all groups add value to the community and groups should not be pitted against each other.

**Chairman James left the meeting and was absent for the remainder of the meeting.**

Chairman Cox noted that it was not the job of the County Commission to decide where the “dots” go on the school maps but that the County Commission’s job was to provide funding.

School Board Member Gauvreau noted his dissention to the information that was provided to the Board. He stated that the Schools have not prioritized their spending appropriately. He suggested the Board needed to direct the Board of Education to reprioritize.

Commissioner Puckett stated that he would like to see the capacity numbers compared “apples to apples.”

Commissioner Mitchell noted that would like to see the Board of Education, with the help of the County Commission, do what is “right, fair and just” for children in the Charlotte-Mecklenburg School system.

Commissioner Helms noted that it was his understanding that all of the factors in the County’s debt management policy were currently being met, the debt estimated value, the per capita debt, debt service ratios and that the County was within the parameters set by the policy. Also, that if the County were to issue in January 2004, the $250 million and if the County were to give the Schools the $164 million that was indicated in Mr. Chamberlain’s presentation that would leave $86 million for other capital projects. He continued that if the County were to issue $287 million in 2005 and gave the Schools $193 million that was also suggested in Mr. Chamberlain’s presentation, it would leave $94 million for other capital projects.

Finance Director Weatherly clarified that some of the $164 million addressed by Mr. Chamberlain, comes from previously already authorized/issued bonds. He noted that Mr. Chamberlain did what was asked of him, which was to look at “strictly” what he needs for the next 12 months. Finance Director Weatherly noted that some of these funds were already on hand. He noted further that of the $250 million, approximately $145 million of that amount would be “new money” because there are already carry over funds on hand.

Commissioner Helms addressed the PRAG report and noted that it should be read in its entirety. He stated that it should be understood that it also says that if the guidelines and parameters are set too low, so that if the County is not able to fund the infrastructure needs as we continue to grow and expand, than that can have a negative impact by the rating agencies on the County’s
Commissioner Helms noted that managing debt was more than the issue of stopping and shifting funding from one demonstrated need to another. He asked the Board to keep this in mind.

Chairman Cox made concluding remarks regarding the Schools presentation. He noted that it was his hope that the presentation would have been from a more strategic perspective on how “we should invest in buildings in the future.” He stated that what was presented was a list of projects, which in his opinion was not a strategic plan. He said that he feels more work needs to be done and that for him personally, he needs to have a better understanding.

Board of Education Chairman Rembert said that she would accept responsibility, if the Board of Education and its staff did not provide the additional information that would be helpful to the Board of County Commissioners. She stated that the Board of Education would look to continue this discourse because the Board of Education clearly has some very pressing needs throughout the County and that the Board of Education needs to work with the Board of County Commissioners to address those needs.

Commissioner Helms noted that for him the meeting was very helpful. He stated it provided him a very healthy overview of what is happening with the projects underway. He asked the Board of Education to inform the Board of County Commissioners again of what it needs, the demonstrated needs. He stated that he would look at it, along with the County debt management policy.

Chairman Cox emphasized that he was only speaking for himself as it related to being disappointed at the outcome of the meeting. He stated that he was willing to meet with the Board of Education at anytime in order to get a better understanding of the needs from a strategic perspective.

The Board took a break at 2:40 p.m. and came back into session at 2:51 p.m.

Attorney Bethune was absent when the Board reconvened.

(2) PROGRAM REVIEWS AND ASSESSMENTS

General Manager John McGillicuddy reviewed the focus area of Effective & Efficient Government and the Program Category of Public and Employee Communication, which included discussion of the Desired Outcome, Strategy, and Measure(s).

He introduced the following presenters to address communication services provided by their departments: Danny Diehl, Director of Public Service and Information, Carol Myers, Interim Library Director, Elsie Gardner of WTVI, Charles Page of United Way (2-1-1 program), and Leon Miller, Director of General Services (mail delivery services).

They each addressed the services provided and responded to questions from the Board.

It was noted that communication efforts also take place in the Health Department, Land Use & Environmental Services Agency (LUESA), and in Park and Recreation, however, the remarks made by Director Diehl were applicable to the services provided by these departments (with the department services being a little more targeted towards their customers), therefore it was not necessary to receive presentations from these departments.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Effective & Efficient Government – Public and Employee Communication
Questions/Comments in response to Director Diehl’s presentation:

Commissioner Samuelson asked budgetarily and percentage wise what was the breakdown of what goes towards media communication, direct communication and employee communication?

The response was that it was pretty evenly broken out, however, the bulk of the budget goes towards direct communications because those are the products that cost the most.

Commissioner Clarke asked at what point, if any, does staff de-emphasize traditional print/paper communications in favor of 100% electronic, to avoid layering on top of the costs of the traditional paper/print, the costs of establishing and maintaining electronic communications?

The response was that staff does de-emphasize print products and is constantly looking at placing information on the Internet and the Intranet as a means of getting away from the costliness of print production. It was noted, however, there were customers that prefer receiving hard copies.

Commissioner Clarke noted that communication was crucial. Also, that although electronics make communication easier, that in fact it may increase costs because dollars go into another channel. He agreed with staff that there were those that want electronic communications and those that want hard copies.

Commissioner Clarke also asked if there was a benchmark for corporate communication spending?

The response was that this was unknown, but that staff would work on finding this out. It was noted that the City of Charlotte’s corporate communications budget was $2 million.

Commissioner Puckett asked if there was a way to get a breakdown of where the hits on the County’s website were occurring?

The response was that a system is already in place that reports the number of hits made on various sites, but it does not provide demographic information.

Questions/Comments in response to Ms. Gardner’s (WTIV) presentation:

Commissioner Ramirez inquired about community related programming in Spanish.

The response was that something would be available in January 04. It was noted that WTIV was also working with the Health Department and utilizing some of the departments “health spots.”

Commissioner Ramirez also inquired about the possibility of WTIV doing more of the community program, noting that CMS and CPCC both are involved in community programming. He asked if there was a possibility of some sort of collaboration between the various entities.

The response was that the possibility was there and there were plans to meet with the other entities to discuss possible joint efforts.

Commissioner Samuelson asked for a response to the question of “what makes WTIV so unique?”

The response was that WTIV was the only free over the air service that the community can access without having a special cable. Also, that WTIV is a part of the Public Broadcasting Service (PBS).

Commissioner Clarke asked if WTIV’s sponsorships had increased.

The response was yes, but “not wildly.”

Commissioner Ramirez asked if there were any plans for more aggressive campaigns.

The response was that there were lots of ideas that will be pursued.
Chairman Cox asked for a breakdown of how County dollars were spent.

The response was that it provides a portion of the funding for the Ready to Learn service, building maintenance, equipment maintenance, and general insurance, and local productions that are done specifically for the County, such as broadcasting of the meetings.

Chairman Cox noted that he has an interest in the integration of the services provided by WTVI, County Public Service and Information, the City of Charlotte, and Charlotte-Mecklenburg Schools.

Commissioner Helms noted that he feels the County needs to have an investor relations person like those found in major corporations and businesses. He said the County needs an investor relations or “citizens relations” component that would lay out and advocate on behalf of what the County does on terms that the Board would agree on.

**Chairman Cox left the meeting and was away until noted in the minutes. The meeting was chaired by Vice-Chairman Ramirez until the return of Chairman Cox.**

Questions/Comments in response to Charles Page (United Way 2-1-1):

Commissioner Samuelson asked for an update on federal action regarding 2-1-1 funding.

The response was that $200 million was being requested for the expansion of 2-1-1 services across the country and that the matter had just been introduced by Senators Dole and Clinton.

Commissioner Puckett asked could the calls handled by 2-1-1 be done for less than $205,675?

Questions/Comments in response to Leon Miller, Director of General Services (Mail Delivery):

Commissioner Samuelson posed the question of whether or not mail pick up service needs to provided twice a day or once a day. She stated that she feels departments were being over served receiving mail service twice a day, especially in light of e-mail and faxes.

Commissioner Samuelson also asked if there was a charge for interoffice mail.

The response was no.

**Chairman Cox returned to the meeting.**

Commissioner Ramirez left the meeting and was absent for the remainder of the meeting.

General Manager McGillicuddy then addressed the Program Category of Strategic Organizational Improvement (SOI), which included discussion of the **Desired Outcome, Strategy, and Measure(s).**

He introduced the following presenters to address Strategic Organizational Improvement (SOI) services provided by their departments: Richard Jacobsen, Director of Social Services, Chip Bailey of the Sheriff’s Office, Peter Cook, Director of Court Services, and Grayce Crockett, Director of Area Mental Health, General Manager McGillicuddy addressed the service provided by the Manager’s Office.

They each addressed the services provided and responded to questions from the Board.

Questions/Comments in response to General Manager McGillicuddy’s presentation:

Commissioner Samuelson asked if the number of employees would change in SOI once the process of review is concluded? The response was that the functions of SOI will continue, however, the number of employees it will require in the future is unknown, however, over the next few years the current number of nine is expected to remain stable.
Social, Education & Economic Opportunity

General Manager McGillicuddy then addressed the Focus Area of Social, Education and Economic Opportunity Program Category of Diversity/Minority Affairs, which included discussion of the Desired Outcome, Strategy, and Measure(s).

He introduced the following presenters to address Strategic Organizational Improvement services provided by their departments/agency: Deborah Bright, Assistant to the County Manager for Diversity/Minority Affairs, Dianne English, Community Building Initiative, Nyala Hunt, National Conference for Community and Justice (NCCJ), and Wayne Weston, Director of Park and Recreation.

They each addressed the services provided and responded to questions from the Board.

Commissioner Samuelson expressed concern for the amount of County funding that is provided to NCCJ. She said that she was noting this in light of the Board’s budget discussions for FY03-04 at which it was indicated by some that funding for some outside agencies might be less certain in FY04-05.

She asked how this occurred.

The response was that years ago it was City funded but somewhere along the lines a transition was made from City funding to County funding.

Community Health & Safety

General Manager Bobbie Shields addressed the Focus Area of Community Health and Safety Program Category of Court Services Coordination, which included discussion of the Desired Outcome, Strategy, and Measure(s).

He also introduced Peter Cook, Director of Court Services to address the services they provide.

Commissioner Samuelson asked about Pre-trial Release and the criteria used for release. She stated that she has received complaints that the rules were not being applied consistently.

Commissioner Samuelson stated that because of another engagement, she would get with Director Cook at a later date one on one to discuss this matter.

Commissioner Samuelson left meeting and was absent for the remainder of the meeting.

Director Cook continued with his presentation.

Commissioner Clarke asked Director Cook if the Board were to provide additional funding in the amount of $2 million how would these funds be used?

The response was that it would be used to expand the court set idea to add additional staff to go in and interview additional felons and other misdemeanors.

This concluded the presentations.

As stated earlier, the Board took no formal action and the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.
Motion was made by Commissioner Woodard, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 6:27 p.m.

Janice S. Paige, Clerk  Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

JANUARY 7, 2003 5:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, January 7, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners

Dumont Clarke, H. Parks Helms

Bill James, Norman A. Mitchell, Sr.,

Jim Puckett, Dan Ramirez,

Ruth Samuelson and Valerie C. Woodard

County Manager Harry L. Jones, Sr.

County Attorney Marvin A. Bethune

Clerk to the Board Janice S. Paige

Absent: None.

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Commissioners Helms and Woodard were absent when the meeting was called to order and until noted in the minutes.

Chairman Cox called the meeting to order at 5:15 p.m.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(3) REMOVAL OF ITEMS FROM CONSENT

Prior to going into Closed Session, the Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were 13 and 16.

(2) CLOSED SESSION - LAND ACQUISITION

Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Property owned by Thomas F. Taft, Sr., tax parcel # 125-213-07 at 1437 East Morehead Street. The intended use of the property would be for the Little Sugar Creek Greenway on Kings Drive.

- Property owned by Herbert L. Perry, tax parcel #077-076-05 at 917 Rodey Avenue. The intended use of the property would be for the Druid Hills Neighborhood Park site.
Motion was made by Commissioner James seconded by Commissioner Samuelson and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:05 p.m.

Commissioners Helms and Woodard were present when the Board came back into Open Session. They entered during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Cox called this portion of the meeting to order at 6:10 p.m.

Commissioner Helms was away from the dais when this portion of the meeting was called to order and until noted in the minutes.

Invocation was given by Chairman Cox, which was followed by Pledge of Allegiance to the Flag.

Commissioner Helms entered the meeting at this time.

(1A) INDUCTIONS INTO THE ORDER OF THE HORNET

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to induct former County Commissioners Becky Carney and Darrel Williams into the Order of the Hornet.

The Order of the Hornet is bestowed upon those who have given generously of their time and talents to improve the quality of life for the citizens of Mecklenburg County. It’s the highest honor and tribute bestowed by the County.

The Order was read by Chairman Cox.

Former Commissioners Carney and Williams expressed their thanks and appreciation to the Board and to the community for having had the opportunity to serve.

(1B) PRESENTATION OF PLAQUES

The Board presented plaques to former Commissioners Becky Carney and Darrel Williams, members of the 2000-2002 Board of County Commissioners for their contributions to Mecklenburg County Government and the community.

Former Commissioners Carney and Williams expressed their thanks and appreciation to the Board and to the community for having had the opportunity to serve.

(1C) PROCLAMATION DR. MARTIN LUTHER KING, JR. DAY

Motion was made by Commissioner Mitchell seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a joint proclamation designating January 20, 2003 as Dr. Martin Luther King, Jr. Day in Charlotte and Mecklenburg County.
Commissioner Mitchell read the proclamation, which was accepted by William Chandler on behalf of the Martin Luther King Day Planning Committee.

A copy of the Proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting:

Ms. Ethel Ward, a part-time employee with the Department of Social Services, addressed concerns regarding her work environment. Ms. Ward noted that she is legally blind.

A copy of Ms. Ward’s remarks is on file with the Clerk to the Board.

Chairman Cox asked staff to follow-up with Ms. Ward regarding her concerns.

Mr. Alan Beal, Vice-President and Lead Investigator for the Children’s Legal Foundation and Justice Coalition, addressed the Stratton Case and noted his awareness that the Board would consider going into Closed Session to discuss the Stratton case. Mr. Beal also addressed Special Needs Title IV-E funds. Mr. Beal stated that these funds were capable of being embezzled and that it had occurred on the state level and it could happen on the county level.

Ms. Gerry Chisolm expressed thanks to the County for its support of recent Kwanzaa Celebration activities. Ms. Chisolm also gave the County an official embroidered emblem, which she obtained in New York, of the shields of New York Police and Fire and the New Jersey Port Authority in memory of September 11, 2001.

Chairman Cox thanked Ms. Chisolm for her donation.

(3) APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and carried 6-3 with Commissioners Clarke, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes and Commissioners Cox, James, and Puckett voting no, to defer appointments to the Air Quality Commission and direct staff to re-advertise for additional applications.

Concern was expressed regarding the categorization of the applicants. Staff was asked to review the categories and place applicants in all applicable categories.

Don Willard with Environmental Protection addressed this issue.

BICYCLE ADVISORY COMMITTEE

It was noted that no action was required at this time on appointments to the Bicycle Advisory Committee because action by Charlotte City Council to change the qualification that members have to live outside of Charlotte City Limits in order to serve as the County representative, was deferred until January 13, 2003.

Commissioner Samuelson left the dais and was away until noted in the minutes.

BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 8-0
with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to appoint Charles D. Roberts, Jr. to the Board of Motor Vehicle Review to fill an unexpired term expiring July 18, 2003.

*Commissioner Samuelson returned to the dais.*

**MINORITY AFFAIRS ADVISORY COMMITTEE**

The vote was taken on the following nominees for appointment to the Minority Affairs Advisory Committee:

- James E. Lewis, Sr.    None
- Michael L. Long    None
- Bettye Clark Mills    Commissioners Cox, Helms, James, Mitchell, Ramirez, Puckett, and Samuelson
- Stephen Neal     Commissioners Clarke, Ramirez, and Woodard
- Roger F. Suclupe    Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, and Samuelson

Chairman Cox announced that Bettye Clark Mills was appointed to the Minority Affairs Advisory Committee to fill an unexpired term expiring February 6, 2005 and Roger F. Suclupe to fill an unexpired term expiring January 22, 2003 and continuing to January 22, 2006.

**UPCOMING APPOINTMENTS**

Chairman Cox announced the following upcoming appointment information for January, 2003.


- Adult Care Home Advisory Committee
- Area Client Rights Committee (healthcare professional)
- Zoning Board of Adjustment
- Domestic Violence Advisory Board
- Industrial Facilities & Pollution Control Financing Authority
- Information Services & Technology Committee
- Minority Affairs Advisory Committee
- Nursing Home Community Advisory Committee
- Personnel Commission
- Region F Emergency Medical Services Advisory Council
- Register of Deeds Advisory Committee (attorney)
- Waste Management Advisory Board
- Women’s Commission

**PUBLIC HEARING STREET CLOSING - SECTION OF DICKIE ROSS ROAD/COMMUNITY HOUSE ROAD AND ITS RIGHT-OF-WAY**

Motion was made by Commissioner Helms seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to hear citizen’s comments on the proposed closing of the last 0.23-mile section of Dickie Ross Road and its right-of-way south of Community House Road.

Bob Binford with Real Estate Services addressed this request.

Motion was made by Commissioner Helms seconded by Commissioner James and unanimously
JANUARY 7, 2003

carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on the proposed closing of the last 0.23 mile section of Dickie Ross Road and its right-of-way south of Community House Road and approve the Order for Closing this portion of roadway and its right-of-way.

Order recorded in full in Minute Book 41-A, Document #282.

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) MANAGER’S REPORT/DESIGNATION OF BRIAN FRANCIS AS VOTING DELEGATE TO NCACC LEGISLATIVE GOALS CONFERENCE

Motion was made by Commissioner James seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to designate Brian Francis as Mecklenburg County’s Voting Delegate to the North Carolina Association of County Commissioners (NCACC) Legislative Goals Conference on January 16 – 17, 2003, since the Board will be holding its annual Strategic Planning Conference at this same time.

Note: Mr. Francis is the former Mecklenburg County Legislative Liaison. County Manager Jones noted that although Mr. Francis left the County’s employment as of December 31, 2002, he will continue to assist the County through the end of January 2003, on a contractual basis, with legislative matters. Manager Jones also noted a correction in the Board’s back-up information, which incorrectly stated that Mr. Francis’ position would be eliminated. Manager Jones clarified that this was not true, the position would be filled.

CONSENT ITEMS

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve item(s) 7 through 16 with the exception of items 13, and 16, to be voted upon separately.

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reconsider the vote on the approval of consent items.

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve item(s) 7 through 16 with the exception of items 11, 13, and 16, to be voted upon separately.

(7) APPROVAL OF MINUTES

To approve minutes of Regular Meeting held December 17, 2002, Special Meetings held December 17, 2002 and December 10, 2002 and Closed Session Minutes of December 17, 2002.

(8) SETTLEMENT OF CASES FOR PROPERTY TAX ASSESSMENT

To adopt a resolution authorizing the County Manager to approve or disapprove recommended settlements by the Property Assessment and Land Records Management Office for cases which are pending before the Property Tax Commission and the Board of Equalization and Review.
JANUARY 7, 2003

Resolution recorded in full in Minute Book 41-A, Document #283.

(9) STREET LIGHTING PRELIMINARY ASSESSMENT ROLLS/SET PUBLIC HEARING

To adopt a resolution setting a public hearing on February 4, 2003 at 6:30 p.m. on Street Lighting Preliminary Assessment Rolls for the Brantley Oaks, Claybrooke, Hearthstone, Royal Oaks, and Spicewood Subdivisions.

Resolutions recorded in full in Minute Book 41-A, Document #284, 285, 286, 287, 288.

(10) ABANDONMENT OF RIGHT-OF-WAY/KIRKPATRICK ROAD

To authorize the County Manager to sign a joint petition to the Charlotte City Council with the Charlotte-Mecklenburg Board of Education to request the right of way of Kirkpatrick Road be abandoned.

(12) FISCAL 2004 GOVERNOR’S CRIME COMMISSION GRANT PRE-APPLICATIONS

To approve the submittal of grant pre-applications to the N.C. Department of Crime Control and Public Safety, Governor’s Crime Commission as listed below.

<table>
<thead>
<tr>
<th>Applicants</th>
<th>Program Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mecklenburg County Sheriff’s Office</td>
<td>Successful Reintegration Project</td>
</tr>
<tr>
<td>2. Community Link</td>
<td>Family Reunification</td>
</tr>
<tr>
<td>3. Summit House</td>
<td>Summit House Substance Abuse Program</td>
</tr>
<tr>
<td>4. Talent Link</td>
<td>The Gang Awareness Prevention (GAP) Initiative</td>
</tr>
<tr>
<td>5. Chemical Dependency Center</td>
<td>Women’s Treatment Program</td>
</tr>
<tr>
<td>6. Chemical Dependency Center</td>
<td>Brief Strategic Family Therapy</td>
</tr>
<tr>
<td>7. Assistance League of Charlotte</td>
<td>Mecklenburg County Teen Court</td>
</tr>
<tr>
<td>8. Family Outreach &amp; Counseling Ctr.</td>
<td>Responsible Fatherhood</td>
</tr>
<tr>
<td>9. Reach One-Teach One</td>
<td>Reach One-Teach One</td>
</tr>
<tr>
<td>10. N.C. Administrative Office of the Courts</td>
<td>Electronic Courtroom Project</td>
</tr>
<tr>
<td>11. N.C. Administrative Office of the Courts</td>
<td>Mecklenburg County Dual</td>
</tr>
<tr>
<td></td>
<td>Diagnosis Court</td>
</tr>
</tbody>
</table>

(14) BOND SALE BOND RESOLUTIONS

To adopt 1) Resolution for $193 million, Series A Fixed Rate General Obligation Bonds, 2) Resolution for $40 million, Series B Variable Rate General Obligation Bonds, 3) Resolution and approve Escrow Deposit Agreement for Refunding Bonds as follows:

Voted

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Issuer”), as follows:

1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 4, 2002, the Issuer shall issue its bonds in the aggregate principal amount of $20,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.
2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 6, 2000, the Issuer shall issue its bonds in the aggregate principal amount of $28,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

3. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on August 12, 1997, the Issuer shall issue its bonds in the aggregate principal amount of $45,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

4. Pursuant to and in accordance with the court facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $15,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

5. Pursuant to and in accordance with the land bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $30,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

6. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $35,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

7. Pursuant to and in accordance with the library facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $7,500,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

8. Pursuant to and in accordance with the park and recreation facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $12,500,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2003.

9. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 to 8, inclusive, shall be issued as one consolidated bond issue in the principal amount of $193,000,000 and designated “General Obligation Public Improvement Bonds, Series 2003A” (the “Bonds”). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 to 8, inclusive, is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated February 1, 2003, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on August 1, 2003, and semi-annually thereafter on February 1 and August 1. The Bonds shall mature annually on February 1, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
<th>Year</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>$5,000,000</td>
<td>2013</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>2006</td>
<td>9,000,000</td>
<td>2014</td>
<td>15,000,000</td>
</tr>
<tr>
<td>2007</td>
<td>9,000,000</td>
<td>2015</td>
<td>15,000,000</td>
</tr>
<tr>
<td>2008</td>
<td>9,000,000</td>
<td>2016</td>
<td>15,000,000</td>
</tr>
<tr>
<td>2009</td>
<td>13,000,000</td>
<td>2017</td>
<td>13,000,000</td>
</tr>
<tr>
<td>2010</td>
<td>13,000,000</td>
<td>2018</td>
<td>13,000,000</td>
</tr>
<tr>
<td>2011</td>
<td>13,000,000</td>
<td>2019</td>
<td>13,000,000</td>
</tr>
<tr>
<td>2012</td>
<td>15,000,000</td>
<td>2020</td>
<td>8,000,000</td>
</tr>
</tbody>
</table>

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

10. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued and registered in the name of The Depository Trust Company, New York, New York (“DTC”) or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on February 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC. If the Issuer fails to arrange for another qualified securities depository to
JANUARY 7, 2003

replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of $5,000 or integral multiples thereof.

11. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

12. The Bonds and the endorsements thereon shall be in substantially the following form:

<table>
<thead>
<tr>
<th>NO. R-</th>
<th>( \text{DOLLARS} )</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States of America</td>
<td></td>
</tr>
<tr>
<td>State of North Carolina</td>
<td></td>
</tr>
<tr>
<td>COUNTY OF MECKLENBURG</td>
<td></td>
</tr>
<tr>
<td>GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2003A</td>
<td></td>
</tr>
<tr>
<td>INTEREST RATE</td>
<td>MATURITY DATE</td>
</tr>
<tr>
<td>February 1, 2003</td>
<td></td>
</tr>
<tr>
<td>REGISTERED OWNER: CEDE &amp; CO.</td>
<td></td>
</tr>
<tr>
<td>PRINCIPAL SUM:</td>
<td></td>
</tr>
<tr>
<td>The County of Mecklenburg (the “County”), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202 (the “Bond Registrar”), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on August 1, 2003, and semi-annually thereafter on February 1 and August 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.</td>
<td></td>
</tr>
<tr>
<td>This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on August 12, 1997, September 8, 1999, September 6, 2000 and September 4, 2002 (the “Bond Orders”) and a resolution adopted by that Board (the “Resolution”) providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County voting at elections held in the County.</td>
<td></td>
</tr>
</tbody>
</table>
JANUARY 7, 2003

The bonds maturing on and after February 1, 2014, shall be subject to redemption prior to their stated maturities at the option of the County on or after February 1, 2013, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds.

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar
By: __________________________________
Authorized Signature
Date of Authentication: February 20, 2003

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto
the within Bond and irrevocably appoints
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full
power of substitution in the premises.

Dated: ______________________ __________________________________

NOTICE: The signature to this assignment must correspond with the name as
it appears upon the face of the within Bond in every particular, without any
alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or
similar program.

13. The Bonds maturing on and after February 1, 2014, shall be subject to redemption prior to their stated maturities at the option of
the Issuer on or after February 1, 2013, in whole or in part at any time at a redemption price equal to 100 % of the principal amount of each Bond to be
redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine
the maturities and the amount thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds
to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or
an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds
which is obtained by dividing the principal amount of such Bonds by $5.000. For so long as a book-entry system is used for determining beneficial
ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants shall determine by lot which of the
Bonds within a maturity are to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the
redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall
identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the
redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall
also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion
of the Bond will be issued.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions
thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions
thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If
moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for
redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions
thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds
or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of
redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and
surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall
authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion
of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this
resolution, and bearing interest at the same rate.

14. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered
owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged
for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and
bearing interest at the same rate. The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond
Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the “Bond Registrar”), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

15. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

16. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

17. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

18. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

19. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the Issuer, to each nationally recognized municipal securities information repository (“NRMSIR”) and to the state information depository for the State of North Carolina (“SID”), if any, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board ("MSRB"), and to the SID,

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if any, notice of any of the following events with respect to the Bonds, if material:

**JANUARY 7, 2003**

1. principal and interest payment delinquencies;
2. non-payment related default;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on any credit enhancements reflecting financial difficulties;
5. substitution of any credit or liquidity providers, or their failure to perform;
6. adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. modification to the rights of the beneficial owners of the Bonds;
8. bond calls;
9. defeasances;
10. release, substitution or sale of any property securing repayment of the Bonds;
11. rating changes; and

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identify, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion having been duly seconded, and the resolution having been considered, it was adopted by the following vote:

**AYES:** Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

**NAYS:** None

*Resolution and Extract recorded in full in Minute Book 41-A, Document #289.*

Commissioner *Puckett* introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title:

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12
RESOLUTION PROVIDING FOR THE ISSUANCE OF $40,000,000 VARIABLE RATE GENERAL OBLIGATION BONDS, SERIES 2003B

Upon motion of Commissioner Puckett, seconded by Commissioner Ramirez the following resolution was passed by the following vote:

Ayes: Commissioners: Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Noes: None.

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “Issuer”):

WHEREAS, the Issuer has considered and evaluated both fixed and variable rate debt alternatives;

WHEREAS, the Issuer has considered and recognized that the current interest rates on fixed rate debt instruments are low and has determined that the estimated interest rate at which fixed rate bonds could be issued is 4.75%;

WHEREAS, the Issuer has considered and recognized that variable interest rate debt instruments subject the Issuer to the risk of higher interest rates in the future, that the rate may be higher than the fixed rates that are currently available to the Issuer, and that in addition to the variable interest cost, the Issuer must pay the fees of the Liquidity Provider and the Remarketing Agent, which fees will increase the cost of variable rate debt; and

WHEREAS, the Issuer believes that for this issue variable rate debt financing is preferable because (a) the initial interest rate is substantially below the fixed rate indicated above, (b) a variable rate provides the possibility of substantial cost savings over the life of the issue, and (c) the interest rate can be fixed at any time.

1. Pursuant to and in accordance with the school bond order adopted by the Board on September 6, 2000, the Issuer shall issue its bonds in the principal amount of $40,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from the date of the bonds.

2. The bonds to be issued pursuant to the preceding paragraph shall be designated “County of Mecklenburg, North Carolina Variable Rate General Obligation Bonds, Series 2003B” (hereinafter referred to as the “Bonds”). The Bonds and the Issuer’s General Obligation [Public Improvement Bonds], Series 2003A shall be deemed a single issue for purposes of G.S. 159-65(3). The Bonds shall be issued pursuant to the terms of G.S. 159-79. The North Carolina Local Government Commission will specifically determine pursuant to G.S. 159-79(a)(1) that a Credit Facility in addition to the Standby Purchase Agreement referred to below is not required.

3. The Bonds shall be issued substantially in the form and in accordance with the terms set forth in Exhibit 1 attached hereto and incorporated herein by reference, together with such changes not inconsistent with the general tenor hereof and thereof as the County Manager and the County Director of Finance, with the advice of counsel, may deem appropriate, their execution of closing certificates in connection with the issuance of the Bonds to evidence conclusively the authorization and approval thereof by the Board.

4. The Board hereby requests the North Carolina Local Government Commission to sell the Bonds with a variable interest rate at private sale and without advertisement and designates the County Manager and the County Director of Finance as the persons who must approve the price or prices at which the Bonds are sold by the North Carolina Local Government Commission. The purchase price of the Bonds shall be 100% of the par amount of the Bonds, and the maximum initial interest rate shall be 12% per annum.

5. The forms, terms, provisions and distribution and use by Banc of America Securities LLC (the “Underwriter”) of the Tender Agent Agreement among the Issuer, the Tender Agent/Paying Agent, and Banc of America Securities LLC, the Bond Purchase Agreement among the Issuer, the Local Government Commission and the Underwriter, the Standby Bond Purchase Agreement among the Issuer, the Local Government Commission and the Underwriter, the Remarketing Agreement between the Issuer and Banc of America Securities LLC and the Landesbank Hessen-Thüringen Girozentrale, the Remarketing Agreement between the Issuer and Banc of America Securities LLC and the
Official Statement with respect to the Bonds are hereby approved in all respects, and each of the officers of the Board, the County Manager and the County Director of Finance are hereby authorized and directed to execute and deliver those documents in substantially the forms presented to this meeting, together with such changes not inconsistent with the general tenor hereof and thereof as they, with the advice of counsel, may deem necessary and appropriate, such execution and delivery to evidence conclusively the authorization and approval thereof by the Board. Each of those officers and employees are also authorized and directed to execute and deliver any certificates or other documents they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution and the other documents described above, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the Board.

6. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

7. This resolution shall take effect upon its passage.

Resolution and Extract recorded in full in Minute Book 41-A, Document #290.

Commissioner Puckett introduced the following resolution and moved that it be adopted:

WHEREAS, the bond order hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

1. Pursuant to and in accordance with the refunding bond order adopted by the Board of Commissioners on December 17, 2002, the Issuer shall issue its bonds in the aggregate principal amount of $190,000,000, subject to adjustment as hereinafter provided.

2. The bonds to be issued pursuant to the bond order described in the preceding paragraph shall be designated “General Obligation Refunding Bonds, Series 2003C” (the “Bonds”). The Bonds shall be dated February 1, 2003, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on April 1, 2003, and semi-annually thereafter on October 1 and April 1. The Bonds shall mature annually on April 1, as follows, subject to adjustment as hereinafter described:

<table>
<thead>
<tr>
<th>Principal Year</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>$7,135,000</td>
</tr>
<tr>
<td>2004</td>
<td>6,540,000</td>
</tr>
<tr>
<td>2005</td>
<td>6,475,000</td>
</tr>
<tr>
<td>2006</td>
<td>6,265,000</td>
</tr>
<tr>
<td>2007</td>
<td>15,860,000</td>
</tr>
<tr>
<td>2008</td>
<td>19,665,000</td>
</tr>
<tr>
<td>2009</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>24,550,000</td>
</tr>
<tr>
<td>2011</td>
<td>25,060,000</td>
</tr>
<tr>
<td>2012</td>
<td>23,725,000</td>
</tr>
<tr>
<td>2013</td>
<td>25,455,000</td>
</tr>
</tbody>
</table>

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

The Bonds shall be deemed to refund each of the issues of bonds being refunded within the respective periods of usefulness of the capital projects financed by each of the issues of bonds being refunded.

3. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”) or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on April 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners.
The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of $5,000 or integral multiples thereof.

4. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

5. The Bonds and the endorsements thereon shall be in substantially the following form:

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NO. R. $__________

United States of America  
State of North Carolina  
COUNTY OF MECKLENBURG  

GENERAL OBLIGATION REFUNDING BOND, SERIES 2003C  

INTEREST RATE  MATURITY DATE  CUSIP  

February 1, 2003  

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: $__________

The County of Mecklenburg (the “County”), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, P. O. Box 34486, 600 East Fourth Street, Charlotte, NC 28202 (the “Bond Registrar”), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the October 1 or April 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is an October 1 or April 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on April 1, 2003, and semi-annually thereafter on October 1 and April 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, a bond order adopted by the Board of Commissioners of the County on December 17, 2002, (the “Bond Order”) and a resolution adopted by that Board (the “Resolution”) to provide funds, together with any
other funds that may be provided, to advance refund all or a portion of the County’s outstanding General Obligation Refunding Bonds, Series 1986 dated as of July 1, 1986, outstanding Public Improvement Bonds, Series 1993 dated as of October 1, 1993, outstanding Public Improvement Bonds, Series 1996A dated as of March 1, 1996 and outstanding Public Improvement Bonds, Series 1996B dated as of March 1, 1996.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms. This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond to be manually signed by the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the official seal to be imprinted hereon, and this bond to be dated January 7, 2003.

____________________________________
Chairman of the Board of Commissioners
(SEAL)

____________________________________
Clerk to the Board of Commissioners
CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

____________________________________
Acting Secretary, Local Government Commission
CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Order and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: __________________________________
Authorized Signature

Date of Authentication: February 20, 2003
ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto the within Bond and irrevocably appoints the undersigned hereby sells, assigns and transfers unto the within Bond and irrevocably appoints attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: ____________________________________

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed: ______________________
NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

6. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the “Bond Registrar”), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, P. O. Box 34486, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

7. The Issuer hereby reserves the right to increase or decrease the aggregate principal amount of the Bonds to be sold and to increase or decrease the principal amount of any maturity of the Bonds to be sold as required based on what bonds are refunded and on the principal amount of Bonds issued.

8. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

9. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

10. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

12. The Issuer hereby approves the terms of the Escrow Deposit Agreement by and between the Issuer and Escrow Agent in the form presented to the Board and hereby authorizes the officers of the Issuer designated therein to execute and deliver the Escrow Deposit Agreement in substantially such form, with such changes and insertions as such officers shall deem necessary to accomplish the purposes for which the Bonds are being issued, their execution thereof constituting conclusive evidence of such approval.

13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

   (d) by not later than seven months from the end of each fiscal year of the Issuer, to each nationally recognized municipal
Securities information repository ("NRMSIR") and to the state information depository for the State of North Carolina ("SID"), if any, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(e) by not later than seven months from the end of each fiscal year of the Issuer, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(f) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board ("MSRB"), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

1. principal and interest payment delinquencies;
2. non-payment related default;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on any credit enhancements reflecting financial difficulties;
5. substitution of any credit or liquidity providers, or their failure to perform;
6. adverse tax opinions or events affecting the tax-exempt status of the Bonds;
7. modification to the rights of the beneficial owners of the Bonds;
8. bond calls;
9. defeasances;
10. release, substitution or sale of any property securing repayment of the Bonds;
11. rating changes; and

(g) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identify, nature, or status of the Issuer;
(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.
Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

14. The investment banking firm of Banc of America Securities is hereby authorized to serve as financial advisor to the Issuer (the “Financial Advisor”) in connection with sale and issuance of the Bonds. The Financial Advisor and its affiliates are hereby expressly authorized to bid for the purchase of the Bonds.

The motion having been duly seconded, and the resolution having been considered, it was adopted by the following vote:

AYES: Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

NAYS: None

Resolution and Extract recorded in full in Minute Book 41-A, Document #291.

ESCROW DEPOSIT AGREEMENT

This ESCROW DEPOSIT AGREEMENT, dated as of February 20, 2003, by and between the County of Mecklenburg, North Carolina, having Federal Employer Identification Number 56-6000319 (the “County”) and ________________________________, as escrow agent hereunder (the “Escrow Agent”):

WITNESSETH:

WHEREAS, the County, pursuant to The Local Government Finance Act and a bond order adopted by the Board of Commissioners of the County, issued its General Obligation Refunding Bonds, Series 1986, dated as of July 1, 1986, stated to mature in installments on July 1 in each of the years 1988 to 2004, inclusive, (the “1986 Refunding Bonds”);

WHEREAS, the County, pursuant to The Local Government Finance Act and a bond order adopted by the Board of Commissioners of the County, issued its Public Improvement Bonds, Series 1993, dated as of October 1, 1993, stated to mature in installments on April 1 in each of the years 1995 to 2011, inclusive, (the “1993 Public Improvement Bonds”);

WHEREAS, the County, pursuant to The Local Government Finance Act and a bond order adopted by the Board of Commissioners of the County, issued its Public Improvement Bonds, Series 1996A, dated as of March 1, 1996, stated to mature in installments on March 1 in each of the years 1997 to 2013, inclusive, (the “1996A Public Improvement Bonds”);

WHEREAS, the County, pursuant to The Local Government Finance Act and a bond order adopted by the Board of Commissioners of the County, issued its Public Improvement Bonds, Series 1996B, dated as of March 1, 1996, stated to mature in installments on March 1 in each of the years 1997 to 2013, inclusive, (the “1996B Public Improvement Bonds”);

WHEREAS, the County, pursuant to The Local Government Finance Act and a bond order adopted by the Board of Commissioners of the County on December 17, 2002 and a resolution adopted by said Board of Commissioners on January 7, 2003 authorized the issuance and provided for the sale of approximately $190,000,000 Refunding Bonds, Series 2003C (the “Refunding Bonds”), for the purpose of providing funds to pay and refund a portion (as described below) of the 1986 Refunding Bonds, 1993 Public Improvement Bonds, 1996A Public Improvement Bonds and 1996B Public Improvement Bonds; and

WHEREAS, the County has determined to provide for the payment, refunding and redemption of a portion of the 1986 Refunding Bonds (as described below) by depositing with the Escrow Agent cash and non-callable direct obligations of the United States of America, which obligations shall not include investments in mutual funds and unit investment trusts (“Government Obligations”), in such amounts and maturing at stated fixed prices as to principal and interest at such times so that sufficient moneys will be available from such principal and interest to pay interest as it becomes due on and to (a) redeem on July 1, 2003, at the applicable redemption price, as stated in each outstanding 1986 Refunding Bond, the 1986 Refunding Bonds maturing on July 1, 2003 and (b) pay at maturity the 1986 Refunding Bonds maturing on July 1, 2003 (collectively, the “Refunded 1986 Refunding Bonds”).

WHEREAS, the County has determined to provide for the payment, refunding and redemption of a portion of the 1993 Public Improvement Bonds (as described below) by depositing with the Escrow Agent cash and non-callable direct obligations of the United States of America, which obligations shall not include investments in mutual funds and unit investment trusts (“Government Obligations”), in such amounts and maturing at stated fixed prices as to principal and interest at such times so that sufficient moneys will be available from such principal and interest to pay interest as it becomes due on and to (a) redeem on April 1, 2003, at the applicable redemption price, as stated in each outstanding 1993 Public Improvement Bond, the 1993 Public Improvement Bonds maturing after April 1, 2003 and (b) pay at maturity the 1993 Public Improvement Bonds maturing on April 1, 2003 (collectively, the “Refunded 1993 Public Improvement Bonds”)

WHEREAS, the County has determined to provide for the payment, refunding and redemption of a portion of the 1996A Public Improvement Bonds (as described below) by depositing with the Escrow Agent cash and non-callable direct
obligations of the United States of America, which obligations shall not include investments in mutual funds and unit investment trusts ("Government Obligations"), in such amounts and maturing at stated fixed prices as to principal and interest at such times so that sufficient moneys will be available from such principal and interest to pay interest as it becomes due on to (a) redeem on March 1, 2006, at the applicable redemption price, as stated in each outstanding 1996A Public Improvement Bond, the 1996A Public Improvement Bonds maturing after March 1, 2006 and (b) pay at maturity certain of the 1996A Public Improvement Bonds (as detailed in Exhibit B hereto)

maturing on or before that date (collectively, the "Refunded 1996A Public Improvement Bonds")

WHEREAS, the County has determined to provide for the payment, refunding and redemption of a portion of the 1996B Public Improvement Bonds (as described below) by depositing with the Escrow Agent cash and non-callable direct obligations of the United States of America, which obligations shall not include investments in mutual funds and unit investment trusts ("Government Obligations"), in such amounts and maturing at stated fixed prices as to principal and interest at such times so that sufficient moneys will be available from such principal and interest to pay interest as it becomes due on to (a) redeem on March 1, 2006, at the applicable redemption price, as stated in each outstanding 1996B Public Improvement Bond, the 1996B Public Improvement Bonds maturing after March 1, 2006 and (b) pay at maturity certain of the 1996B Public Improvement Bonds (as detailed in Exhibit B hereto) maturing on or before that date (collectively, the “Refunded 1996B Public Improvement Bonds”)

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. Creation of Escrow Account and Expense Account. There is hereby created and established with the Escrow Agent a special and irrevocable escrow account, designated “2003 Refunding Bonds Escrow Account” or “2003 Escrow Account”, to be held in the custody of the Escrow Agent separate and apart from other funds of the County or of the Escrow Agent as a trust fund for the benefit of the holders of Refunded 1986 Refunding Bonds, Refunded 1993 Public Improvement Bonds, Refunded 1996A Public Improvement Bonds and Refunded 1996B Public Improvement Bonds (collectively, the “Refunded Bonds”).

There is also hereby created and established with the Escrow Agent the special account designated “2003 Expense Account” to be held in the custody of the Escrow Agent separate and apart from other funds of the County or of the Escrow Agent.

2. Deposit of Moneys. Concurrently with the execution of this Agreement, the County deposits or causes to be deposited with the Escrow Agent, and the Escrow Agent acknowledges receipt of, immediately available moneys for deposit in the following Accounts, in the amounts and from the sources indicated, to be supplied solely as provided in this Agreement:

(a) $_________ to be deposited in the 2003 Refunding Bonds Escrow Account, $_________ from the proceeds of the Refunding Bonds and $_________ deposited by the County with the Escrow Agent on the date hereof.

(b) $_________ to be deposited in the 2003 Expense Account, from the proceeds of the Refunding Bonds.

3. Irrevocable Trusts Created. The deposit of moneys in the 2003 Escrow Account, as provided in paragraph 2 (a) hereof, shall constitute an irrevocable deposit and pledge of said moneys for the equal and ratable benefit of the holders of the Refunded Bonds. The holders of the Refunded Bonds shall have an express lien on all moneys deposited in the 2003 Escrow Account, and on the Government Obligations credited to the 2003 Escrow Account, until applied in accordance with this Agreement. The matured principal of the Government Obligations and the interest thereon and uninvested cash shall be held in trust by the Escrow Agent, and shall, except as expressly provided herein, be applied as hereinafter set forth, solely to the payment of the principal of and premium and interest on the Refunded Bonds, respectively, as the same become due and payable, whether at maturity, upon scheduled interest payment date or upon the redemption thereof.

In reliance upon the mathematical computation performed by ___________ and the verification thereof performed by ___________, the County has determined that the interest on and the principal amounts maturing on the Government Obligations in accordance with their terms are sufficient to assure that moneys will be available to the Escrow Agent in amounts sufficient to pay and redeem the Refunded Bonds and to pay the interest thereon.

4. Purchase of Government Obligations. The Escrow Agent is hereby directed to immediately purchase the Government Obligations listed on Exhibit A hereto, solely for the account of and from the moneys deposited in the 2003 Escrow Account, as therein set forth. The Escrow Agent will not make any disbursements until it possesses sufficient funds for such disbursements. A $_________ portion of the moneys deposited in the 2003 Escrow Account shall not be invested. The Escrow Agent shall apply the moneys deposited in the 2003 Escrow Account, and the Government Obligations purchased therewith, together with all income or earnings thereon, in accordance with the provisions hereof. The Escrow Agent shall have no power or duty to invest any moneys held hereunder or to make substitutions of the Government Obligations held hereunder or to sell, transfer or otherwise dispose of the Government Obligations acquired hereunder except as provided in this Agreement.

5. Substituted Government Obligations. Except as otherwise expressly provided in paragraphs 3, 4 and 6 hereof and this paragraph 5, the Escrow Agent shall have no power or duty to invest any moneys held hereunder or to make substitutions of the Government Obligations held hereunder or to sell, transfer or otherwise dispose of the Government Obligations acquired hereunder, or to pay interest on any such moneys not required to be invested hereunder, provided, however, that at the written direction of the County Manager of the County and upon compliance with the conditions hereinafter stated, the Escrow Agent shall have the power to sell, transfer, or otherwise dispose of, the Government Obligations acquired hereunder, to substitute therefor other Government Obligations and shall have the power to release excess cash from the 2003 Escrow Account and pay such cash to the County. The Escrow Agent shall purchase such substitute Government Obligations and shall pay such excess cash to the County with the proceeds derived from the sale, transfer, or disposition of the Government Obligations. The substitution of Government Obligations described above and the payment of such excess cash to the County may be effected only if (i) the moneys and Government Obligations on deposit immediately after such substitution will be sufficient to meet or exceed the amount required to refund the Refunded Bonds as hereinafter provided, (ii) the County and the Escrow Agent shall receive, at the expense of the County, and may rely conclusively upon, a verification of an independent certified public accountant or firm of independent certified public accountants designated by the
County and not unacceptable to the Escrow Agent that the moneys and Government Obligations on deposit in the 2003 Escrow Account immediately after such substitution or release of excess cash shall be sufficient to meet or exceed the amount required to pay and refund the Refunded Bonds as hereinafter provided without any reinvestment, (iii) notification of substitution will be given to Moody’s Investors Service (“Moody’s”), Standard and Poor’s Ratings Services (“Standard & Poor’s”) and Fitch, Inc. (“Fitch”), (iv) the Escrow Agent shall receive an opinion of Robinson, Bradshaw & Hinson, P.A. or other nationally recognized bond counsel to the effect that the substitution and payment of excess cash to the County will not cause any of the Refunding Bonds to be an “arbitrage bond” within the meaning of the Internal Revenue Code of 1986, as amended, and the regulations thereunder.

6. Deposit of Proceeds of Government Obligations. The Escrow Agent shall deposit, as received, to the credit of the 2003 Escrow Account, all maturities of principal and interest on the Government Obligations purchased with the moneys deposited in the 2003 Escrow Account, and except as expressly provided herein shall not reinvest such amounts. The Escrow Agent shall invest amounts in the 2003 Expense Account in the North Carolina Cash Management Trust (Cash Portfolio) until such time as such amounts are needed for payment of expenses as provided herein.

7. Transfers from Accounts for Payment of Refunded Bonds and Expenses.

(a) So long as the Refunded Bonds remain in book entry form through The Depository Trust Company, the Escrow Agent shall, on behalf of the County, on or immediately prior to each interest or principal payment date or redemption date for the Refunded Bonds, transfer from cash on hand to The Depository Trust Company or its nominee (with appropriate instructions for application), amounts sufficient to pay the interest on and any principal or redemption price of the Refunded Bonds payable on such date, as set forth in Exhibit H hereto. If the Refunded Bonds are no longer in such book entry form, the Escrow Agent shall pay the amounts described in the first sentence of this paragraph (a) to the registered owners thereof after presentation by the Paying Agent for the Refunded Bonds to the Escrow Agent of a list of the names and addresses of the registered owners. To the extent permitted by law, the County shall indemnify the Escrow Agent and hold the Escrow Agent harmless for any liability or damages resulting from payments made in accordance with this paragraph (a). The Escrow Agent shall not be responsible for any tax reporting with respect to any payments described in this paragraph (a) and shall be entitled to an appropriate adjustment in its fees if the Refunded Bonds are no longer in book entry form.

(b) If the Escrow Agent shall determine that amounts in the 2003 Escrow Account available to make the payments required by paragraph (a) of this section are insufficient for such required payments, the Escrow Agent shall immediately notify the Director of Finance of the County in writing of such shortfall, at P. O. Box 34486, 600 East Fourth Street, Charlotte, NC 28202. The County shall timely deposit in the 2003 Escrow Account such additional amounts as may be required to meet fully the amount so to become due and payable.

(c) The Escrow Agent shall, upon receipt of invoices as approved by the Director of Finance of the County, pay from the 2003 Expense Account expenses incurred in connection with the refunding or reimburse the County for such expenses.

8. Redemption; Notice of Redemption.

(a) The County specifically and irrevocably elects to redeem on July 1, 2003 the Refunded 1986 Refunding Bonds maturing after that date (the “Callable Refunded 1986 Refunding Bonds”). The Escrow Agent is hereby irrevocably authorized and directed, and hereby agrees, to cause to be given a notice of redemption of the Callable Refunded 1986 Refunding Bonds in substantially the form set forth in Exhibit C-1 attached hereto. The Escrow Agent hereby agrees to inform the County promptly and in writing of the required mailing of said notice of redemption.

(b) The County specifically and irrevocably elects to redeem on April 1, 2003 the Refunded 1993 Public Improvement Bonds maturing after that date (the “Callable Refunded 1993 Public Improvement Bonds”). The Escrow Agent is hereby irrevocably authorized and directed, and hereby agrees, to cause to be given a notice of redemption of the Callable Refunded 1993 Public Improvement Bonds in substantially the form set forth in Exhibit C-2 attached hereto. The Escrow Agent hereby agrees to inform the County promptly and in writing of the required mailing of said notice of redemption.

(c) The County specifically and irrevocably elects to redeem on March 1, 2006 the Refunded 1996A Public Improvement Bonds maturing after that date (the “Callable Refunded 1996A Public Improvement Bonds”). The Escrow Agent is hereby irrevocably authorized and directed, and hereby agrees, to cause to be given a notice of redemption of the Callable Refunded 1996A Public Improvement Bonds in substantially the form set forth in Exhibit C-3 attached hereto. The Escrow Agent hereby agrees to inform the County promptly and in writing of the required mailing of said notice of redemption.

(d) The County specifically and irrevocably elects to redeem on March 1, 2006 the Refunded 1996B Public Improvement Bonds maturing after that date (the “Callable Refunded 1996B Public Improvement Bonds”). The Escrow Agent is hereby irrevocably authorized and directed, and hereby agrees, to cause to be given a notice of redemption of the Callable Refunded 1996B Public Improvement Bonds in substantially the form set forth in Exhibit C-4 attached hereto. The Escrow Agent hereby agrees to inform the County promptly and in writing of the required mailing of said notice of redemption.

(e) Each notice of redemption with respect to the Callable Refunded 1986 Refunding Bonds, stating the redemption date, redemption price and identifying the bonds to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by certified or registered mail to The Depository Trust Company or its nominee as the registered owner of the bonds to be redeemed (or to such other registered owner or owners of the bonds to be redeemed as may be indicated on a list to be provided by the Paying Agent to the Escrow Agent) not less than 30 days nor more than 60 days prior to the redemption date fixed in said notice.

(f) Each notice of redemption with respect to the Callable Refunded 1993 Public Improvement Bonds, stating the redemption date, redemption price and identifying the bonds to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by certified or registered mail to The Depository Trust Company or its nominee as the registered owner of the bonds to be redeemed (or to such other registered owner or owners of the bonds to be redeemed as may be indicated on a list to be provided by the Paying Agent to the Escrow Agent) not less than 30 days nor more than 45 days prior to the redemption date fixed in said notice.
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(g) Each notice of redemption with respect to the Callable Refunded 1996A Public Improvement Bonds, stating the redemption date, redemption price and identifying the bonds to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by certified or registered mail to The Depository Trust Company or its nominee as the registered owner of the bonds to be redeemed (or to such other registered owner or owners of the bonds to be redeemed as may be indicated on a list to be provided by the Paying Agent to the Escrow Agent) not less than 30 days nor more than 45 days prior to the redemption date fixed in said notice.

(h) Each notice of redemption with respect to the Callable Refunded 1996B Public Improvement Bonds, stating the redemption date, redemption price and identifying the bonds to be redeemed by reference to their numbers and further stating that on such redemption date there shall become due and payable upon each bond so to be redeemed, the principal thereof, redemption premium and interest accrued to the redemption date and that from and after such date interest thereon shall cease to accrue, shall be given by certified or registered mail to The Depository Trust Company or its nominee as the registered owner of the bonds to be redeemed (or to such other registered owner or owners of the bonds to be redeemed as may be indicated on a list to be provided by the Paying Agent to the Escrow Agent) not less than 30 days nor more than 45 days prior to the redemption date fixed in said notice.

(i) On request from the Escrow Agent, the County shall promptly furnish a list of the bond numbers and corresponding maturity dates of the Refunded Bonds to be redeemed pursuant to a notice of redemption.

9. Surplus Funds. When all the Refunded Bonds and interest due thereon have been paid and discharged, this Escrow Deposit Agreement shall terminate and all remaining moneys and Government Obligations, together with any income and interest thereon, in the 2003 Escrow Account shall be transferred to the County by the Escrow Agent.

Any money remaining in the 2003 Expense Account on August 1, 2003 shall be transferred to the County by the Escrow Agent.

10. Acceptance by Escrow Agent; Liability.

(a) By execution of this Agreement, the Escrow Agent accepts the duties and obligations as Escrow Agent hereunder. The Escrow Agent represents that it has all requisite power, and has taken all corporate actions necessary, to execute the trusts created by those documents.

(b) The Escrow Agent shall have no responsibility to the County or any other person in connection herewith except those responsibilities specifically provided herein and shall not be responsible for anything done or omitted to be done by it except for its own negligence or default in the performance of any obligation imposed on it hereunder. The Escrow Agent, except as herein specifically provided for, is not a party to, nor is it bound by or need it give consideration to the terms or provisions of any other agreement or undertaking between the County and any other person, and the Escrow Agent shall terminate and all remaining moneys and Government Obligations, together with any income and interest thereon, in the 2003 Escrow Account shall be transferred to the County by the Escrow Agent.

11. Escrow Agent Reports. The Escrow Agent shall, no later than August 15th in each year during which this Agreement is in effect, furnish the County a written report of the receipts, investments, redemptions and payments of and from the 2003 Escrow Account as of the immediately preceding July 1.

12. Receipt of Proceedings. Receipt of true and correct copies of the bond order and resolutions authorizing the issuance and providing for the sale of the Refunding Bonds is hereby acknowledged by the Escrow Agent, and reference herein to or citation herein of any provision of said documents shall be deemed to incorporate the same as a part hereof in the same manner and with the same effect as if they were fully set forth herein.

13. Reliance on Documents. The Escrow Agent may act upon any written notice, request, waiver, consent, certificate, receipt, authorization, power of attorney, or other instrument or document which the Escrow Agent in good faith believes to be genuine and to be what it purports to be.
14. **Performance on Business Days.** Whenever under the terms of this Agreement the performance date of any act to be done hereunder shall fall on a day which is not a legal banking day in the State of North Carolina, and upon which the Escrow Agent is not open for business, the performance thereof on the next succeeding business day of the Escrow Agent shall be deemed to be in full compliance with this Agreement. Whenever time is referred to in this Agreement it shall be the time recognized by the Escrow Agent in the ordinary conduct of its normal business transactions.

15. **Fees and Expenses.** The County shall pay the Escrow Agent compensation and expenses for all services performed by it hereunder, as and to the extent provided in prior written agreements. To the extent permitted by law, the County agrees to indemnify the Escrow Agent and hold it harmless against any liability (except liability resulting from its negligence or willful misconduct) which it may incur while acting in its capacity as Escrow Agent under this Escrow Deposit Agreement, including, but not limited to, any court costs and reasonable attorneys’ fees. Such costs, charges and expenses of the Escrow Agent shall be paid by the County, but in no event shall such costs, charges, expenses and indemnification give rise to any claim against the 2003 Escrow Account, the moneys in which are solely for the benefit of the holders of the Refunded Bonds.

16. **Resignation; Successor Escrow Agent.** The Escrow Agent may resign and thereby become discharged from the trusts hereby created, by notice in writing given to the holders of the Refunded Bonds as their names appear on the registration books of the Director of Finance of the County, as bond registrar for the Refunded Bonds, as of the fifteenth (15th) day prior to the date such notice is mailed and published once in a newspaper of general circulation in the County of Mecklenburg, North Carolina or in a financial journal published in the Borough of Manhattan, City and State of New York, all not less than sixty (60) days before such resignation shall take effect. Notice shall also be given to Moody’s, Standard & Poor’s and Fitch at the respective addresses provided in Section 17. The Escrow Agent will continue to serve as Escrow Agent until a successor is appointed. If no such appointment is made within 60 days, the Escrow Agent may apply to a court of competent jurisdiction to appoint a successor Escrow Agent. Such resignation shall take effect immediately, however, upon the appointment of a new Escrow Agent hereunder, if such new Escrow Agent shall be appointed before the time limited by such notice and shall then accept the trusts thereof.

17. **Amendments.** In the absence of 100% bondholder approval, amendments to this Agreement shall be limited to (a) the insertion of unintentionally omitted material or the correction of mistakes or clarification of ambiguities, (b) the pledging of additional security to the holders of the Refunded Bonds, (c) the deposit of additional cash or securities in the 2003 Escrow Account or (d) amendments which will not result in a lowering or withdrawal of Moody’s, Standard & Poor’s or Fitch as confirmed in writing by the ratings of each of them. Prior written notice of and draft copies of an amendment to this Agreement shall be given by the County to Moody’s, Standard & Poor’s and Fitch. All amendments shall be in writing and shall be signed by the County and by the Escrow Agent.

18. **Severability.** If any one or more of the covenants or agreements provided in this Agreement on the part of the County or the Escrow Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement. The County shall promptly notify Moody’s, Standard & Poor’s and Fitch in writing if any portion of this Agreement is severed because of its illegality.

19. **Representations and Covenants.** All the covenants, promises and agreements of the County or of the Escrow Agent shall bind and inure to their respective successors and assigns whether so expressed or not. All representations, covenants and indemnifications contained herein shall survive the termination of this Escrow Agreement.

20. **Counterparts.** This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

21. **Notices.** Any notice, authorization, request, or demand required or permitted to be given hereunder shall be in writing and shall be deemed to have been duly given, when mailed by registered or certified mail, postage prepaid, addressed as follows:

- to the County, if addressed to:
  Director of Finance
  P.O. Box 34486
  600 East Fourth Street
  Charlotte, NC 28202

- to the Escrow Agent, if addressed to:

Any of such addresses may be changed at any time upon written notice of such change sent by United States registered mail, postage prepaid, to the other persons named in this section 21 by the person effecting the change.

22. **Governing Law.** This Agreement shall be governed by and construed in accordance with the applicable law of the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed by their duly authorized officers and their official seals to be hereunto affixed and attested as of the date first above written.

**Agreement recorded in full in Minute Book 41-A, Document #292.**
(15) EMPLOYMENT OF A RELATIVE/DEPARTMENT OF SOCIAL SERVICES

To grant approval for the Department of Social Services to hire Nicole Weatherly Jones, the daughter of the County's Finance Director, J. Harry Weatherly, as a Protective Services Social Worker, pending completion of all required Mecklenburg County hiring procedures.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(11) DRUG TREATMENT COURT GRANTS/CONTINUATION FUNDING REQUESTS

Motion was made by Commissioner Woodard, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) approve the submittal of Mecklenburg County Drug Treatment Court (DTC) Case Management Enhancement and Mecklenburg County DTC Residential Beds Program applications to the N.C. Department of Crime Control and Public Safety, Governor’s Crime Commission for continuation funding.

This includes $160,344.00 match funding from the County.

2) Approve the submittal of Mecklenburg County Family Drug Treatment Court’s application to the N.C. Department of Crime Control and Public Safety, Governor’s Crime Commission for second year funding.

This includes $107,500 match funding from the County.

Commissioner Woodard removed this item from consent in order to request information on the success of the drug treatment programs through the courts.

Peter Cook, Director of Court Services addressed this issue and stated that the court’s efforts have been successful. He stated that he would provide the Board with specific documentation.

(13) NATIONAL COUNCIL OF LARAZA FUNDING

Motion was made by Commissioner Ramirez, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $20,000 from the National Council of LaRaza’s Institute for Hispanic Health (NCLR).

These funds will be used to reduce the incidence of cardiovascular disease among Latinos through a comprehensive outreach project and to reduce the burden of disease in the Hispanic Community associated with environmental tobacco smoke and exposure to indoor environmental asthma triggers.

Commissioner Ramirez removed this item from consent for more public awareness.

(16) LAND ACQUISITION/BRIAR CREEK GREENWAY

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve purchase of a portion of Tax Parcel...
#095-102-56 at 1915 Arnold Drive from Gordon Davis for $5,077 for the Briar Creek Greenway.

Commissioner Samuelson removed this item from consent for more public awareness.

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(2A1) LAND ACQUISITION

Motion was made by Commissioner James seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of tax parcel #125-213-07 at 1437 East Morehead Street from Thomas F. Taft, Sr. for $3,975,000 for the Little Sugar Creek Greenway on Kings Drive.

(2A2) LAND ACQUISITION

Motion was made by Commissioner Woodard seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of tax parcels #077-076-05 at 917 Rodey Avenue from Herbert L. Perry for $90,000 for the Druid Hills Neighborhood Park site.

(17) CITY-COUNTY PARKING DECK CONTRACT RESOLUTION APPROVING AMENDMENT TO CITY-COUNTY PARKING DECK CONTRACT

Motion was made by Commissioner Helms, seconded by Commissioner Woodard, to approve the Resolution Approving Amendment to City-County Parking Deck Contract.

During the Board’s discussion of this matter, Commissioner James suggested that the contract be amended to allow the County the right to provide its parking spaces for arena events, if it chooses to do; and to add a clause that would indemnify the County if a lawsuit occurs against the City.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner James and carried 5-4 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Helms, Mitchell, and Woodard voting no, to approve the Resolution Approving Amendment to City-County Parking Deck Contract; that the contract be amended to allow County spaces to be available for Arena parking and for the County to retain the revenue; and that a clause be included in the contract for the City to indemnify the County.

The Davidson Street parking deck was built by the City for the joint benefit of the City and County. The County initially purchased 24.3% of the deck using Courts Facilities Bonds proceeds and over the first 20 years after construction is lease/purchasing 39.4% of the deck property and an additional 15.1% interest in the deck. The ownership and operation of the deck is governed by the City-County Parking Deck Contract entered into in 1985. The deck is managed by the City pursuant to the Contract. The Contract requires that between 100 and 300 spaces would be available to members of the public visiting the City-County offices or the Courts with the remainder allocated to County employees, Court employees and City employees. The City has requested that the County amend the Contract to allow the County to convey to the NBA team the right to use and retain the revenues from approximately 517 City-controlled parking spaces in the 1000 space deck for home basketball games to be played in the new Arena that will be managed by the NBA team as referenced in a Memorandum of Agreement between the City and the NBA. The amendment would also allow the City to make City-controlled spaces available for Arena events, allow the NBA to operate a portion of the deck for certain Arena events and retain the revenue resulting from such events, and would ratify the City's current practice of opening the deck for free public parking on Sunday mornings.
Resolution recorded in full in Minute Book 41-A, Document #293.

Chairman Cox left the dais and was away until noted in the minutes.

Vice-Chairman Ramirez chaired the meeting until the return of Chairman Cox.

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(18) NEW COURTHOUSE PROJECT - DEMOLITION PACKAGE

Motion was made by Commissioner Helms seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to award a contract to D.H. Griffin Wrecking Company for the demolition of the existing Courts Parking Deck.

Robert Lutz with Real Estate Services addressed this issue.

Chairman Cox returned to the dais and resumed chairing the meeting.

(19) SCHOOL FUNDING REQUEST FOR SCHOOL NURSES (COMMISSIONER PUCKETT)

Motion was made by Commissioner Puckett seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to modify 2003 Legislative Agenda Item concerning funding school nurses by requesting that funding be based on Mecklenburg County’s established nurse to student ratio goal of 1:1000 not the nationally recommended goal of 1:750.

(20) CLOSED SESSION - TO PREVENT THE DISCLOSURE OF CHILD PROTECTIVE SERVICES INFORMATION THAT IS CONFIDENTIAL PURSUANT TO N.C.G.S. 108A-11 AND N.C.G.S. 7B-2901.


Commissioner Puckett stated that it was not his intent that the Board consider going into Closed Session at this time, but rather that the Board would schedule a time to do so in the future, with that time being worked out by staff and the Chairman of the Board.

The purpose would be to discuss the Stratton case and the process followed by staff as it relates to the Stratton case.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 5-4 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Helms, Mitchell, and Woodard voting no, to direct staff to schedule, in consultation with the Chairman of the Board, a Closed Session regarding the Stratton case, for the purpose of reviewing the process followed by staff.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 5-4 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Helms, Mitchell, and Woodard voting no, that the Board, acting as the Board of Social Services, go into the Closed Session, again to be scheduled by staff and the Chairman of the Board, to offer an opportunity for Mr. and Mrs. Stratton to present to the Board any information that they would like to provide to the Board in regards to complaints, charges or grievances that they may assert against any County officer or employee. Secondly, that the Chairman of the Board manage that Closed Session meeting and designate one Commissioner to ask questions for clarity. Thirdly, that the Chairman, working through staff, send a letter to the
Strattons inviting them to attend this Closed Session and asking them to place their complaints in writing, if they desire to do so.

*Commissioner Mitchell left the dais and was away until noted in the minutes.*

**JANUARY 7, 2003**

(2A) **LAND ACQUISITION LITTLE SUGAR CREEK GREENWAY**

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive a report from Wayne Weston, Director of Park and Recreation on the Little Sugar Creek Greenway.

*It was noted that a part of this report was given in Closed Session and that it was determined that a portion of the report was appropriate for Open Session.*

*Commissioner Mitchell returned to the dais.*

Director Weston gave an update on the Little Sugar Creek Greenway and related acquisitions.

Report highlights:

- This was a stretch of greenway that has been a topic of discussion in the community for over 30 years.
- The project buy-out cost is around $25 million dollars with the scope of the project being a 10 year scope.
- Spending $2 million dollars a year over a 10-year period would provide the community with the significant amenity that the community itself from an environmental, educational, and recreational standpoint has pursued for 30 years.
- Appraisals have been done.
- Staff is comfortable with the dialogue that has taken place regarding relocation of businesses, even though there are no relocation expenses on the part of the County.
- The length of stay has been considered.
- The County is committed to working with the enterprises along this corridor to do what’s fair.
- Rent abatements have been considered that provide the potential for businesses to stay well beyond the acquisition of the properties.
- The project has the interest of Home Depot and its Expo facility that will be constructed in the area. Also, the interest of local developers.
- The future of this particular area will have the ability through pedestrian oriented infrastructure to generate economic development.
- Significant donations from the private sector are on the verge of being rendered for the Little Sugar Creek Greenway.
- Connectivity and safety are predominant concerns.

Chairman Cox thanked Director Weston for his report.

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Prior to adjourning, Chairman Cox noted for the record that he along with Commissioners James and Puckett had received an information packet from Mr. Alan Beal with the Children’s Legal Foundation and Justice Coalition, but that he would return it to the Clerk, noting that until Mr. Beal provides that information to all Commissioners, he was not willing to accept it.

*Commissioner Puckett returned his also.*

**ADJOURNMENT**
Motion was made by Commissioner James, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:13 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
ATTENDANCE

Present: Vice-Chairman Dan Ramirez, Commissioners
Dumont Clarke, Norman A. Mitchell, Sr.
Ruth Samuelson, and Valerie C. Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Chairman Tom Cox, Commissioners H. Parks Helms
Bill James and Jim Puckett

Also Present: Mecklenburg County Legislative Delegation Members
Representatives Becky Carney, Beverly Earle,
Pete Cunningham, Edwin McMahan, John Rhodes
Drew Saunders, and Constance Wilson
Senators Dan Clodfelter, Charlie Dannelly, Robert Pittenger
and Fern Shubert

Commissioner Woodard was absent when the meeting was called to order and until noted in the minutes.

Vice-Chairman Ramirez called the meeting to order.

The Board met with members of the Mecklenburg County Legislative Delegation for the purpose of presenting the County’s proposed legislative agenda.

Vice-Chairman Ramirez called upon Representative Saunders to introduce members of the Delegation that were present. Representative Saunders noted that immediately following this meeting the Delegation would meet briefly with a local organization regarding a moratorium on the death penalty.

Vice-Chairman Ramirez then introduced members of the Board that were present, after which he called upon County Manager Jones.

County Manager Jones referenced the agendas that were provided to the delegation, after which he called upon Deputy County Attorney Sandra Bisanar to outline the format for proceeding.

Prior to the start of the presentation, Deputy County Attorney Sandra Bisanar informed the delegation that Brian Francis, former Legislative Liaison, left the County’s employment as of December 31, 2002. Mr. Francis will continue, however, to assist the County with legislative matters on a contractual basis through January 2003. Attorney Bisanar stated that the position would be filled. She noted that the County, prior to Mr. Francis departure, was in the process of receiving proposals from law firms, individuals and companies for handling the day to day
monitoring of legislation in Raleigh and to work with the Delegation. In addition, it was noted that the County has a vacant County Attorney position, which will be combined with Mr. Francis’ previous position and is currently being advertised for. This Attorney, along with the firm or individual the County contracts with, will work with the Delegation.

(1) LEGISLATIVE AGENDA

Brian Francis, former County Legislative Liaison, then presented the County’s proposed 2003 legislative request. He noted that the County would probably be submitting a few additional items at a later date.

The items presented were as follows:

Policy Request

1. Revise procedure for acquiring land for CMS

Representative McMahan questioned the Board’s split vote on the proposal to revise the procedure for acquiring land. He noted that he felt the idea was worth pursuing.

Commissioner Clarke, who opposed the proposal, stated that he felt the current procedure was working well, except for those instances where Certificates of Participation (COPS) financing was needed. He noted, however, that this item had nothing to do with COPS financing.

Commissioner Samuelson, who supported the proposal, stated that she voted for it, however, she doesn’t have strong feels one way or the other. She noted that one issue was that some times there are disagreements over what to do with the money when a piece of land is sold. She noted that currently the schools make that decision but that it was felt by some that since the County paid for the land, then the County should be able to decide what to do with the money when land is sold.

Representative Saunders asked if the Board of Education supported this proposal?

Commissioner Samuelson said that a majority of the Board of Education did not support this proposal.

2. Revise procedure for acquiring land for CPCC

Mr. Francis noted that Central Piedmont Community College had no strong concerns.


Commissioner Woodard entered the meeting at this time.

No questions were asked.

4. Allow funds collected for 911 service to be used for 311 as well.

Senator Dannelly noted that this proposal had received approval by the Senate for the City, however, he was not sure of its status in the House.
5. Make technical corrections to the inking requirements for Death Certificates

Representative Saunders noted that sometimes blue ink doesn’t copy well, however, with today’s technology this may no longer be true.

6. Remove the current cap of 100 on charter schools- Commissioner Puckett

Representative McMahan stated that past attempts to remove the current cap on charter schools have been unsuccessful.

Representative Cunningham noted that he could not support removing the current cap of 100 on charter schools. He stated that the cap was put in place for a reason. He expressed his support of the traditional type of public schools.

Representative Saunders noted that the request for the removal of the cap on charter schools could be a statewide proposal. He asked if the Board of Education was supportive of this proposal. Mr. Francis noted that it was unknown how the Board of Education felt.

Senator Shubert noted that the delegation would probably be split on the charter school cap issue.

7. Extend the sunset on existing legislation allowing for the private sale of the Hal Marshall building.

No questions were asked.

Appropriations

8. Eliminate County share of Medicaid

No questions were asked.

9. Fund 14 Assistant District Attorney positions that will lose grant funding in the next 30 months.

District Attorney Peter Gilchrist spoke in support of additional funding for Assistant District Attorney positions.

Representative McMahan said he understood the need, but noted that in the past it has been felt in Raleigh by many, including those in the “crime” and “justice” area that Mecklenburg County courts has its share.

District Attorney Gilchrist addressed the funding formula used by the State for Assistant District Attorneys noting that the current formula does not adequately address the needs that exist. He noted further that several years ago Mecklenburg County had anticipated receiving funding for 16 Assistant District Attorneys but only received 4.

10. Reinstate funding to Juvenile Crime Prevention Council and Structured Day Program.

Peter Cook, Director of Court Services addressed this request, noting the success of the program.
11. Fund school nurses at the ratios recommended by the Center for Disease Control and the American Association of Pediatrics.

*No questions were asked.*

**Revenue Requests**

12. Increase Pre-trial Services Supervision fee from $15 to $30

*Peter Cook, Director of Court Services addressed this request. He clarified that the fee was assessed upon conviction. He also clarified for Representative Cunningham that the fee had nothing to do with someone entering the program.*

13. Increase Court Facility Fee by $5.

*No questions were asked.*

14. Create $2 Technology Fee as part of court costs following conviction.

*No questions were asked.*

15. Allow Mecklenburg County to increase the fee for restaurant inspections.

*Peter Safir, Health Director addressed the fee for restaurant inspections.*

Representative Cunningham noted that he supports and has supported the increase in the fee for restaurant inspections that his objection in the past had to do with what the fee increase would be used for. He was okay with it being used to hire more inspectors, but not with the piece that said “and for other projects.” He noted that since the request is now specific with its plans for the fee increase, to hire more inspectors, he can support it fully.

Commissioner Samuelson inquired as to whether or not there had been any discussion regarding restaurants that consistently receive high ratings being inspected less often.

Mr. Safir said that the Department would like to work on the concept of looking at those restaurants that are high performing consistently and being able to reduced the number of required inspections per year.

Vice-Chairman Ramirez asked about the inspection rate.

Mr. Safir said the County was at about 60% of its workload. Mr. Safir said that the volume of restaurants was great. He noted that the County has the same number of inspectors as it did 10 years ago but that the workload has doubled.

Representative Wilson asked what was the percentage rate of inspections being completed in other large urban counties?

Mr. Safir said it varies and that although he didn’t have the figures with him, he knows other large urban counties are struggling with this issue as well. He stated that he would get that information to her.

*A copy of the full legislative agenda request is on file with the Clerk to the Board.*

**Other**
Commissioner Mitchell asked if there would be any discussion in the legislature regarding new revenue sources?

Representative Saunders said that this question could not be answered until a speaker was selected.

Senator Shubert addressed the Regional Economic Development Partnership and noted that it was her understanding that this region receives the least state funding when it comes to economic development, yet it is the economic engine of the State. She asked for additional information regarding the amount of dollars Mecklenburg County sends to the State versus what is received.

*Manager Jones said he would have staff follow up with Senator Shubert regarding her request.*

Vice-Chairman Ramirez thanked the Delegation for meeting with the Board.

There being no further business to come before the Board, Vice-Chairman Ramirez declared the meeting be adjourned at 8:45 a.m.
The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center at 600 East Fourth Street, Charlotte, N.C. on Tuesday, January 14, 2003 at 3:00 P.M.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, Ruth Samuelson, and Valerie C. Woodard, Deputy County Manager Russ Crider, County Attorney Marvin A. Bethune, Clerk to the Board Janice S. Paige

Absent: Commissioners Dumont Clarke and Jim Puckett

Commissioners Helms and Ramirez were absent when the meeting was called to order and until noted in the minutes.

(1) FEDERAL LEGISLATIVE AGENDA

The Board received a presentation from representatives of the Ferguson Group, LLC on Fiscal Year 2003 Federal Achievements and Fiscal Year 2004 Federal Priorities for the City of Charlotte and the County.

Roger Gwinn was the lead presenter.

Commissioner Ramirez entered the meeting during this time.

The report covered requests in the areas of Transportation, Economic Development, Education, Environmental Protection, Flood Control, Bank Stabilization and Stream Restoration, Health and Human Services, and Justice.

Highlights:

- The House of Representatives approved 8 of 18 projects between the City of Charlotte and the County totaling $19,045,000.
- The Senate approved 3 of 18 projects between the City of Charlotte and the County totaling $13.8 million.
- The fact that the Senate has only approved 3 projects should not be taken as a sign of non support for the projects. The Senate normally does not take action on projects that have been approved by the House. They wait to finalize these measures and projects when they go to conference committee for consideration.
There have also been a number of bills where there has been no action at all.

As it relates to the Economic Development projects, the House only funded “bricks and mortar” projects in its version of the VA-HUD Appropriations bill.

The Senate VA-HUD Appropriations bill included few earmarks; projects are expected to be included in conference.

2003 County projects noted were:
- After School Project for At-Risk Youth – No Action Taken
- Protecting Kids … Everybody’s Job project – No Action Taken
- Nutrition 2000 – No Action Taken
- Health Hero – No Action Taken
- SWIM Program – House Bill includes $250,000
- Little Sugar Creek Restoration - House Bill includes $70,000
- Phosphorous Reduction Program – House Bill includes $500,000
- Integrated Criminal Justice Information System – No Action Taken

By the middle of February it is anticipated that action will have been taken on matters that are still pending.

2004 Priorities:
- Homeland Security Priorities: Advanced Local Emergency Response Team (ALERT)’s Bioterrorism Surveillance Activities $800,000 and Enhance Interagency Emergency Radio Communication Capability $3 million
- Surface Water Improvement and Management Program $1 million
- Charlotte-Mecklenburg Utilities’ Phosphorous Reduction Program $2 million
- Charlotte-Mecklenburg Sustainability Demonstration Project, Phase III $330,000
- Charlotte-Mecklenburg Breathe Initiative-Secure Funding for Enhanced Air Quality Education Outreach
- Little Sugar Creek Restoration $1 million
- Integrated Criminal Justice Information System and Offender Management System $5 million
- Telemedicine Disease Management $200,000
- Protecting Kids … Everybody’s Job Public Service Announcement Program $500,000

In response to a question raised by Commissioner Samuelson concerning what can the Board do in addition to writing the Congressional Delegation to encourage more support of projects, Mr. Gwinn stated that information has been left with the County Attorney’s Office providing pointers and suggestions in this area.

In response to a question raised by Commissioner Mitchell concerning the status of Homeland Security funds and the distribution of those funds, Mr. Kareen Murphy of the Ferguson Group, noted the following:
- Funds would be awarded to States and 75% of that funding has to go to local governments.
- It will be up to the Governors of each State to decide how those funds are to be allocated to local governments.
- Governor Easley has decided that whatever Homeland Security funding formula is used, it would be structured such that those funds would be allocated to county governments.
- If counties wish to pass that funding on to another entity that would be their decision.
- North Carolina has received a commitment of about $2.5 million, the supplemental appropriation for FY 02 for Homeland Security.
- There is a problem with North Carolina being able to access that FY 02 funding because there is a state level match (25%) required before funds could be drawn down.
A copy of the report is on file with the Clerk to the Board.

(2) REVALUATION

The Board received a presentation from Tax Assessor John Petoskey on the 2003 Revaluation.

Commissioner Helms entered the meeting during this time.

The report covered the following:
How Property Tax is Calculated
What is Revaluation
The Purpose of Revaluation
How is Property Reevaluated
Fair Market Value
The Appeals Process
Public Awareness Efforts

Mr. Petoskey noted the following property tax breakdown, which showed that 20% of the Tax Base is flat or declining:

- 80% is Real Estate, is up due to revaluation
- 9% is Business & Individual Property is flat
- 2% is Utility Property, which declined
- 9% is Registered Motor Vehicles, which is flat

Real Estate Breakdown:
- Residential Property is 60% of the tax base
- Commercial/Industry is 40% of the tax base
- Only 60% of Real Estate base is known as of today
- Only 80% of the tax base is comprised of Real Property
- Only 53% of total County revenue is Property Tax

Commissioner James requested a graph of increases due to revaluation county-wide.

Mr. Petoskey informed the Board that Revaluation Notices would be mailed on January 17, 2003.

A copy of the report is on file with the Clerk to the Board.

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 3:47 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, January 22, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
        Dumont Clarke, H. Parks Helms
        Bill James, Norman A. Mitchell, Sr.
        Jim Puckett, Dan Ramirez, Ruth Samuelson
        and Valerie Woodard
        County Manager Harry L. Jones, Sr.
        County Attorney Marvin A. Bethune
        Clerk to the Board Janice S. Paige

Absent: None.

Commissioner Puckett was absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION-LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax parcel # 125-095-02 located on East Fourth Street, Mecklenburg County v. Demetrios G. Kaperonis, Gus P. Mandrapilias and Theodore P. Kaperonis, as Co-Trustees under the Will of Nicholas D. Kaperonis; Pineville Tire & Service Center, Inc; and Adams Outdoor Advertising of Charlotte (The intended use of the property would be for the Little Sugar Creek Greenway.)

- Tax parcel # 043-011-23 located at 6012 Carver Boulevard (The intended use of the property would be for park purposes.)

- A portion of tax parcel # 019-261-01 on Ramah Church Road (The intended use of the property would be for school purposes.)

- Tax parcels 007-121-01, 007-122-02, 03,04,10, and 11 on Bailey Road (The intended use of the property would be for school purposes.)

- All of tax parcels 029-472-03 and 04; Portions of tax parcels 029-472-01 and 02; and Portions of tax parcels 029-473-98 and 99, located at Highland Creek Parkway (The intended use of the property would be for school purposes.)
A portion of tax parcel # 081-114-16 located at 1401 Vanderburg Street, owned by the City of Charlotte (The intended use of the property would be for school purposes.)

Tax parcel 081-114-20 & 21 located at 1407-09 East 10th Street, owned by Squires Realty (The intended use of the property would be for school purposes.)

Tax parcel 081-114-22 located at 1417 East 10th Street owned by Dorton (The intended use of the property would be for school purposes.)

Tax parcel 081-114-23 & 26 located at 1425 East 10th Street owned by the Tappy Family LLC (The intended use of the property would be for school purposes.)

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss land acquisition, which includes the lawsuit, Mecklenburg County v. Demetrios G. Kaperonis, Gus P. Mandrapilias and Theodore P. Kaperonis, as Co-Trustees under the Will of Nicholas D. Kaperonis.

The Board went into Closed Session at 5:15 P.M. and came back into Open Session at 5:35 P.M.

Commissioner Samuelson was absent when the Board came back into Open Session and was absent until noted in the minutes.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 11 and 19.

Other

Prior to going into the Meeting Chamber for the remainder of the meeting, County Manager Jones addressed Item 23 (Amendment to Financing Agreement with Johnson C. Smith University JCSU).

Note: JCSU and Mecklenburg County entered into a Financing Agreement on October 28, 1998 relative to the construction of a Public Track and Field Facility as part of the JCSU Stadium Project. This Agreement called for JCSU to pay construction costs in excess of the $2,100,000 the County made available for the project. Due to procedural errors, the County continued to pay costs in excess of the $2.1 million rather than sending invoices to JCSU to have JCSU pay those costs. As a result of the transfer of some construction obligations from the County’s contractor to JCSU’s contractor, the County believes that the JCSU obligation was reduced from $900,000 to $822,960. JCSU, however, believes that it owes less than that amount of money to the County as a result of that change in responsibility for a portion of the work. JCSU, however, agreed to pay the County the $822,960 that Mecklenburg County paid on behalf of JCSU if it could pay that amount over a three-year period, without interest. However, as a result of further negotiations, JCSU has agreed to pay interest at 4%.

- FORMAL SESSION -

Invocation was given by Chairman Cox, which was followed by the Pledge of Allegiance to the Flag.

Commissioner Puckett entered the meeting at this time.
(1) PROCLAMATION HEART SAVER COMMUNITY

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to adopt a joint proclamation with the City of Charlotte designating Mecklenburg County as a Heart Saver Community.

Commissioner Mitchell read the proclamation, which was accepted by Regina Enloe of the American Heart Association and Joe Penner, Director of Medic.

Commissioner Clarke was away from the dais at the time of the vote, but returned immediately after the vote had been taken.

A copy of the Proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

(3) APPOINTMENTS

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to waive the Board’s policy regarding term limitations on advisory boards and reappoint Dana Bostrom to the Adult Care Home Community Advisory Committee for a two-year term expiring July 14, 2005.

Commissioner James nominated the following persons for appointment to the Adult Care Home Community Advisory Committee: Rusty Loudermilk, Louise McCrorie and Diane Wright.

Appointments will occur on February 4, 2003.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Helms, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to reappoint Jatis Edmond to the Domestic Violence Advisory Board for a three-year term expiring February 1, 2006.

Commissioner James nominated William Lowry for appointment to the Domestic Violence Advisory Board.

Commissioner Clarke nominated the following persons for appointment to the Domestic Violence Advisory Board: Lisa Hall, Madeline Makarow, Victoria Martinez, Joseph Mercer, Robert Morris, and Jewel Sowell.

An appointment will occur on February 4, 2003.
INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY

Commissioner Helms nominated the following persons for appointment to the Industrial Facilities and Pollution Control Financing Authority: Paige Burgess, Michael McNamara, and John Sanchez.

*Appointments will occur on February 4, 2003.*

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

Commissioner Mitchell nominated the following persons for appointment to the Information Services and Technology Committee: Mike Brannon, Christy Bryant, James Ewald, John Greenwood, Joy Marshall, and Patricia Murphy.

*Appointments will occur on February 4, 2003.*

MINORITY AFFAIRS ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to reappoint Tracy Morris, Ismael Paris, and Michelle Rivera to the Minority Affairs Advisory Committee for three-year terms expiring February 4, 2006.

PERSONNEL COMMISSION

Motion was made by Commissioner Helms, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to reappoint Linda Lancaster to the Personnel Commission for three-year term expiring February 4, 2006.

(4) PUBLIC HEARINGS - NONE

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 8-0, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the following item(s) with the exception of items 11, 19, and 15 to be voted upon separately:

(7) APPROVAL OF MINUTES


(8) TAX REFUNDS

To approve tax refunds to be made by the Finance Department as requested by the Tax Assessor in the amount of $ 58,163.87 resulting from clerical errors, audits and other amendments.

*A list of the taxpayers is on file with the Clerk to the Board.*
(9) HOME AND COMMUNITY CARE BLOCK GRANT ADVISORY COMMITTEE APPOINTMENTS

To appoint the following persons to an Advisory Committee for the Home and Community Care Block Grant for Older Adults:

Ms. Jen Algie, Community Health Services
Ms. Rita C. Arundell, Senior Resources
Mr. Jeff Aten, Director Char-Meck Senior Centers, Inc.
Dr. Carol R. Baker, Director DSS-Services for Adults
Ms. Evelyn S. Berger, Senior Tar Heel Legislature
Dr. Dana R. Bradley, Dept. of Political Science/Gerontology, UNC-Charlotte
Ms. Priscilla Bridges, Director East Towne Manor Rest Home
Mr. Charles E. Butler, Charlotte Center for Aging Services
Ms. Billye Collins
Ms. Judy Dorminey
Ms. Gail Fennimore, Human Services Council
Mr. Jim Few
Ms. Joyce Freeman, Loving Touch Adult Day Care
Ms. Maryann Gilmore, Senior Resources
Ms. Jacqueline Glenn, Mecklenburg County Health Department
Mr. Robert Goodman
Ms. Carol Heim, Presbyterian Senior Health Care Center
Mr. John Highfill, Department of Social Services
Ms. Peggy Hornberg
Ms. Ruth Huey, Community Health NurseHall House
Mr. Nate Huggins, Blessed Assurance Adult Day Care
Ms. Evelyn Newman
Ms. Stephanie Noonan, Executive Director, Char-Meck Senior Centers, Inc.
Ms. Jennifer Pagano, OpenCare
Ms. Theo Robinson
Ms. Kate Satchwill, Executive Director, Charlotte-Mecklenburg Council on Aging, Inc.
Dr. Dena Shenk, Director Gerontology Program, UNC-Charlotte
Ms. Pat Stephens, Area Mental Health
Ms. Rhonda Gooden Taylor, Department of Social Services
Mr. Julian Underwood
Ms. Chauna Wall, United Way of Central Carolinas, Inc.
Ms. Gayla Woody, Centralina Area Agency on Aging
Ms. Nancy Averick

Note: The Lead Agencies for administration of the Home and Community Care Block Grant are preparing to develop the County Aging Funding Plan for Fiscal Year 2003 - 2004. Grant requirements include the appointment of a broad-based, community-wide Advisory Committee to assist in gathering input and obtaining consensus regarding content of the plan. The only requirement for a committee member is involvement with or knowledge of the issues of older adults. This committee will assist the lead agencies (Services for Adults Division of the Department of Social Services and the Charlotte-Mecklenburg Council on Aging), in the development of the County Aging Funding Plan for Fiscal Year 2003 - 2004.

(10) GRANT APPLICATION - NORTH CAROLINA'S RECREATIONAL TRAILS PROGRAM

1) To approve the submission of a $50,000 grant application to the North Carolina Department of Environment and Natural Resources for the North Carolina Recreational Trails Program. 2) To adopt a resolution entitled: Resolution for the Assurance of Availability of Match if grant is awarded. 3) To recognize, receive and appropriate the $50,000 grant if awarded.
JANUARY 22, 2003

Resolution recorded in full in Minute Book 41-A, Document #

(12) MONTHLY SEWER OVERFLOW REPORT

To receive as information the Monthly Sewer Overflow Report, November 14 through December 13, 2002, which indicated a total of 48 spills with the total volume of overflows at 290,827 gallons.

A copy of the report is on file with the Clerk to the Board.

(13) RECORDS DISPOSAL

To approve the disposal of Land Use and Environmental Services Agency (LUESA) records and plans in accordance with North Carolina records retention policies as follows:
Permitting and Inspections records (8 boxes) dated November and December, 2002 that have been imaged on optical disk and verified, and Plans of commercial projects (1014) permitted in November and December of 2000, and Plans of residential projects (31) that have exceeded their administrative value.

(14) LEASE OF PROPERTY TO THE TOWN OF HUNTERSVILLE

To authorize the County Manager to negotiate and execute a 25- year lease with the Town of Huntersville for the David B. Waymer Park for the operation and further development of the park.

Agreement recorded in full in Minute Book 41-A, Document #294.

(16) CHILD DEVELOPMENT-COMMUNITY POLICING PARTNERS PROGRAM

To recognize, receive and appropriate funds from the National Center for Children Exposed to Violence in the amount of $27,747, for FY 02-03, for Child Development-Community Policing (CD-CP) training to the South Carolina Department of Juvenile Justice.

(17) CHILD DEVELOPMENT-COMMUNITY POLICING PARTNERS PROGRAM/NEW POSITIONS

To recognize, receive and appropriate funds from The Duke Endowment in the amount of $136,315 for FY 02-03 and FY 03-04, and create three positions: a Mental Health Therapist, a Social Work Assistant, and an Office Assistant IV.

(18) VEHICLE PURCHASES

To approve the purchase of three Dodge Conversion Vans with wheelchair lifts and a seating capacity of twelve from the Braun Corporation through State contract #902632, at a unit cost of $33,821.00, for a total amount of $101,463.

(20) CDC REACH 2010 – MEDIA PROJECT

To recognize, receive and appropriate $61,569 from Carolinas HealthCare System for the CDC REACH 2010 Public Relations/Media Project.
Note: REACH (Racial and Ethnic Approaches to Community Health) is a CDC funded initiative to improve the health of residents of the Northwest Corridor, particularly in the areas of cardiovascular disease and diabetes.

(21) FEDERAL AND STATE REVENUE ADJUSTMENTS

To amend the Department of Social Services' FY03 budget to recognize adjustments in Federal and State revenues of $141,213, and appropriate expenses in the same amount.

Note: Based on the General Assembly’s adoption of the State budget, revenue adjustments are required to reflect a decrease in Adult Care Home Case Management of $53,661 and an increase in funding for the State Adult Home Specialist of $1,339. Adult Care Home Case Management provides case management services for clients in adult care homes that have enhanced medical needs. The Adult Home Specialist monitors licensure compliance of adult care homes. In addition, the County received notification from the State of an increase in funding from the Home and Community Care Block Grant of $193,535. A County match of $21,504 is required for the Home and Community Care Block Grant funding and will be provided through existing budget allocations. The Home and Community Care Block Grant provides funding for the following services: in-home aides; transportation; congregate, home-delivered and supplemental meals; and adult day care/adult day health.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Clarke left the dais and was away until noted in the minutes.

(11) ABANDONMENT /CLOSURE OF SECTION OF ABELINE ROAD

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to authorize staff to submit a petition to Charlotte City Council to request the abandonment/closure of a section of Abeline Road from Whitehurst Drive to end at Irwin Creek.

Note: The County owns the properties surrounding three sides of this section of Abeline Road. These properties including the right-of-way of this section of Abeline Road will be part of a stream restoration project and a future greenway trail.

Commissioner Woodard removed this item from consent to ask a question regarding the displacement of residents.

County Manager Jones said that there would be no displacement as a result of this request.

Commissioner Clarke returned to the dais.

(15) DONATION OF FLAGPOLES FOR MALLARD CREEK COMMUNITY PARK

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to accept the donation of three (3) flagpoles and commemorative plaque from the Mallard Creek Optimist Club to be installed at the baseball/softball field complex at Mallard Creek Community Park.

Commissioner Puckett removed this item from consent for more public awareness.
(19) HEALTH DEPARTMENT REVENUE ADJUSTMENTS

Commissioner Woodard removed Item 19 (Health Department Revenue Adjustments) from consent to ask a question about the Ryan White funding being received. She asked what percentage of the funding would be used for AIDS/HIV Case Management?

County Manager Jones said that the entire $12,059 would be used for AIDS/HIV Case Management.

County Manager Jones noted that there were some things missing from Item 19 relative to the receipt of revenue that was not included. He requested that the Board defer approval until the February 4, 2003 meeting to allow staff time to make appropriate adjustments to this item.

Motion was made by Commissioner Helms, seconded by Commissioner Woodard and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to defer consideration of Item 19 (Health Department Revenue Adjustments) until the February 4, 2003 meeting.

(2A3) LAND ACQUISITION

Motion was made by Commissioner Clarke, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the purchase prices of the following tracts:

(1) For an elementary school and backup site for a middle school on Ramah Church Road a portion of Tax Parcel 019-261-01 for $35,000 per acre for +/- 35 acres ($1,225,000).

(2) For an elementary school and backup site for a middle school on Bailey Road all of Tax Parcels 007-121-01, 007-122-02, -03, -04, -10 and –11 for $17,500 per acre for +/- 36 acres ($630,000).

(3) For an elementary school at Highland Creek Parkway all of Tax Parcels 029-472-03 and 04 for $33,500 per acre for +/-14 acres plus a house ($633,000); portions of Tax Parcels 029-472-01 and 02 for $45,000 per acre for +/-2.25 acres ($101,250); and portions of Tax Parcels 029-473-98 and 99 for $35,000 per acre for +/-1 acre ($35,000); (total for this site +/- $769,250).

Total contract prices for all three sites will be approximately $2,624,250.

(2A4) LAND ACQUISITION

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve purchase prices for five tax parcels and a portion of a sixth parcel at Vanderburg Street, 10th Street and Louise Avenue to expand the Piedmont Open Middle School campus as follows:

<table>
<thead>
<tr>
<th>Tax I.D.</th>
<th>Address</th>
<th>Owner</th>
<th>Purchase Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>p/o 081-114-16</td>
<td>1401 Vanderburg St.</td>
<td>City</td>
<td>$9,500</td>
</tr>
<tr>
<td>081-114-20 &amp; 21</td>
<td>1407-09 E. 10th St.</td>
<td>Squires Realty</td>
<td>$184,300</td>
</tr>
<tr>
<td>081-114-22</td>
<td>1417 E. 10th St.</td>
<td>Dorton</td>
<td>$195,000</td>
</tr>
<tr>
<td>081-114-23 &amp; 26</td>
<td>1425 E. 10th St.</td>
<td>Tappy Family LLC</td>
<td>$215,000</td>
</tr>
</tbody>
</table>

Total: $603,800
(22) FOOD SERVICE PILOT PROJECT UPDATE

Motion was made by Commissioner James, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to defer Item 22 (Food Service Pilot Project Update) until the February 4, 2003 meeting, since the presenter was not present.

(23) AMENDMENT TO FINANCING AGREEMENT WITH JCSU

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to authorize the County Manager to negotiate and execute an amendment to the October 20, 1998 financing agreement between Johnson C. Smith University, Inc. and Mecklenburg County, which would include the payment of $822,960 over a three-year period with interest at 4% annually, with payment commencing on the first day of February 2003, and on the first day of each month thereafter until the balance is paid in full. Secondly, to approve an amendment to the Capital Project Ordinance.

Prior to the above vote County Manager Jones addressed this issue.

JCSU and Mecklenburg County entered into a Financing Agreement on October 28, 1998 relative to the construction of a Public Track and Field Facility as part of the JCSU Stadium Project. This Agreement called for JCSU to pay construction costs in excess of the $2,100,000 the County made available for the project. Due to procedural errors, the County continued to pay costs in excess of the $2.1 million rather than sending invoices to JCSU to have JCSU pay those costs. As a result of the transfer of some construction obligations from the County’s contractor to JCSU’s contractor, the County believes that the JCSU obligation was reduced from $900,000 to $822,960. JCSU, however, believes that it owes less than that amount of money to the County as a result of that change in responsibility for a portion of the work. JCSU, however, agreed to pay the County the $822,960 that Mecklenburg County paid on behalf of JCSU if it could pay that amount over a three-year period, without interest. However, as a result of further negotiations, JCSU agreed to pay interest at 4%.

Ordinance recorded in full in Minute Book 41-A, Document #295.

(24) CARBON MONOXIDE ORDINANCE

Motion was made by Commissioner Ramirez, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to refer to the appropriate Board Committee for review and consideration of any necessary changes in the Carbon Monoxide Ordinance and that stakeholders involved in the initial development of the ordinance be invited to attend the Committee’s meeting.

Prior to the above vote, Vice-Chairman Ramirez addressed this issue and noted the following:

During the recent ice storm in December 2002, approximately 100 county residents required medical care for potentially life threatening carbon monoxide poisoning. The exposure occurred when some residents brought portable fossil fuel burning sources for emergency heat into their homes and apartments. The BOCC adopted a carbon monoxide alarm ordinance in November 2000, requiring alarms in most dwellings with fossil fuel burning appliances, fireplaces, or attached garages. This ordinance was passed with support of a broad range of partners and stakeholders from the real estate and building industry, apartment association, health care, utilities, fire and medics. These partners continue to meet periodically as members of the Carbon Monoxide Task Force convened by the Health Department. In view of the ice storm experience, it is appropriate to review the sufficiency of the original ordinance and determine if any changes are needed to protect county residents.
Commissioner James addressed his proposed legislative requests regarding duties of a social services board and requested that his full statement be included in the minutes as follows:

“I have proposed that we add an item to our legislative agenda to request the General Assembly to clarify and strengthen our authority as a Social Services Board with respect to child protective services cases. We have heard presentations from staff and from the Institute of Government that have confirmed that our role as a social services board is very limited with respect to individual cases, but there are differences of opinion about how much authority we actually have. This agenda item was discussed earlier today by the Efficient and Effective Government Committee, and based on the committee’s discussion; I would like to modify my request.”

“My request for legislative change was essentially to:

1. Allow the public disclosure of details of a child protective services case if the parents or guardian consent and if a majority of the board finds that it is in the best interest of justice and public confidence to do so. After having discussed this issue with the committee, we believe that as frustrating as it may be in some cases to justify, defend or even publicly admonish certain government decisions, the public disclosure by the BOCC of details of child protective services cases would likely never be appropriate. As a matter of sound public policy, the interests of protecting a child’s privacy would likely always be paramount to the interest of the public’s right to be able to access such information.

2. The Director of Social Services serves at the pleasure of the Board of Commissioners, and therefore the Board should be able to provide explicit direction to the director with regards to department policy and the disposition of specific cases. After having discussed this issue in committee, it appears that the current statutes are sufficient regarding the duties and responsibilities of a social services board with respect to the supervision of the social services director by the social services board (in our case the BOCC) and the board’s ability to give the director advice and direction on his handling of cases, provided such direction is not inconsistent with federal or state law, policy or regulation. We currently have the authority to question the handling of particular cases, and if we are not satisfied with the handling of any particular case, then we can refer the matter to the Child Fatality Review Team for review or to the State Division of Social Services for review.

3. Finally, I requested an amendment to the statutes to give the Board explicit authority to review the details of individual child protective services cases and to submit advisory letters to the court with jurisdiction stating the Board’s position on reviewed matters. It is my understanding that the Board does in fact currently have the implicit authority (not explicit) to review individual cases files. I also understand that the Board has the right to send a letter to the court regarding an individual case, however, the contents of the letter most likely could not be considered by the court as having any evidentiary value.

Based upon the discussion at today’s committee meeting, I would like to move that the Board of County Commissioners refer these matters to one of the Board’s committees (as selected by the Chairman). Staff is instructed to clarify our role as the social services board in the process of handling individual cases and to identify our linkages to the cases and develop written policies and procedures creating those linkages. I believe that it would be helpful also if staff clarified the chart that was presented to us at an earlier meeting to show the steps where the social services board could be involved in Child Protective cases and our relationship to the courts and other parties. The Committee shall report to this Board with the detail changes necessary to establish those linkages, and policies and procedures once they are completed.
Commissioner Samuelson returned to the meeting.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-3 with Commissioners Cox, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Helms, and Woodard voting no, to refer the matters concerning the Boards role as the Social Services Board and as noted above, to the appropriate Board Committee, as determined by the Chairman and to instruct that staff clarify our role as the social services board in the handling of individual cases and to identify linkages and written policies and procedures to create them.

Chairman Cox stated that he would refer this matter to the Board’s Youth & Families Committee.

ADJOURNMENT

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:00 P.M.
The Board of Commissioners of Mecklenburg County, North Carolina, met in
Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg
Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-
Mecklenburg Government Center at 6:00 p.m. on Tuesday, February 4, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms, Bill James
Norman A. Mitchell, Sr., Jim Puckett
Dan Ramirez, Ruth Samuelson, and
Valerie Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None.

Commissioner Helms was absent when the meeting was called to order and until noted in the
minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE
There were no Staff Briefings scheduled, however the Board, in connection with Item #8
Appointment of the Board of Equalization and Review, received information from Tax Assessor
John Petoskey regarding the 2003 Revaluation. Each Commissioner was given a map of the
revaluation results in their district.

Commissioner Helms entered the meeting during this time.

Commissioner Clarke left the meeting during this time and was away until noted in the
minutes.

(2A) CLOSED SESSION/LAND ACQUISITION
Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and carried
8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
voting yes, to go into Closed Session to discuss land acquisition.

The Board went into Closed Session at 5:37 p.m. and came back into Open Session at 5:55 p.m.
Commissioner Clarke was present when the Board came back into Open Session. He had returned
to the meeting during Closed Session.
(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 17 and 20.

-FORMAL SESSION-

Invocation was given by Commissioner Helms, which was followed by the Pledge of Allegiance to the Flag.

(1A) INDUCTION INTO THE ORDER OF THE HORNET

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to induct Mike Cozza, retired WBTV Reporter, into the Order of the Hornet for his service to the community.

Mr. Cozza thanked the Board for bestowing this honor upon him.

The Board can pay no higher tribute to those who have given so generously of their time and talents to improve the quality of life for the citizens of Mecklenburg County.

(1B) HUMAN RELATIONS MONTH

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a joint Proclamation designating February 2003 as Human Relations Month in Charlotte/Mecklenburg County.

The proclamation was read by Commissioner Woodard and accepted by Ledger Morrisette on behalf of the Community Relations Committee.

A copy of the Proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting:

Liz Clasin, Timothy Pope and Ruth Colcough representing Homeless Helping Homeless addressed the needs of the homeless population and encouraged the Board to assist in this area of need.

Rev. Gwendolyn Curry, Health Director Peter Safir, Jeanine Davis with Power 98, the Breakfast Brothers Morning Show, and William Fulton addressed Natl. Black HIV/AIDS Awareness Day. They each encouraged the Board to continue to advocate for those with this disease. They also informed the Board of activities that would be taking place in recognition of Natl. HIV/AIDS Awareness Day, which is February 7, 2003, particularly an event at Unity Fellowship Church on Friday evening, February 7th.

Mark Ortiz representing the Charlotte Area Green Party, the Fellowship of Reconciliation, and the Charlotte Coalition for Peace and Justice presented the Board as information a resolution
entitled Civil Liberties Safe Zone Resolution and information on the USA Patriot Act. He invited Board Members to contact him regarding the details and purpose of this information.

*A copy of Mr. Ortiz’s information is on file with the Clerk to the Board.*

**(3A) APPOINTMENTS**

**ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**

The vote was taken on the following nominees for appointment to the Adult Care Home Community Advisory Committee:

Russell Loudermilk (Rusty)  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Louise McCrorie  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Diane Wright  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Russell Loudermilk, Louise McCrorie, and Diane Wright were appointed to the Adult Care Home Community Advisory Committee for a one-year term expiring February 4, 2004.

**DOMESTIC VIOLENCE ADVISORY BOARD**

The vote was taken on the following nominees for appointment to the Domestic Violence Advisory Board:

Lisa Hall  None
William E. Lowry  None
Madelaine Makarow  None
Victoria Martinez  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Joseph Mercer  None
Robert Morris  None
Jewel Sowell  None

Chairman Cox announced that Victoria Martinez was appointed to the Domestic Violence Advisory Board to fill an unexpired term expiring October 5, 2004.

**INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY**

The vote was taken on the following nominees for appointment to the Industrial Facilities & Pollution Control Financing Authority:

Paige Burgess  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Michael McNamara  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
John Sanchez  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Paige Burgess had been appointed to the Industrial Facilities & Pollution Control Financing Authority for a six-year term expiring October 31, 2009; Michael McNamara to fill an unexpired term expiring October 31, 2006; and John Sanchez to fill an unexpired term expiring October 31, 2004.
INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

The vote was taken on the following nominees for appointment to the Information Services & Technology Committee:

Round One

Mike Brannon  Commissioners Helms, James, Mitchell, and Puckett
Christy Bryant  Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
James R. Ewald  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
John Greenwood  None
Joy Marshall  Commissioner Samuelson
Patricia Murphy  Commissioners Clarke and Woodard

Round Two

Mike Brannon  Commissioners Helms and Mitchell
John Greenwood  None
Joy Marshall  Commissioners Cox, James, Puckett, Ramirez, and Samuelson

Voting Ceased
Patricia Murphy

Chairman Cox announced that Christy Bryant, James R. Ewald, and Joy Marshall were appointed to the Information Services & Technology Committee for three-year terms expiring February 4, 2006.

(3B) UPCOMING APPOINTMENTS

Chairman Cox noted the following upcoming appointments:


Adult Care Home Advisory Committee
Air Quality Commission
Area Client Rights Committee (Healthcare Professional)
City of Charlotte Zoning Board of Adjustment
Domestic Violence Advisory Board
Information Services & Technology Committee
Nursing Home Community Advisory Committee
Personnel Commission
Planning Commission
Region F Emergency Medical Services Advisory Council
Register of Deeds Advisory Committee
Storm Water Advisory Committee
Waste Management Advisory Board

(4A) PUBLIC HEARINGS STREET LIGHTING ASSESSMENT ROLLS--BRANTLEY OAKS, CLAYBROOKE, HEARTHSTONE, ROYAL OAKS, AND SPICEWOOD SUBDIVISIONS
Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all the property owners in the Brantley Oaks, Claybrooke, Hearthstone, Royal Oaks, and Spicewood Subdivisions and to open a public hearing on Street Lighting Preliminary Assessment Rolls for Brantley Oaks, Claybrooke, Hearthstone, Royal Oaks, and Spicewood Subdivisions.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Puckett, and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on Street Lighting Preliminary Assessment Rolls for Brantley Oaks, Claybrooke, Hearthstone, Royal Oaks, and Spicewood Subdivisions and adopt the Final Assessment Roll Resolution for each.

Resolutions recorded in full in Minute Book 42-A, Document #’s

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) MANAGER’S REPORT - BOCC BUDGET CALENDAR

County Manager Jones reported that per the Board’s Strategic Planning Conference and its interest in receiving budget information and in discussing budget options earlier in the year, he seeks approval to modify the BOCC Meeting Calendar to include additional budget information sessions and budget workshops. The recommended schedule was as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>BOCC Budget</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 11, 25, March 11, March 25, April 8, April 22, and May 13</td>
<td>BOCC Budget Information Sessions</td>
<td>The full Board will meet to discuss strategic budget issues as presented by the County Manager. This process will ensure that the Board is aware of major budget issues/concerns early in the budget process so that staff will be able to incorporate the Board’s position in the recommended budget.</td>
</tr>
<tr>
<td>May 6</td>
<td>Public Hearing</td>
<td>Board of County Commissioners approves May 29 Public Hearing, and directs Clerk to publish the notice in the media.</td>
</tr>
<tr>
<td>May 20</td>
<td>Formal Presentation of Operating Budget</td>
<td>County Manager’s Recommended Operating Budget submitted to Clerk to the Board. County Manager formally presents his Recommended Operating Budget to Board of County Commissioners.</td>
</tr>
<tr>
<td>May 22, 27</td>
<td>BOCC Budget Options Workshops</td>
<td>Board of County Commissioners discussion of the County Manager’s Recommended Budget, and deliberation of Board options and choices.</td>
</tr>
<tr>
<td>May 29</td>
<td>Public Hearing</td>
<td>Public Hearing on County Manager’s Recommended Budget</td>
</tr>
<tr>
<td>June 4, 5, 10, 11, 12 (as needed)</td>
<td>BOCC Budget Decision Workshops</td>
<td>Board of County Commissioners discussion, decisions, and “straw votes” on the FY04 Budget.</td>
</tr>
<tr>
<td>June 17</td>
<td>BOCC Budget Adoption</td>
<td>FY04 Budget adopted at BOCC’s regular agenda meeting.</td>
</tr>
</tbody>
</table>

It was the consensus of the Board to approve the budget calendar as presented by the County Manager.

County Manager Jones also reported on the following:

Law Enforcement Service Districts
FEBRUARY 4, 2003

- The Sheriff’s Office has entered into a contract with Dr. William Stencil of the North Western University Center for Public Safety to provide an analysis on the potential cost impact for the Sheriff’s Office to provide law enforcement services in the unincorporated areas. Also, a correspondence has been sent from the County Manager to each Town Manager, including the City Manager, asking for an indication of interest in providing law enforcement services to the unincorporated areas of the County.

- The Senate Rules have been adopted in the General Assembly and the deadline for a local bill to be introduced is March 12th. Staff will work to have a “blank” bill introduced, in order to protect the County’s option for any revisions to the Law Enforcement Services in the unincorporated areas of the County.

- If the Board wants to exercise this option under the existing agreement with the City of Charlotte to terminate the agreement, the County has to provide the City of Charlotte a Notice of Intent by April 30th of this year.

Child Protective Services

- A Special Meeting would be scheduled on September 18, 2003 at 3:00 p.m. in lieu of the Board Committee meetings for the purpose of going into Closed Session to discuss Child Protective Services matters as requested by the Board at a previous meeting. The Board would also go into Closed Session on this matter during its Regular Business meeting on the 18th as well.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 17 and 20 to be voted upon separately:

(7) APPROVAL OF MINUTES


(8) BOARD OF EQUALIZATION AND REVIEW

To adopt a resolution authorizing appointment of the Board of Equalization and Review and authorize the County Assessor to adjust tax assessments. 2) Authorize increasing the membership of the Board of Equalization and Review from seven (7) members to nine (9) members for the revaluation year. 3) Approve compensation for the chairman of the board to be $125.00 and members $100.00 per diem and $15.00 per hour after the initial three-hour period.

Resolution recorded in full in Minute Book 42-A, Document #

(9) GRANT FUNDS AWARDED TO ELECTIONS

To recognize, receive and appropriate State revenue in the amount of $14,418 from the North Carolina State Board of Elections to offset the cost of personnel in the No-Excuse One-Stop Absentee voting additional sites.

(10) STREET LIGHTING PRELIMINARY ASSESSMENT ROLLS/SET PUBLIC HEARING

53
To adopt resolutions setting a public hearing on March 4, 2003 at 6:30 p.m. on Street Lighting Preliminary Assessment Rolls for the Capps Hollow, Mountain Point, Mountain Point Estates, and the Southbridge Forest Subdivisions.

Resolutions recorded in full in Minute Book 42-A, Documents #

(11) GRANT APPLICATION - CLEAN AIR ACT, SECTION 103, SPECIAL PURPOSE FEDERAL GRANT

To authorize the County Manager to file the County’s Clean Air Act Section 103, Special Purpose federal grant application for FY03.

(12) GRANT RECEIVED - GOOSE CREEK WATER QUALITY MANAGEMENT STRATEGY

To recognize, receive and appropriate a $50,000 grant from the N.C. Department of Environmental and Natural Resources, Division of Water Quality for the development of a Goose Creek Water Quality Management Strategy.

2) To authorize the carry forward of funds remaining from the grant at June 30, 2003 to FY 04.

(13) GRANT APPLICATION FOR CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

To approve the submittal of a grant application to the State Justice Institute to request CJIS project funding to purchase the Security and Identity Management software for the CJIS project.

(14) HAZARD MITIGATION GRANT PROGRAM

1) To recognize, receive and appropriate $305,961 in Hazard Mitigation funds from the NC Department of Crime Control and Public Safety, Division of Emergency Management.

2) To authorize the County Manager to execute contracts with the N.C. Department of Crime Control and Public Safety, Division of Emergency Management for Flood Mitigation Assistance Grants.

(15) CLEAN WATER MANAGEMENT TRUST FUND

1) To recognize, receive and appropriate $1,300,000 in funds from the North Carolina Clean Water Management Trust Fund.

2) To authorize the County Manager to execute a contract with the North Carolina Clean Water Management Trust Fund for the following project:

Little Sugar Creek Environmental Restoration Initiative
Hidden Valley Ecological Garden – EXPANDED PROJECT

(16) WALTON PLAZA - COOLING TOWER AND CHILLER REPLACEMENT CONTRACT

To award a construction contract to Mechanical Systems & Services Inc. for $384,250 for Cooling Tower and Chiller replacement at the Walton Plaza building.
(18) GRANT TO THE CHARLOTTE REGIONAL SPORTS COMMISSION
To approve a $7,500 grant to the Charlotte Regional Sports Commission to support relocation efforts for The USA Canoe and Kayak (USACK) organization to Mecklenburg County.

In an effort to bring USACK to town, the Charlotte Regional Sports Commission committed to seek ways to provide office space and to pay their relocation expenses, which are estimated to be $30,000. USACK is the national governing body for the Olympic sports of canoeing and kayaking. They train athletes to participate in the Olympic games representing the United States. USACK is relocating its headquarters from Lake Placid, New York to Charlotte.

The Charlotte Regional Sports Commission proposes to meet the commitment as follows:

1. Charlotte private sector will provide USACK with free office space for five years.
2. The YMCA has expressed an interest in a canoe race (sprint) program.
3. The Charlotte Regional Sports Commission, Charlotte Whitewater Park and Visit Charlotte have each pledged $5,000 toward relocation costs.
4. The Charlotte Regional Sports Commission requests that Mecklenburg County make a $7,500 grant, matched by an equal $7,500 grant from the City of Charlotte.

(19) HEALTH DEPARTMENT REVENUE ADJUSTMENTS
To reduce total budgeted Health Department revenue by $323,044 to reflect actual allocations and reduce the associated expenditure budgets accordingly.

A list of the adjustments is on file with the Clerk to the Board.

(21) BOARD COMMITTEE STANDARD OPERATING PROCEDURES
To approve amendments to Standard Operating Procedures for Board Committees regarding quorum requirements and Ex-officio member as follows:

• The attendance of any three Board members will constitute a quorum for Committee meeting purposes only.
• Delete the words “non voting” from the section regarding Ex-officio member, which would result in the ex officio member being counted for quorum purposes.

Standard Operating Procedures for Board Committees is recorded in full in Minute Book 42-A, Document #

(22) CERTIFICATION OF LOCAL APPROVAL FOR NONPROFIT ORGANIZATIONS
To authorize the Chairman to sign the “Certification for Local Approval for Nonprofit Organizations” for the following agencies to apply directly to the State Division of Family Development, Office of Economic Opportunity, for McKinney/Vento Act Funds under the fiscal year 2003 Emergency Shelter Grants Program (ESGP): Charlotte Emergency Housing, Crisis Assistance Ministry, The Youth Network, the Salvation Army Women’s and Children’s Shelter, the Shelter for Battered Women, and the Uptown Men’s Shelter, which are located in the City of Charlotte, Mecklenburg County, North Carolina.

A copy of the Certification is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT
Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize and receive the Second Quarter 2003 Area Mental Health Authority Report and that the following financial information be included in the minutes.

III. Financial Management:

The State Integrated Payment and Reporting System (IPRS) is an initiative to develop an integrated reimbursement system and a central storage for consumer data. IPRS will replace the existing Unit Cost Reimbursement (UCR) with one integrated system for processing and reporting all mental health, developmental disability and substance abuse Medicaid claims. EDS has been secured to build this system on the existing Medicaid Management Information System (MMIS). All consumer billing will be routed through IPRS and thus all consumers will have to be placed in one of the identified "target populations" in order for billing to occur.

Mecklenburg has been approved by the State to transmit consumer data on the ANSI 834 transaction set and is in testing for the ANSI 837-transaction set, used to transmit service data. We are in the last stage of converting over 10,000 Consumer Ids to an acceptable format for IPRS and will begin the process of enrolling all of our active cases into the IPRS system by February 1, 2003. Planned implementation for the IPRS project will be during February 2003.

Budgeted Expenditures:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount Allocated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mental Health Services</td>
<td>$ 10,103,007</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$ 9,652,981</td>
</tr>
<tr>
<td>Child and Adolescent Services</td>
<td>$21,633,047</td>
</tr>
<tr>
<td>Developmental Disabilities Services</td>
<td>$16,460,461</td>
</tr>
<tr>
<td>Infant/Toddler Preschool</td>
<td>$ 5,896,216</td>
</tr>
<tr>
<td>BHC Randolph</td>
<td>$10,354,212</td>
</tr>
<tr>
<td>Centralized Services</td>
<td>$ 4,775,682</td>
</tr>
<tr>
<td>Administration Services</td>
<td>$ 8,194,164</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$87,069,770</strong></td>
</tr>
</tbody>
</table>

Budgeted Revenues

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Revenue Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid</td>
<td>$19,007,378</td>
</tr>
<tr>
<td>State and Federal</td>
<td>$17,758,966</td>
</tr>
<tr>
<td>State MR/MR</td>
<td>$ 2,699,013</td>
</tr>
<tr>
<td>State CTSP</td>
<td>$ 2,211,727</td>
</tr>
<tr>
<td>Medicaid- CAP</td>
<td>$ 2,988,888</td>
</tr>
<tr>
<td>Third Party/Other</td>
<td>$ 1,028,305</td>
</tr>
<tr>
<td>Grants</td>
<td>$ 2,326,748</td>
</tr>
<tr>
<td>County</td>
<td>$39,048,745</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$87,069,770</strong></td>
</tr>
</tbody>
</table>

Expenditures YTD December 31, 2002

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount Obligated</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mental Health Services</td>
<td>$ 3,835,482</td>
<td>38%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$ 4,131,276</td>
<td>43%</td>
</tr>
<tr>
<td>Child and Adolescent Services</td>
<td>$ 6,615,751</td>
<td>31%</td>
</tr>
</tbody>
</table>
FEBRUARY 4, 2003

Developmental Disabilities Services $ 6,322,158 38%
Infant/Toddler Preschool $ 2,140,946 36%
BHC Randolph $ 5,216,215 50%
Centralized Services $ 1,640,990 34%
Administration Services $ 2,343,177 29%

TOTAL $32,245,995 37%

Revenues YTD December 31, 2002

Medicaid $6,342,376 33%
State and Federal $7,044,881* 40%
State MR/MR $1,050,160 39%
State CTSP $ 686,044 31%
Medicaid- CAP $1,108,220 37%
Third Party/Other $ 270,422 26%
Grants $ 687,283 30%
County $15,056,609 39%

Total $32,245,995 37%

*Reflects only five months Federal revenues and six months State revenues on a cash basis.

Commissioner Mitchell removed this item from consent to note the financial information that was to be included in the minutes.

A copy of the report is on file with the Clerk to the Board.

(20) BOARD COMMITTEES/NAME CHANGES

As a result of discussion at the Board’s Strategic Planning Conference, the Board acknowledged for record purposes that the names of the Board Committees have changed as follows:

Youth & Families Committee formerly the Social, Education & Economic Opportunity Committee

Adult Services Committee formerly the Health & Safety Committee, however at the request of Commissioner Mitchell, it was the consensus of the Board not to change the name of the Health & Safety Committee.

Natural Resources Committee formerly the Growth Management & Environmental Committee

Effective & Efficient Government Committee name remains the same.

Commissioner Mitchell removed this item from consent to request that the name of the Health & Safety Committee not be changed.

(23) THIRD WARD VISION PLAN – MOU WITH CITY OF CHARLOTTE

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to execute a Memorandum of Understanding with the City of Charlotte for preparation of the Third Ward Vision Plan.

Agreement recorded in full in Minute Book 42-A, Document #
FEBRUARY 4, 2003

(24) FOOD SERVICE PILOT PROJECT UPDATE

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive a report on the status of the Food Service Pilot Project studying possible modifications to Sanitation Score Cards posted in food service facilities in North Carolina, and to support a state proposal to implement a new grade card, which prominently displays both the letter grade and numerical score.

Peter Safir, Health Director and Bobbie Cobb of the Health Department addressed this issue and noted that in October 2000, the Health Department became a Pilot County using a new card for posting sanitation scores in food service facilities. The new pilot card showed the numeric score in large handwritten numbers did not show a letter grade. Locally, staff and the public have indicated a preference for a card with both a large letter grade and numeric score. The pilot study has been concluded and the Commission for Health Services is accepting public comments through February 3, 2003 on a rule that would stipulate the design for a card to be used throughout NC. The Mecklenburg County Health Department will be required to use the card specified in the food service rules, as will all other Health Departments in North Carolina.

(25) AIR QUALITY LEGISLATIVE ITEMS

The Board discussed adding to the County’s 2003 Legislative Agenda a request seeking permission from the General Assembly to implement a mobile source fee not to exceed $20 in order to implement clean air programs as recommended by the BREATHE Committee.

Commissioner Samuelson, Chairman of the Board’s Natural Resources Committee addressed this issue. The following was noted:

- Charlotte/Mecklenburg has historically had problems meeting the health based National Ambient Air Quality Standard for ozone.
- Charlotte/Mecklenburg is part of an Air Quality Region, determined by the federal government that has not been meeting the clean air standards.
- The federal government has given Charlotte/Mecklenburg’s Region a deadline for improving air quality and failure to do so means the lost of roughly $6 billion across the nine-county region in transportation dollars and a number of other things that could be used to build roads, finish roads, and to do other kinds of mass transit types of activities.
- The Board is being asked to propose and support legislation authorizing a local funding mechanism for the community-wide implementation of measures to reduce air emissions from mobile sources.
- Since there are still matters that need addressing regarding this issue, it’s being suggested that a “blank” bill be submitted to the Mecklenburg Legislative Delegation in order to meet the submission date for proposing legislation.
- The “blank” bill would in essence serve as a place holder and indicate to the Legislative Delegation that the County will be submitting something soon regarding Air Quality.
- Support for this request will be solicited from the other counties within the Region with the assistance of the Executive Committee of the Centralina Council of Governments, on which Commissioner Clarke is the Boards’ representative.
- Another issue that is pending further discussion, is what to do with that permission if it’s given and also how would the funds be used?
The following persons appeared to speak on this matter: Dan Farris representing BIKES of Charlotte-Mecklenburg expressed support of the Board’s efforts to get funds to clean up the air, as well as, his support of other Breathe Committee recommendations. He also encouraged the Board to support and encourage non-pollutant forms of transportation, such as bicycles.

Kevin Cooper representing the Carolinas Car Club Council noted that he supports doing things to clean up the air, however, he questions the reasoning and data of the Breathe Committee. Mr. Cooper stated that most of the Breathe Committee’s recommendations were based on standards that are not in effect yet or are off of computer model data. Mr. Cooper stated that it has been shown that computer model data over exaggerates in many cases the air pollution caused by vehicles. He also addressed the Breathe Committee’s proposed “buy back and scrappage” program. Mr. Cooper shared information regarding scrappage programs. They (Carolinas Car Club Council) support the gas cap replacement concept but want to know where would the money come from? He asked the Board to take a look at what Cincanati has done.

Mr. Cooper distributed a handout to the Board, which is on file with the Clerk to the Board.

Commissioner Samuelson encouraged Mr. Cooper to come and appear before the Board’s Natural Resources Committee if permission is received from the General Assembly to charge a fee.

Michele Sinn, a physician and member of the Sierra Club and the Carolinas Clean Air Coalition spoke in support of clean air efforts. She addressed the increasing number of persons with asthma and other respertory illnesses. She addressed health issues that occur as a result of air pollution.

Commissioner Helms invited Dr. Sinn to attend a future meeting of the Breathe Committee to make a presentation on health issues as a result of air pollution.

Motion was made by Commissioner Samuelson, seconded by Commissioner Helms and carried 8-1 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner James voting no, to add the following item to the 2003 Legislative Agenda as a request to seek permission from the General Assembly to implement a mobile source fee not to exceed $20 in order to implement clean air programs as recommended by the BREATHE Committee, however, it is to be introduced initially as a “blank” bill.

Commissioner James noted that at this time he could not support this because of pending Questions and particularly, since it’s not known what the fee would be used for.

Terry Landsdell expressed support of the Board’s action, however, he stated that the Board needed to be much stronger when it comes to the transit issue. He too encouraged support of bicycling, as a non-pollutant form of transit and encouraged the use of cleaner diesel purchases of buses by Transit.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:57 P.M.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

FEBRUARY 11, 2003 3:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center on Tuesday, February 11, 2003 at 3:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms, Bill James
Norman A. Mitchell, Sr., Dan Ramirez
Ruth Samuelson and Valerie Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Jim Puckett

Chairman Cox was absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Vice-Chairman Dan Ramirez.

Invocation was given by Commissioner Helms.

Vice-Chairman Ramirez then called upon County Manager Jones to review the format for the meeting.

County Manager Jones stated that presentations would be received on the following topics: Debt Financing and Economic Development Policy.

(1) DEBT FINANCING

Finance Director Harry Weatherly addressed the topic of Debt Financing.

Chairman Cox entered the meeting during this time.

Director Weatherly covered the following matters:

- Definition of terms
- Bond Authorization
- Issuance Process
- Participants in Bond Sales
- Rating Agency Process
- Other Bond related items, such as Arbitrage, Statutory Net Debt Limitation, Refunding, etc.

Director Weatherly also reviewed information that was Mecklenburg County specific, which included the following:
Director Weatherly was thanked for his report, which was for informational purposes only. No action was taken or required by the Board.

A copy of Director Weatherly’s full report is on file with the Clerk to the Board.

County Manager Jones noted that debt growth in the County’s budget was one of the fastest growing areas. He stated that as the Board moves forward in the budget process there would be opportunities for addressing how the County pays for that fast growing debt. He stated that staff will be looking very closely at the concept of pay-as-you-go, which to create may cause some “short term pain but there is “long term benefit.”

(2) ECONOMIC DEVELOPMENT POLICY

General Manager Bobbie Shields addressed the topic of an Economic Development Policy.

General Manager Shields covered the following matters:

- The County’s Economic Development Vision
- The County’s Economic Development Activity
- Economic Development Investment Considerations – Public Sector
- Regional Investment/Incentive Programs
- Outstanding Policy Issues
- A Draft Economic Development Policy Statement which reads

  “Mecklenburg County, in partnership with County municipalities, will consider economic development investments which will attract or retain businesses, expand the long-term property tax base, provide quality jobs, and result in no short-term shift in tax burden.”

- Next Steps

A copy of General Manager’s Shields’ full report is on file with the Clerk to the Board.


A copy of Mr. Orell’s report is on file with the Clerk to the Board.

General Manager Shields noted that County and City staff was currently reviewing the existing Business and Investment Program that is administered by, the Charlotte-Mecklenburg Development Corporation. Further, that when the existing program is brought back to the elected bodies it will not include a recommendation for revisions to the existing program because it was designed to target certain areas of the County.

General Manager Shields stated that a new program was being developed, which targets major companies that are considering relocation or expansion.

FEBRUARY 11, 2003
Commission Comments:

Commissioner James asked theoretically, that if a deal were done today with one of the possible Economic Development Investments listed in the report, what impact would that have on the current budget? Would there be a negative impact on the current budget or next year’s budget?

It was noted by Deputy County Manager Crider that the Economic Development Investments would have to be looked at on a case-by-case basis.

Mr. Orell stated that the way to look at this was long term. He stated that when a new entity comes in that in the beginning it may pay less taxes because of the incentive program, but over the long run it increases its performance and taxes and the budget process is calculating the additional income to the County through that period where it becomes a small participant and before the end of the cycle under the program it becomes a full participant in the tax financing.

Chairman Cox noted also that each case would have to be looked at individually that one model may not fit all proposals. Further, that the key is taking a look at the numbers and the cost benefit factor for the taxpayers.

Commissioner James stated that the development of an Economic Development Policy requires defining what economic development is.

Commissioner Samuelson stated that she agrees and understands that each case would have to be looked at individually, but is concerned about the amount of Commission and staff time that would have to be allocated to reviewing the case. She feels the interested entity should provide some basic level of information, in order to reduce the County’s analysis time.

Commissioner Ramirez stated that he supports an Economic Development Policy and feels that the County should seek advice from experts in the field when reviewing individual cases.

General Manager Shields noted that the County currently seeks advice from experts in the field through the Chamber of Commerce and the Charlotte-Mecklenburg Development Corporation, who actually do the recruiting and screening.

Commissioner Samuelson expressed another concern regarding, how do you determine budget wise when something comes in that is being driven from the outside, not by the County or Chamber which requires that County to re-prioritize certain things, in order to take advantage of economic development. She noted that the economic development opportunity has to be weighed against the impact of re-prioritizing and delaying other scheduled projects. She noted the Whitewater Park project as an example.

Chairman Helms noted that the County was already in the economic development business and that one of the “real” issues is that the Board needs to be equipped with additional economic development tools, “principally money.” He cited as an example that if the Board dedicated two pennies of the tax rate, $15 - $16 million for economic development activities and defined that statement to give the Board flexibility with some broad parameters; then the Board could deal with the Chamber of Commerce essentially as the County’s agent for bringing deals to the County or anyone else.

General Manager Shields suggested the Board send the Economic Development Policy issue to a Board Committee for further review, discussion, and recommendation, to either the Effective and Efficient Government Committee or the Natural Resources Committee.

Chairman Cox suggested that the Board began taking a look at the economic development projects that are scheduled to come before the Board in March to see if they meet the definition of economic development. For example, looking at each and asking, what is it about this that makes it economic.

FEBRUARY 11, 2003
development? What characteristics or properties does it have that makes it fall into the definition of economic development?

Commissioner Samuelson noted that she supports the Board as whole looking at the three projects scheduled to come before the Board in March, but that at the same time, the Board Committee should look at the broader policy development issue. Further, that the Board Committee could also take a look at the three projects scheduled for March to help guide the policy issue.

Commissioner Helms suggested Chairman Cox appoint an ad hoc committee to review this matter working in conjunction with staff to development a policy statement, guidelines and parameters and report back to the Board with a recommendation.

Commissioner Samuelson expressed opposition to creating an ad hoc committee. She stated that the Board has a committee structure in place for the purpose of referring matters, such as this to.

Discussion continued.

Chairman Cox stated that although it was not the full consensus of everyone that he would appoint an Economic Development Policy Ad Hoc Committee to review and make a recommendation back to the Board.

Chairman Cox asked Board Members to notify him if they were interested in serving.

Motion was made by Commissioner Ramirez, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 5:30 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, February 18, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms
Bill James, Norman A. Mitchell, Sr.
Jim Puckett, Dan Ramirez
Ruth Samuelson and Valerie Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(3) REMOVAL OF ITEMS FROM CONSENT

No items were identified.

-FORMAL SESSION-

Prior to the start of the meeting Chairman Cox apologized to those in the audience, as well as, those watching on television, for the Board’s delay in getting the meeting started. He noted that the Board had been in Closed Session from an earlier scheduled Special Meeting.

The meeting was called to order at 6:45 p.m.

Invocation was given by Commissioner Helms, which was followed by the Pledge of Allegiance to the Flag.

(1A) RECOGNITION OF MECKLENBURG COUNTY SHERIFF’S OFFICE

Deputy County Manager Russ Crider introduced Mr. Robert J. Verdeyen, the Director of Standards and Accreditation for the American Correctional Association from Lanham, Maryland who recognized Mecklenburg County Sheriff Jim Pendergraph and the Mecklenburg County Sheriff’s Office for their recent accreditation from the American Correctional Association.

Sheriff Pendergraph expressed thanks to his staff for making this accreditation possible.
Note: On January 13, 2003, at the American Correctional Association’s Winter Conference held in Charlotte, Sheriff Jim Pendergraph was awarded accreditation for the Jail North and Jail Central facilities. The accreditation program is a professional peer review process based on national standards that have evolved since the founding of the Association in 1870. Of the 3,369 jail facilities in the United States, only 101 facilities have received accreditation. Jail North and Jail Central are the first jail facilities to be accredited in North Carolina.

(1B) RECOGNITION OF HEALTH DISPARITY AWARD WINNERS

The Board recognized Cheryl Emanuel for receiving the Trailblazer Award and Catherine Simpkins for the Community Leadership Award presented by the N.C. Office of Minority Health and Health Disparities at their annual conference.

Health Director Peter Safir introduced Ms. Emanuel and Ms. Simpkins. They both thanked the Board for recognizing them.

Note: The N.C. Office of Minority Health & Health Disparities had their 10th year Commemoration on January 17, 2003. Cheryl Emanuel was presented the Trailblazer Award for her years of experience creating partnerships within the community including physicians, healthcare agencies, and other providers. Catherine Simpkins was awarded the Community Leadership Award for her service to minority and underserved communities assisting with medical services, food, housing and medications.

(1C) NCACC OUTSTANDING PROGRAM AWARDS

The Board recognized those County Departments that received Outstanding Program Awards from the North Carolina Association of County Commissioners (NCACC).

NCACC Deputy Director Ed Reagan presented the awards.

Note: Winners were selected for superior innovation and collaborative efforts in the categories of General Government, Human Services and Public Awareness.

The winning programs were: “Child Occupant Restraint Education (CORE),” “Child Development-Community Policing Partners,” “Systems to Enhance Nutrition Services for the Elderly (SENSE)” and “Community Social Work.”

The “Child Occupant Restraint Education (CORE) program strives to ensure that parents have gained the necessary knowledge to secure their child properly on each and every ride. The program utilizes multiple interventions to test parental knowledge and skills, and by interacting with parents on several occasions, they reinforce initial education efforts as well as correct any errors.

The “Mecklenburg County Child Development-Community Policing Partners” program is a collaboration among Area Mental Health (AMH), the Department of Social Services (DSS) and the Charlotte-Mecklenburg Police Department (CMPD). The program, a replication of a national model established in 1991 in Connecticut, serves children exposed to violence and who are at risk of abuse and neglect.

The local program began service in one of 12 police districts and has expanded to four over the last six years. The primary goals include early identification and intervention for children and families exposed to violence, based on 24/7 service provision, capacity-building among police officers to address the needs of children who have been abused, neglected and exposed to violence.

The “Systems to Enhance Nutrition Services for the Elderly” (SENSE) program began in October 2001. The demonstration project combines staff from the Department of Social Services in Mecklenburg County and the University of North Carolina at Charlotte. The three major components of SENSE are expanding home delivered meal programs to include specialized meals based on health and nutrition needs, integrating an inter-disciplinary team to better meet the needs of seniors and determining the specific nutrition interventions needed to meet the needs of older adults in Mecklenburg County.

The “Community Social Work” program (CSW) seeks to enhance community development by building upon assets, providing minimally invasive intervention and assisting with the implementation of holistic initiatives that foster community independence. Making less informed residents aware of community resources and systems is one way of working toward their goal.

A full description of the programs is on file with the Clerk to the Board.

FEBRUARY 18, 2003
(1D) BLACK HISTORY MONTH

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a joint city/county proclamation designating February 2003 as Black History Month in Charlotte and Mecklenburg County.

The proclamation was read by Commissioner Mitchell.

A copy of the proclamation is on file with the Clerk to the Board.

(1E) HOSPICE AT CHARLOTTE DAY

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating March 4, 2003 as Hospice at Charlotte Day.

The proclamation was read by Commissioner Clarke and accepted by Janet Fortner of HOSPICE of Charlotte.

A copy of the proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting:

Julie Millea, Shannon Hinson, and Pam Richards on behalf of ARC of Mecklenburg. They addressed the needs of those with developmental disabilities.

(17) LITTLE SUGAR CREEK GREENWAY SECTION ADOPTION

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to rename the section of Little Sugar Creek Greenway between Morehead Street and East Boulevard, the Elisabeth G. Hair Greenway. Secondly, to appropriate $20,000 from unrestricted contingency to Partners for Parks in honor of Elisabeth G. Hair, with the understanding that this appropriation will be in the form of a match, $1 County for every $2 raised by Partners for Parks.

Prior to the above vote, the following persons spoke in support of naming this section of the Little Sugar Creek Greenway after Elisabeth G. Hair: Park and Recreation Director Wayne Weston, Chris Jackson, chairman of the Park and Recreation Commission, Betty Chapin Rash, Marsha Simon, Theresa Elder, Ed Peacock, a former Chairman of the County Commission, Michael Marsicano, and Dr. Tony Zeiss.

Mrs. Hair was the first woman to be elected to and to chair the Mecklenburg Board of County Commissioners. She served on the Board from 1972-1980.

Mrs. Hair was complimented on her numerous accomplishments and contributions to the community. It was also noted that Mrs. Hair has been a model public servant and passionate about the needs of women and children, education, the environment and citizen participation in public decision-making.

Mrs. Hair was present and thanked the Board for this distinguished honor.

FEBRUARY 18, 2003
(3A) APPOINTMENTS

AIR QUALITY COMMISSION

The following persons were nominated for appointment to the Air Quality Commission:

Mary Barker by Commissioner Helms
Nancy Bryant by Commissioner Helms
Mark Casper by Commissioner James
George Ernst by Commissioner Puckett
Ray Fuentes by Commissioner Ramirez
Kimberly Holley by Commissioner Helms
Walter Martin by Commissioner Clarke
Karen McMillan by Commissioner Clarke
Gordon Miller by Commissioner James
Randolph Perkins by Commissioner Helms
Fletcher Roberts by Commissioner Helms
Michele Sinn by Chairman Cox
Jason Wager by Commissioner Clarke

Motion was made by Commissioner Puckett, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Air Quality Commission.

Appointments will occur on March 4, 2003.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

The following persons were nominated for appointment to the Information Services & Technology Committee:

Mike Brannon by Chairman Cox
John Greenwood by Chairman Cox
Robert Little by Commissioner Mitchell
Patricia Murphy by Chairman Cox
Norman Snyder by Commissioner James

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Information Services & Technology Committee.

Appointments will occur on March 4, 2003.

PLANNING COMMISSION

The following persons were nominated for appointment to the Planning Commission:

David Howard by Commissioner Mitchell
George Sheild by Commissioner James

Motion was made by Commissioner Mitchell, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Planning Commission.

An appointment will occur on March 4, 2003.

FEBRUARY 18, 2003
The Board received as information the upcoming appointments for March, 2003 as follows:

Adult Care Home Advisory Committee
Area Client Rights Committee (healthcare professional)
Board of Equalization & Review
Citizen’s Transit Advisory Committee
Housing & Development Committee
Human Services Council (general public representative for Mental Health Committee)
Nursing Home Community Advisory Committee
Region F Emergency Medical Services Advisory Council
Register of Deeds Advisory Committee (attorney)
Waste Management Advisory Board
Women’s Commission


(4) PUBLIC HEARINGS - NONE

(5) ADVISORY COMMITTEE REPORTS CHILD FATALITY TEAM

The Board received the Child Fatality Team 2002 Annual Report from the Mecklenburg County Community Child Fatality Team.

The report was presented by outgoing Team Chairperson Sandra Willoughby, Medical Director Stephen Keener, M.D., incoming Team Chairperson Anne Pffifer, and the Team staff contact from the DSS Youth and Family Services Division, Cebby McCarter.

Note: The report addressed the causes and impact of childhood deaths in Mecklenburg County from 1995 to 2000.

A copy of the report is on file with the Clerk to the Board.

(6) MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Item 15 to be voted upon separately:

(7) APPROVAL OF MINUTES

To approve minutes of Regular Meeting held February 4, 2003.

(8) GRANT APPLICATION - ACTIVE LIVING BY DESIGN GRANT, 2003

To approve the submission of Brief Proposal application for $200,000 grant to Active Living by Design and the submission of full proposal if selected.
Note: This grant proposal relates to the Balanced Scorecard desired outcome- Improved Access to Work, Play and School. It includes the creation of a Connectivity Committee including all of the partner agencies. This effort will increase the communication between these agencies as they each work to increase the walkable environment in the county, thus providing connections that will allow trails to become destinations to schools, parks and other facilities.

Educational efforts kiosks will focus on promoting these new connections as a location to encourage healthy lifestyles, targeting youth, and families as we work to reduce the levels of obesity and disease.

(9) CAPITAL PROJECT ORDINANCES - AMEND


Note: Amending the capital project ordinances will provide budgetary authority for projects funded with bonds sold in January 2003.

Ordinances recorded in full in Minute Book 41-A, Documents #

(10) DEBRIS DISPOSAL FUNDS

To approve the transfer of $1.075 million from general fund to the Solid Waste enterprise fund ($1.05 million) and to the Storm Water Fund ($25,000).

Note: The Board appropriated $1.5 million from the fund balance of the General Fund for the December ice storm debris removal. Some of those funds are being spent by LUESA in the Solid Waste and Storm Water Divisions. To provide budgetary authority and to account for those dollars in the appropriate fund, $1.05 million should be transferred to the Solid Waste enterprise fund and $25,000 to the Storm Water Fund from the General Fund. Reimbursements received from FEMA will be returned to the General Fund to revert to fund balance.

(11) CRISIS INTERVENTION PROGRAM FUNDS

To recognize, receive and appropriate additional funds from the U.S. Department of Energy in the amount of $84,174 for Energy Administration and $646,304 for Crisis Intervention Prevention Program.

(12) MOREHEAD STATION MANAGEMENT

To recognize, receive and appropriate $12,000 per month in fees from tenants at Morehead Station Shopping Center for the management of the center until all tenants have vacated the site (1/31/04).

Note: The County acquired Tax Parcel #125-213-07 at 1437 East Morehead Street on 1/24/03 for Little Sugar Creek Greenway development. Nine tenants are to remain in the center with base rent abatement until 1/31/04. During their tenure the tenants will pay common area management fees totaling approximately $12,000 per month, which will be collected and used for trash pickup, site sweeping, minor repairs, lighting and other related site costs. NORCOM is handling the management of the center at no cost to the County.

(13) N.C. HEALTH & WELLNESS TRUST FUNDS

To recognize, receive and appropriate a $100,000 grant award from the State of North
Carolina Health & Wellness Trust Fund to provide community/school teen tobacco prevention and cessation programs. Secondly, to approve the carry forward to the next fiscal year of any unspent grant funds for this year and the following two years.

(14) RADIO SERVICES

To approve the sole source purchase of radio dispatch consoles and network equipment for Medic from Motorola, the only available source, and transfer the consoles and network equipment to Medic.

(16) MECKLENBURG COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY

To receive as information and direct the Clerk to the Board to place in the minutes that on February 11, 2003, Michael A. McNamara, John Sanchez and Charles I. Stewart took the required oaths of office for members of The Mecklenburg County Industrial Facilities and Pollution Control Financing Authority.

Oaths are on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Helms asked to be excused from voting on Item 15 (Access Corridor For Rockwell Neighborhood) to avoid a conflict of interest.

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to excuse Commissioner Helms from voting on Item 15 (Access Corridor For Rockwell Neighborhood) to avoid a conflict of interest.

(15) ACCESS CORRIDOR FOR ROCKWELL NEIGHBORHOOD

Motion was made by Commissioner James, seconded by Commissioner Woodard and carried 8-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel #043-011-23 at 6012 Carver Blvd. at tax auction for $15,000.

Note: The above .344-acre lot would function as a pedestrian corridor for residents of the Rockwell Park neighborhood to access the Rockwell A.M.E. Zion Church family life center to be constructed on West Sugar Creek Road. Park staff expects to work with the church to provide programs to serve this community. A neighborhood park site was assembled nearby on Rockwell Church Road; however, the park will not have an indoor facility. Acquisition of this lot will support neighborhood desires and efforts to have indoor facilities readily accessible to their residents.

(18) DEBT POLICY

Commissioner James, on behalf of the Board’s Effective and Efficient Government Committee, addressed and presented a revised Debt Policy.

He noted the following:

- Section 4 of the policy, Debt Affordability is a new section.
• Section 3 was revised to say that “when possible” the County will utilize the non-voted (two-thirds) authorization for General Obligation Bonds.

• Section 5, Debt Structure was revised to indicate that “bond sales will be scheduled in January of each year with the size of the bond sale to be determined by the County, based on expected cash needs for construction or acquisition of projects for approximately 12 months.”

Commissioner Clarke noted his support of the policy as presented. He also asked that the following statements from the Public Resources Advisory Group’s (PRAG) report be noted for the record:

• PRAG believes that the County currently has a strong capital planning and budgeting process in place and the County should be commended for it. The approach the County takes is systematic and seeks involvement from the broader community through the Citizen’s Capital Budget Advisory Committee, as well as, from the Charlotte-Mecklenburg School District.

• The County currently has $770 million of authorized but unissued debt (debt the voters of Mecklenburg County have gone to the polls and approved.) that may be issued in order to finance the County’s Capital program. Assuming that the entire amount is issued over the next three years the County’s debt ratios are projected to increase slightly, but the issuance of this amount of debt over this period seems manageable.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the Debt Policy, which incorporates recommendations from Public Resources Advisory Group (PRAG) and the BOCC’s Effective & Efficient Government Committee.

Policy recorded in full in Minute Book 41-A, Document #

(19) ITEM MOVED TO CLOSED SESSION - LAND ACQUISITION FOR LITTLE SUGAR CREEK GREENWAY AT PINEVILLE/SOUTH CAROLINA LINE

(2) CLOSED SESSION/LAND ACQUISITION

Prior to going into Closed Session, Attorney Marvin Bethune announced the following land acquisition matters to be discussed in Closed Session:

• Tax Parcel #125-213-27 at 700 South Kings Drive owned by Franchise Realty Interstate Corporation

• +/- 50.1 acres (all of Tax Parcel #013-221-02) at 4918 Cashion Road owned by or to be owned by the Trust for Public Land

• Parcels 221-091-03 and 221-101-01, approximately 135 acre parcel at the end of Sam Meeks Road in the southern part of the County owned by Regent Park Corporation.

Motion was made by Commissioner Helms, seconded by Commissioner Puckett, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

Note: Although Personnel Matter [G.S. 143-318.11(a)(6)] (to be heard at 7:30 p.m.) was scheduled to be a topic of discussion during Closed Session it was not.

FEBRUARY 18, 2003
The Board went into Closed Session at 8:35 p.m. and came back into Open Session at 9:00 p.m.

Commissioners Clarke, Helms, and Ramirez were absent when the Board came back into Open Session and until noted in the minutes.

(2A1) LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson, and carried 6-0, with Commissioners Cox, James, Mitchell, Puckett, Samuelson, and Woodard voting yes, to approve the purchase of +/- 50.1 acres (all of Tax Parcel #013-221-02) at 4918 Cashion Road from the Trust for Public Land for $1,252,500.

The subject property is located within Critical Area 4 (CA-4) of the Mountain Island Lake Watershed and is contiguous to Stephens Road Nature Preserve and a 41-acre tract acquired by the County in 2000 for protection of the watershed. The property would become part of a wide publicly-preserved buffer along the Mountain Island Lake shoreline.

(2A2) LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson, and unanimously carried, with Commissioners Cox, James, Mitchell, Puckett, Samuelson, and Woodard voting yes, to approve the purchase of tax parcel #125-213-27 at 700 South Kings Drive from Franchise Realty Interstate Corporation for $2,375,000.

The subject property is the McDonald’s restaurant property and is part of the targeted Little Sugar Creek floodplain assemblage to create a 12-mile greenway/open space corridor from Cordelia Park to the South Carolina line.

Commissioners Clarke, Helms, and Ramirez returned to the meeting.

ADJOURNMENT

Motion was made by Commissioner Samuelson, seconded by Commissioner James, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:05 P.M.

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Janice S. Paige, Clerk

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Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Tuesday, February 18, 2003 at 12 Noon.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James Norman A. Mitchell, Sr., Dan Ramirez and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioners H. Parks Helms, Jim Puckett, and Ruth Samuelson

Commissioner Clarke was absent when the meeting was called to order and until noted in the Minutes.

MECKLENBURG ELECTED LEADERS FORUM

The meeting was called to order by Mayor Patrick McCrory, host of the quarterly Mecklenburg Elected Leaders Forum, formerly known as the Joint City/County/School Board Luncheon.

Note: The Elected Leaders Forum is made up of City, County, and Town elected officials, and Board of Education.

Towns represented were Cornelius, Huntersville, and Matthews.

Mayor McCrory welcomed everyone and following introductions, the program was turned over to the presenters.

Prior to the start of the presentation, Mayor McCrory noted that Governor Whitman, U.S. EPA Administrator, had visited here and was impressed with the teamwork that has been exhibited in dealing with environmental issues.

(1) AIR QUALITY/CONFORMITY PLAN

The main topic of discussion was Air Quality/Conformity Plan. The presenters were Don Willard of the County’s Environmental Protection Department and Jim Humphrey, City of Charlotte Department of Transportation Director.

Commissioner Clarke entered the meeting during this time.

Mr. Willard addressed Air Quality and Mr. Humphrey addressed the Conformity Plan. The following areas were addressed:

Ozone
Regional Ozone levels
The impact of Ozone on the environment and on residents, especially those with respiratory problems
Sources of Ozone
Local and State jurisdiction and responsibilities
Clean Air Plan
Compliance Schedule
Breathe Stakeholder recommendations
Transportation Conformity

Highlights:

- The Air Quality problem is related to ozone.
- Ozone is a chemical reaction that takes place between two main chemicals, nitrogen oxide and volatile compounds (gasoline vapors) in the presence of sunlight.
- Ozone is dependent upon sunlight and high temperatures, which is why it’s a summer time problem.
- The major pollutant that is of concern is the nitrogen oxide.
- The regional levels of ozone significantly exceed the proposed eight-hour standard.
- The National Ambient Air Quality Standards are established by EPA (Environmental Protection Agency) to protect public health. They also designate areas that violate standards as “nonattainment” and require that controls be put in place to get cleaner air.
- States recommend “nonattainment” areas to the EPA; develop airshed models; and develop State Implementation Plans to reduce pollution below EPA standards and targets reductions by pollution source.
- Compliance is based on a three-year average of weather data of the fourth highest number.
- One hundred or less equals compliance.
- The region, which Charlotte-Mecklenburg falls within, will probably be designated as “nonattainment.”
- In looking toward the future the major pollution source will be mobile sources (on and off road) rather than industry.
- Transportation Conformity is a requirement of the federal government, which regions have to follow in order to continue receiving transportation funding.
- Regions are required to model land use and planned transportation systems to produce travel estimates, determining how much travel there will be as a result land use planning. From this there is to be a separate model to predict pollution.
- The pollution level is compared to a budget that is received and one either passes or fails the test.
- If the region fails then transportation funding stops. $6 billion in road and transit funding will be withheld and construction of new projects would come to a halt. The entire region would be impacted not just Mecklenburg County.
- Staff is currently working on a regional travel model.
- Keys to Air Quality Attainment:
  Local Leadership
  - Implement Breathe Committee Recommendations
  - Integrate Land Use and Transportation Decisions
  - Support request for funding
  - Regional Cooperation
  - Regional Planning Alliance
  - Land Use and Transportation Policies
  - Non-road Mobile Controls
- Keys to Transportation Conformity Success
  - Regional Travel Demand Model is underway
  - Regional Planning Process needed
  - Establish cooperative planning and decision-making process
  - Identify funding of regional plan and conformity
  - Additional staff resources required, regionally
In summary it was stated that local leadership and regional cooperation and planning is a must, in order to succeed in these efforts.

*A copy of the handout distributed on this matter is on file with the Clerk to the Board.*

**Comments**

Chairman Cox noted that Commission representatives would be taking the Breathe Committee recommendations to the Centralina Council of Governments (COG) and will addressed the need for regional cooperation and planning.

Commissioner Clarke noted that COG was an existing regional forum that could be used for discussing this issue, however, COG does not have the authority to implement any type of controls or incentives. He noted that land use planning in the region and transportation planning has been split with the MPO’s having the authority, to the extent they have jurisdiction, over the land use for the transportation planning and COG essentially provides land use planning consultation services to local governments in the region.

Councilman Joe White noted that COG already has a working relationship with the Catawba Regional COG, which represents four of the S. C. counties immediately adjacent to the Charlotte-Mecklenburg region. He stated also that the “environment” was an issue COG was concerned about and plans to address.

Mayor McCrory stated that there have been regional discussions, cooperation and decision-making on this issue for the last 18 months. He stressed to officials and staff not reinvent the wheel. He noted that there was a major meeting held last year, which Governor Whitman attended. He noted also that a $300,000 EPA grant was being sought, which would be directed toward COG in an effort to get all of the entities that have been involved to adopt the recommendations that came forth out of these meetings. He said the recommendations were similar to the Breathe recommendations, but deal with not only air quality but also water and land use quality.

Commissioner Clarke noted that COG was limited in its abilities also because it lacks adequate funding.

Mayor McCrory concluded the discussion by stating that the political debate will be whether to form a regional decision-making body that has authority.

**(2) INFORMAL DISCUSSION**

Because of the amount of time spent on the topic of Air Quality, the informal discussion as noted on the agenda did not take place.

**(3) CURRENT ISSUES/ACTIVITIES UPDATE**

**Planning Liaison Committee**

Mary Hopper, Chairman of the Planning Commission made brief remarks and thanked everyone for their participation. She noted that Commissioners Mitchell and Samuelson and Board of Education Member Lassiter were the newly appointed members to the Planning Liaison Committee.

Ms. Hopper asked officials to provide feedback on how they thought today’s meeting went using the roundtable format and on the way the agenda was structured.

**Other**

Mayor Lee Myers, Town of Matthews suggested that consideration be given to holding the Elected
Leaders Forum meetings on Mondays, in order to perhaps get the attendance of members of the Mecklenburg Legislative Delegation, in light of the issues that are discussed.

Mayor McCrory asked that Planning Liaison review this matter and report back with a recommendation, including, what may be the best date and time for the meetings to be held, in order to have participation by the Delegation.

Board of Education Member Louise Woods suggested that those entities, not directly involved in this issue, such as the Board Education, that they look at existing policies and practices to see how they impact air quality, land use, and transportation conformity.

Commissioner James commented on police services in the unincorporated area of the County. He noted that per the County Attorney, the Sheriff could deputize town or city police officers but that there were issues that would arise. Commissioner James said he noted this because of recent discussions regarding police services in the unincorporated area, the costs and who would pay for it. He said that letting the towns provide this service might be an option, even though there may be problems associated with it.

Mayor McCrory noted that police services in the unincorporated area was briefly discussed at Council’s recent retreat and that this was a complex issue that deserves further reports back from City staff.

Mayor Kim Phillips, Town of Huntersville noted that this was an issue of interest to Huntersville. It was noted further that the Police Chief of Huntersville has stated that they could police their unincorporated area for less than half of what it is costing now.

Chairman Cox noted the following regarding this matter:
- The Board of Commissioners at its strategic planning conference instructed the County Manager to look at options for providing police services in the unincorporated area of the County.
- The County’s contract with the City to provide police services in the unincorporated area expires in 2005 and that the County either has to renegotiate or do something else.
- Any options pursued would take at least 16 to 17 months to occur.
- The County Manager and Managers from the municipalities would be discussing this issue.
- The County Attorney was reviewing the law to determine what can or cannot be done.
- The County is looking at what its obligations are and what is the best idea long term for providing police services in the unincorporated area ten years from now.

Chairman Cox encouraged officials to let the process work itself out by allowing the respective staffs to discuss and research this matter and then report back to the elected bodies.

Mayor McCrory concurred and noted that not only were there resource issues involved, but also tax issues.

Kevin Cooper, a citizen that was present who represented the Carolina Car Club Council asked about the composition of the Breathe Committee. He asked if there was a car enthusiast or car club representative on the committee. He noted that they support air quality standards but question some of the Breathe recommendations, particularly as it relates to how they may impact the classic and antique car industry.

Mayor McCrory referred Mr. Cooper to Don Willard, the County’s Environmental Protection Air Quality director.
This concluded the discussion.

The meeting was declared adjourned at 1:30 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

FEBRUARY 18, 2003 3:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Session in Chamber Conference Room CH14 of the Charlotte-Mecklenburg Government Center on Tuesday, February 18, 2003 at 3:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

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Commissioners Clarke, Helms, and Woodard were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox.

Chairman Cox stated that the purpose of the meeting was to go into Closed Session to Prevent Disclosure of Child Protective Services Information that is Confidential Pursuant to N.C.G.S. 108A-11 and N.C.G.S. 7B-2901.

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 6-0 with Commissioners Cox, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to Prevent Disclosure of Child Protective Services Information that is Confidential Pursuant to N.C.G.S. 108A-11 and N.C.G.S. 7B-2901.

Commissioner Clarke entered the meeting immediately following the above vote.

The Board went into Closed Session at 3:07 p.m. and came back into Open Session at 6:40 p.m.

Commissioners Helms and Woodard were present when the Board came back into Open Session. They had entered during the Closed Session.

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 6:40 p.m.

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Janice S. Paige, Clerk

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Tom Cox, Chairman

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ATTENDANCE

Present: Chairman Tom Cox, Commissioners H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, and Valerie Woodard
County Manager Harry L. Jones, Sr.
Clerk to the Board Janice S. Paige

Absent: Commissioners Dumont Clarke, Jim Puckett, and Ruth Samuelson

Commissioners Helms and Mitchell were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox. The purpose of the meeting was to discuss FY04 budget matters, including but not limited to, internal capital budget requests and the budget process in general.

County Manager Jones outlined the process for conducting the meeting, which included receiving presentations from General Services Director Leon Miller and Information Services & Technology Director Jerry Pinkard.

Commissioner Mitchell entered the meeting.

FY04 BUDGET MATTERS

(1) Building and Fleet Infrastructure

Leon Miller, Director of General Services addressed Building and Fleet Infrastructure needs, as well as, Security Police needs.

Report Highlights:
- The average County facility is 37 years old and as facilities age the cost of maintenance increases.
- The annual Fleet preventive maintenance cost is $18,000.
- The vehicle replacement schedule calls for the replacement of vehicles every 10 years or 100,000 miles.
- Capital Reserve and maintenance costs have reduced over the years.
- The Buildings & Grounds division has spent $106,900 in repairs thus far in the areas of HVAC, Roofs, and Plumbing.
- Outsourcing has occurred, however, the Buildings & Grounds division is still relied upon a great deal.
- Staff is continuing to look at outsourcing.
Commissioner Helms entered the meeting.

- Sixty-nine vehicles were scheduled to be replaced in this FY, but were not because of budget cuts. The majority of these vehicles are older than 10-years and have more than 100,000 miles on them.
- If replacement is deferred until FY05, there would be 300 vehicles needing to be replaced at a cost of over $6 million.

Commissioner James asked about the amount of privatization that was occurring in the area of Buildings & Grounds. Director Miller stated that services were privatized in the Sheriff’s Office and at Walton Plaza with the remainder being handled by the department. He noted that at the Sheriff’s Office services were being provided by the Keith Corporation and at Walton Plaza by Southern Real Estate.

Commissioner James requested an analysis of how well these privatized services were doing, including information on the cost per square foot versus what the County’s cost would be.

Commissioner Mitchell asked about vehicle replacement and requested information on the costs of repairs in FY02.

Chairman Cox thanked Director Miller for his presentation.

(2) Technology Infrastructure

Jerry Pinkard, Director of Information Services and Technology addressed Information Technology (IT) Budget Issues and Needs.

Report Highlights:
- FY2004 Current Level Budget – There is an imbalance between funding of new systems and technology, and the underlying technical infrastructure. Continued cuts to the current level budget exacerbate this problem.
- There has been a great willingness by the County and the Board to fund new systems for the department, however, there has been a reluctance to fund infrastructure needs to provide a reliable, secure, and sustainable technology environment.
- Presently there are many active technology projects. The four largest have a total cost of $30M. These projects are strategic and should have a significant positive outcome for their respective business units and the County as a whole. However, cumulatively these projects also have a tremendous impact on the County’s technical infrastructure.
- The County needs to decide the level of technology it wants and fund it appropriately.
- The County has a four-year replacement cycle for PCs. There are currently 2,010 (54%) more than three years old, which should be replaced in FY2004 to adhere to the standard. FY2003 budget cuts forced most departments to delay replacement of PCs and other equipment, which compounded the PC aging problem.
- IST provides mainframe computer services for the City and County. Most of the County’s major mainframe systems are planned for replacement within the next two years. Assuming this occurs, it will no longer be cost effective to operate the remaining systems due to the high fixed cost of a mainframe operation. Therefore, plans are being developed for replacing the remaining systems with alternative technology based solutions. It is anticipated that these replacements would require an investment in FY2005 to get these systems off of the mainframe. Current mainframe operating costs is about $2.4M annually, including $800,000 of City revenue. Some of these costs would be redirected to support the replacement technology, but there should be substantial cost savings to the County when the mainframe is eliminated.

FEBRUARY 25, 2003
Possible budget betterment requests - Information Security – IST has been unsuccessful getting funds during the past two years to address critical information security needs. A new Information Security Team was formed in FY2002 by reallocating existing positions and reorganizing. Many improvements have been made, and it’s believed the present environment is reasonably sound. However, the County is vulnerable to security penetrations, and must add additional monitoring tools and capabilities to provide the level of security required of our environment, systems, and use.

Possible budget betterment requests - Disaster Recovery for CMGC infrastructure – the County has had disaster recovery for its mainframe computer systems for many years. However, funding and support for a backup to our critical CMGC technology infrastructure in the event it was unable to function has not been received. A backup site would allow the continued operation of critical technology systems and services in the event of a disruption of service from CMGC.

Possible budget betterment requests - Radio equipment – replace outdated VHF stations used for VFD paging, National EMS, and Med channels. Cost is $330,000 for 11 stations. The department may split the replacement into two years: FY2004 & FY2005.

Chairman Cox thanked Director Pinkard for his report.

*A copy of the report is on file with the Clerk to the Board.*

(3) Budget Process Overview

Budget Director Matt Williams gave an overview of the budget process thus far and on things forthcoming.

He also reviewed the Choice Matrix, which was developed to illustrate programs and/or services funding choices that the Board has. All County departments and outside agencies receiving County funds are included in the Matrix.

The Matrix depicts those programs or services where the Board has “no choices,” program or funding: “no program choices/funding choice;” “program choice/no funding choice;” and “program and funding choice.”

*A copy of the Choice Matrix is on file with the Clerk to the Board.*

Chairman Cox thanked Director Williams for his report.

Motion was made by Commissioner Helms, seconded by Commissioner James, and unanimously carried, with Commissioners Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:25 P.M.

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Janice S. Paige, Clerk Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 3, 2003  9:00 AM

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center on Monday, March 3, 2003 at 9:00 a.m.

ATTENDANCE

Present:
Chairman Tom Cox, Commissioners
Dumont Clarke, Bill James, Ruth Samuelson and Valerie Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioners H. Parks Helms, Norman A. Mitchell Sr., Jim Puckett and Dan Ramirez

The meeting was called to order by Chairman Cox at 9:14 a.m.

The purpose of the meeting was to consider adoption of resolutions in connection with a grant application to the National Park Service by the Park and Recreation Department, which was due in Raleigh today, March 3, 2003.

(1) GRANT APPLICATION TO THE NATIONAL PARK SERVICE
DEVELOPMENT OF A SEGMENT OF FOUR MILE CREEK GREENWAY

Motion was made by Commissioner James, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Samuelson, and Woodard voting yes, to adopt a “Resolution Authorizing the Development of a Segment of Four Mile Creek Greenway by the Mecklenburg County Park and Recreation Department” (which authorizes a grant application to the National Park Service).

Resolution recorded in full in Minute Book 42-A, Document #1.

(2) GRANT APPLICATION TO THE NATIONAL PARK SERVICE
DEVELOPMENT OF A SEGMENT OF FOUR MILE CREEK GREENWAY
ASSURANCE OF AVAILABILITY OF MATCH

Motion was made by Commissioner James, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Samuelson, and Woodard voting yes, to adopt a Resolution for the Assurance of Availability of Match if the grant is awarded.

Resolution recorded in full in Minute Book 42-A, Document #2.

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard, and unanimously carried, with Commissioners Clarke, Cox, James, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:15 A.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 4, 2003 5:00 P.M.

N O R T H   C A R O L I N A
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 4, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

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-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION-PERSONNEL MATTER [G.S. 143-318.11(A)(6)]

Although this matter appeared on the Board’s agenda, it was not acted upon.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items removed were Items 9, 10, and 12.

Commissioner Samuelson requested that Items 9 and 10 be removed. She inquired on Item 9 (Grant Application--Cooperative Extension) if the County should lock itself into this grant not knowing what the budget will be for FY 04.

Deputy County Manager Russ Crider explained that this was a continuation grant that was included in the department’s target budget.

Commissioner Woodard requested that Item 12 be removed. She asked about the status of light fixtures in the JH Gunn community.

Manager Jones stated that Bob Binford with Real Estate Services could address this and would be instructed to contact Commissioner Woodard.

FORMAL SESSION

Commissioners Helms, Samuelson, and Woodard were absent when the meeting was called to order and until noted in the Minutes.
Chairman Cox called the meeting to order at 6:05 p.m.

Invocation was given by Commissioner James, which was followed by the Pledge of Allegiance to the Flag.

Commissioners Samuelsen and Woodard entered the meeting at this time.

(1) PROCLAMATION - COVER THE UNINSURED WEEK

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelsen, and Woodard voting yes, to adopt a proclamation designating March 10 – March 16, 2003 as Cover the Uninsured Week.

The proclamation was read by Commissioner James and received by Dr. John Klimas, representing the Medical Society and Cheryl Emanuel of the Health Department.

Commissioner Helms entered the meeting during the discussion of the proclamation by its recipient, Dr. Klimas, but prior to the above vote.

A copy of the proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting.

Martin Davis addressed books in the Public Library, which he felt were obscene and pornographic. He suggested the Board submit a resolution to the Library Board of Trustees regarding this matter. He also provided the Board with a letter listing measures that should be included in the resolution.

A copy of Mr. Davis’ letter is on file with the Clerk to the Board.

Gerri Chisholm addressed HIV/AIDS in Mecklenburg County. She asked the Board to consider creating an Advisory Committee to address this community issue.

(3) APPOINTMENTS

AIR QUALITY COMMISSION

The vote was taken on the following nominees for appointment to the Air Quality Commission:

Health Professional Category
Michele Sinn
Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelsen, and Woodard

Chairman Cox announced that Michele Sinn was appointed to the Air Quality Commission.

Note: One-year term expiring August 6, 2004.

Industrial Category
Mark Casper
Commissioners Clarke, Cox, James, Mitchell, and Puckett

Ray Fuentes
Commissioners Ramirez and Samuelsen

Gordon Miller
Commissioners Helms and Woodard
Chairman Cox announced that Mark Casper was appointed to the Air Quality Commission.

*Note: Two-year term expiring August 6, 2005.*

**Scientist Category**
- Walter Martin
- Gordon Miller

Chairman Cox announced that Gordon Miller was appointed to the Air Quality Commission.

*Note: One-year term expiring August 6, 2004.*

**Environmental Category**
- Mary Barker
- Nancy Bryant

Chairman Cox announced that Nancy Bryant was appointed to the Air Quality Commission.

*Note: One-year term expiring August 6, 2004.*

**Transportation Category**
- Mary Barker

Chairman Cox announced that Mary Barker was appointed to the Air Quality Commission.

*Note: Two-year term expiring August 6, 2005.*

**Public Category**
- George Ernst
- Ray Fuentes
- Kimberly Holley
- Walter Martin
- Karen McMillian
- Randolph Perkins
- Fletcher Roberts
- Jason Wager

Chairman Cox announced that Kimberly Holley, Karen McMillan, Randolph Perkins, and Fletcher Roberts were appointed to the Air Quality Commission.


Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Steve Webber as Chairman of the Air Quality Commission for the duration of his term.
MARCH 4, 2003

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

The vote was taken on the following nominees for appointment to the Information Services & Technology Committee:

Mike Brannon   Commissioners Clarke, Cox, Helms, James, Ramirez, and Samuelson
John Greenwood Commissioners Clarke, Cox, Helms, and Puckett
Robert Little  Commissioners James, Mitchell, Ramirez, Samuelson, and Woodard
Patricia Murphy Commissioners Clarke, Cox, Helms, Puckett, Ramirez, and Samuelson

Chairman Cox announced that Mike Brannon, Robert Little, and Patricia Murphy were appointed to the Information Services & Technology Committee for three-year terms expiring March 4, 2006.

PLANNING COMMISSION

The vote was taken on the following nominees for appointment to the Planning Commission:

David Howard   Commissioners Clarke, Cox, Helms, Mitchell, and Woodard
George Sheild  Commissioners James, Puckett, Ramirez, and Samuelson

Chairman Cox announced that David Howard was appointed to the Planning Commission to fill an unexpired term expiring June 30, 2003.

(4) PUBLIC HEARINGS – STREET LIGHTING ASSESSMENT ROLLS--CAPPS HOLLOW, MOUNTAIN POINT, MOUNTAIN POINT ESTATES AND SOUTHBRIDGE FOREST SUBDIVISIONS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of public hearing was mailed by first class mail to all the property owners in the Capps Hollow, Mountain Point, Mountain Point Estates and Southbridge Forest Subdivisions. Secondly, to open a Public Hearing on Street Lighting Preliminary Assessment Rolls for Capps Hollow, Mountain Point, Mountain Point Estates and Southbridge Forest Subdivisions.

Commissioner Puckett left the dais and was away until noted in the minutes.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Woodard and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on Street Lighting Preliminary Assessment Rolls for Capps Hollow, Mountain Point, Mountain Point Estates and Southbridge Forest Subdivisions and adopt Final Assessment Roll Resolutions for each.

Resolutions recorded in full in Minute Book 42-A, Documents # 3, 4, 5, and 6.

(5) ADVISORY COMMITTEE REPORTS - NONE
MARCH 4, 2003

(6) MANAGER’S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 8-0, with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Item 10 to be voted upon separately:

(7) APPROVAL OF MINUTES


(8) INSURANCE REIMBURSEMENTS

To recognize, receive and appropriate funds in the amount of $948.00 for Area Mental Health, $2,035.70 for Social Services, $1,287.77 for Land Use & Environmental Services and $534.97 for Court Services for reimbursement of stolen and damaged property.

(9) GRANT APPLICATION--COOPERATIVE EXTENSION

To authorize Cooperative Extension’s submission for the third year of grant funds for the AmeriCorps program and to recognize, receive and appropriate the grant revenues when awarded.

Note: The AmeriCorps program is a joint after-school youth development initiative of Cooperative Extension and Park and Recreation.

(11) SETTLEMENT OF CONDEMNATION ACTION AGAINST KAPERONIS, PINEVILLE TIRE AND ADAMS OUTDOOR ADVERTISING FOR LITTLE SUGAR CREEK GREENWAY

To announce settlement of condemnation action against Demetrios G. Kaperonis, Gus P. Mandrapilias, And Theodore P. Kaperonis, as Co-Trustees under the Will of Nicholas D. Kaperonis; Pineville Tire & Service Center, Inc.; and Adams Outdoor Advertising Of Charlotte for Little Sugar Creek Greenway as authorized in January 22, 2003 closed session as follows: The condemnation action against Demetrios G. Kaperonis, Gus P. Mandrapilias, and Theodore P. Kaperonis, as Co-Trustees under the Will of Nicholas D. Kaperonis; Pineville Tire & Service Center, Inc.; and Adams Outdoor Advertising Of Charlotte was achieved with a Consent Judgment entered and filed on January 28, 2003. The lawsuit was settled by payment of an additional $80,000 as authorized by the Board in closed session.

Consent Judgment recorded in full in Minute Book 42-A, Document # 7.

(12) STREET LIGHT FIXTURES--NORTHRIDGE VILLAGE AND PRESCOTT PLACE VILLAGE—FUNDS RECEIVED

To recognize, receive and appropriate $12,233 from Westbrook Highland Creek, LLC for street light fixtures in Northridge Village and Prescott Place Village of the Highland Creek Subdivision.
(13) HAZARD MITIGATION PROGRAM--FLOODPLAIN ACQUISITION

To accept the “Offer Of Sale Of Land” for the following property: Akia LaQuisha at 3216 Harrow Place for $111,600.00.

Note: This action is necessary for the purchase and removal of floodplain property under the Hazard Mitigation Grant Program (HMGP), as amended at the December 4, 2001 BOCC meeting. The funds to purchase this property will come from FMA and local matching funds (Storm Water Fee). According to program guidelines FEMA and the State of North Carolina will combine to pay approximately 75% of the offer and Mecklenburg County will contribute the required matching funds, approximately 25%.

(14) AREA MENTAL HEALTH BUDGET--AMEND

To recognize, receive and appropriate State continuation funds in the amount of $189,627 for FY02-03. Secondly, to establish 7 full time positions: 1 Clinical Supervisor; 1 Clinical Social Worker; 2 Psychiatric Nurses; 2 Case Coordinators and 1 Social Work Assistant.

Note: This action accepts continuation State funds to build community capacity to serve adult mental health consumers locally. Services will include a two person Geriatric Specialty Team to serve 35 geriatric consumers with mental illness and a five person Assertive Community Treatment Team to provide intensive case management services for 40 consumers with severe mental illness. This funding comes as a precursor to projected State Hospital bed closures as planned though the State Mental Health Reform initiative.

(15) EASEMENT/RIGHT-OF-WAY PAYMENTS TO COUNTY

To recognize and receive funds for easements/right-of-way granted over County properties in the amount of $2,267.38 and appropriate those funds to capital reserve fund for real estate expenses.

Note: Payments are received from time to time from utility and communications companies as well as from NCDOT and the City of Charlotte for easements/right-of-way impacting County properties. This request is to credit funds received (listed below) to the Capital Reserve Project for Real Estate Expenses, an account established last year for such funds.

Capital Reserve Fund (Received: $1,817.38 Kellam, Simpson & Loflin, PLLC – Gilead Road property sanitary sewer easement; $200.00 City of Charlotte – Spratt Street guy wire easement; $250.00 NCDOT – I-485 drainage easement at Oakdale Road) Total ($2,267.38).

(16) REGISTER OF DEEDS SPECIAL REVENUE FUNDS

To recognize and appropriate $650,000 in fee revenue for expenditure in the Register of Deeds Enhancement/Preservation Special Revenue Fund

Note: This fund was established by NCGS 161-11.3, effective January 1, 2002 to provide new automation and/or preservation of the historical record collection in the Register of Deeds by setting aside 10% of all fees collected in the Register of Deeds and Vital Records offices. By this action the BOCC will recognize estimated FY03 revenue for this fund and will allow the county to negotiate and appropriate money from the fund for automation and preservation enhancements. Planned expenditures include migration from current database (DB2) to SQL web based operating platform; upgrade the hardware to meet the additional system attributes and align the Register of Deeds and Health Department Vital Records section for electronic recording and electronic payment for services.
Both Vital Records and Register of Deeds will realize improved system performance, improved backup procedures, improved data and image storage, and position both offices for electronic document recording and fee payment.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(10) GRANT APPLICATION--CLEAN AIR ACT, SECTION 103, SPECIAL PURPOSE FEDERAL GRANT

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to file a Section 103, Special Purpose federal grant application for FY03 and to recognize, receive and appropriate the grant revenue when awarded.

Commissioner Samuelson removed this item from consent for more public awareness. Don Willard with the County’s Environmental Protection Department commented on this grant.

Note grant purpose: Charlotte-Mecklenburg Schools and Mecklenburg County Air Quality propose to voluntarily retrofit heavy-duty diesel school bus engines by installing emission control devices (ECD) that reduce particulate matter (PM), non-specific volatile hydrocarbons (HC), and carbon monoxide (CO) emissions from school bus engines.

The goals of the project are to: Reduce PM, CO and HC emissions from in-use heavy-duty diesel school bus engines; Assess the effectiveness of ECD technologies in reducing pollution; Quantify the emissions reductions achieved from the retrofit program for the ECD.

Commissioner Puckett returned to the dais.

(17) CHARLOTTE SPEAKS FORUM—APPROPRIATION REQUEST

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize a $10,000 appropriation from unrestricted contingency to support the Charlotte Speaks Forum.

Prior to the above vote, former City Council member Cyndee Patterson addressed this issue and spoke in support of the request.

Note: On March 27, 2003 the Lee Institute, Charlotte Observer, and NBC-6 Television will sponsor the Charlotte Speaks Forum. This forum seeks to engage 150 citizens in discussion on the impact of growth in the region and the best response to this growth. The participants will be recruited in advance to ensure representation of regional demographics. By convening this session the sponsors hope this effort will promote broader citizen involvement in the development of public policy.

County support of this endeavor is consistent with the 2015 Community & Corporate Scorecard adopted by the County Commission. Specifically, the Charlotte Speaks Forum promotes the outcomes of Increased Citizen Involvement and Increased Awareness of County Responsibilities, Services and Results.

(18) NEW COURTS PARKING DECK--SCHEMATIC DESIGN PRESENTATION

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett,
Ramirez, Samuelson, and Woodard voting yes, to receive the schematic design presentation of the new Courts Parking Deck.

The presentation was given by Gustavo Mibelli with Real Estate Services and consultants Victor Vines and Deb Ryan.

Note: In order to construct the New County Courthouse at the 4th Street and McDowell site, the existing Courts Parking Deck is currently being demolished. On August 20, 2002, the County Commission received a planning phase presentation from the Freelon Group for the design of a new parking deck to meet the parking needs of the new courthouse and the Government District. Two siting scenarios were presented for the deck, and several strategies were discussed to address pedestrian safety. Commissioners selected the scenario that located the deck on property at the corner of 4th & McDowell Streets across the intersection from the new courthouse site. Schematic design of the parking deck commenced based on the selected scenario and is now complete. The next step in the process is the design development phase, after which construction documents will be prepared for the bidding phase.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Samuelson, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:31 P.M.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 11, 2003  3:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Budget/Public Policy Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center on Tuesday, March 11, 2003 at 3:00 p.m.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent:  None.

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Commissioners James and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox.

Chairman Cox called upon County Manager Harry L. Jones, Sr. to introduce the topics of discussion, which were Law Enforcement Service District-Sheriff’s Office Option, Initial Budget Assumptions Review, and to discuss whether to request the N. C. Legislature to impose a spending cap on County Spending as contemplated by the Governor and members of the legislature for the State budget (Item placed on the agenda by Commissioner James.).

(1) LAW ENFORCEMENT SERVICE DISTRICT-SHERIFF’S OFFICE OPTION

County Manager Jones stated that per the Board’s Strategic Planning Conference in January, one of the options the Board indicated it wanted to consider for the provision of police services in the unincorporated area was the Sheriff’s Office option. The second option was that these services be provided by the Towns for their respective areas. He stated further that the Sheriff’s Office had commissioned the Northwestern University Center for Public Safety to conduct a study as it related to police services being provided by the Sheriff’s Office in the unincorporated area.

County Manager Jones informed the Board that additional presentations would be received regarding the Law Enforcement Service District. He then called upon Dr. William Stenzel and Paul Bendis from the Northwestern University Center for Public Safety.

Dr. Stenzel and Mr. Bendis presented the results of their preliminary study for the delivery of direct police services by the Sheriff’s Office in the unincorporated area.

Commissioners James and Puckett entered the meeting during this time.
Report Highlights:

- The objectives of the study was to compare the staffing recommended by the internal Sheriff’s Office study with staffing in comparable sheriff’s agencies, and to identify the key issues that may have budget and/or operational impacts on the delivery of police services by the County’s Sheriff’s Office.
- The study indicates the County’s Sheriff’s Office estimates were excellent as an initial look at creating a new police unit. Estimates of patrol manpower appear to be reasonable, however, command, supervision, specialized positions, and civilian staff estimates need to be re-visited.
- The issue of take-home cars also needs to be reviewed.
- There are start-up costs such as facility construction and the development of a policy manual that need to be included in the estimates.
- The Sheriff’s Office estimates project a need for 98 additional personnel consisting of 89 sworn officers and 9 civilians.
- The data indicates that the unincorporated areas of the County represented 8.7% of the population and accounted for 6.3% of the “call for service” in 2001.
- Staffing for the unincorporated areas only accounted for 4.5% of all patrol officers.
- The study also noted that “more problematic is the lower value for the number of officers per 10,000 “call for service” in the unincorporated (16.55) when compared to the incorporated area (23.86).”
- The increase for the changes recommended by the study is $615,336. This amount as well as an increase in the fringe rate for FY) 4 and a correction for the omission of fringes on the original five Office Assistant positions brings the new estimate (operating & capital) to $10,365,501 (including 10% contingency). The original estimate was $9,899,376.
- The study did not examine the quality of police services currently being provided by the Charlotte-Mecklenburg Police Department in the unincorporated area or the impact on service if this responsibility is assumed by the Sheriff’s Office.

A copy of the report is on file with the Clerk to the Board.

In response to the study the Sheriff’s Office stated that it would support the decision of the County Manager’s Office and the Board regarding the Law Enforcement Service District. Also, that they believe they have the ability and experience to provide this service with a high level of professionalism and customer service at least cost to the citizens in the unincorporated areas.

Comments:

Commissioner James
- The complaint he has received from those in the unincorporated area is that they are paying too much and not receiving much service.
- Per the statistics noted in the report, it appears to him that those in the unincorporated area are paying to subsidize Charlotte’s inner city police force.

Commissioner Helms
- A policy decision regarding the law enforcement service district will have to be made.
- The current funding formula needs to be reviewed in light of the current demographics.
- The Board cannot make a decision regarding the law enforcement service district based purely on the numbers.
- The focus when reviewing the law enforcement service district needs to be the quality of law enforcement services countywide because the Board represents all citizens of Mecklenburg County, not just those in the unincorporated area.
- Law enforcement services are not necessarily related to jurisdictional boundaries.
- Law enforcement services should be looked at in the context of a countywide system that works at the most efficient cost but most effective.
Commissioner Ramirez asked about accreditation.

It was noted that the Sheriff’s Office has its accreditation for its detention side but would have to go through the necessary steps to obtain accreditation for the law enforcement side.

Commissioner Puckett
- Feels strong consideration should be given to the option of letting the towns extend their police presence to their sphere of influence.
- If the towns provide police services in their sphere of influence then the issue of lake patrol goes away because the Charlotte police would still maintain patrol on Mountain Island Lake and Lake Wylie. The towns of Cornelius and Huntersville would patrol Lake Norman.
- All existing police departments have their accreditation.

Commissioner Clarke left the meeting at this time and was absent for the remainder of the meeting.

County Manager Jones noted that all options would be explored. He noted to the Board that there were two ways to approach this issue, from the standpoint of cost or the standpoint of customer service. He asked the Board to keep an open mind until all of the data has been shared.

Commissioner Samuelson
Requested additional information on “calls for service.” She asked was there a comparable zone in the city limits to the unincorporated area in terms of crime calls for service rendered and what their allotment of personnel is, or in other words are there areas in the incorporated area that have a similar crime rate and a similar number of officers assigned to them as the people in the unincorporated area?

Commissioner James
Requested crime statistics for City within a City and the rest of Charlotte. Requested a 4-year projection or analysis on the impact to residents in the unincorporated area if services are provided by the Sheriff’s Office to make sure it doesn’t cost them any more than what they’re currently being charged.

Chairman Cox noted that Commissioner James’ request was a valid request but suggested an analysis not be done until after the Board has heard back from the towns regarding their interest, as well as from the City of Charlotte.

Commissioner James agreed with Chairman Cox regarding the analysis and noted that he would want the same analysis from the Towns also.

Commissioner Puckett
Requested a better map showing what areas of the County are being covered, the unincorporated areas.

This concluded the discussion.

Chairman Cox thanked the presenters for their report.

(2) INITIAL BUDGET ASSUMPTIONS REVIEW

County Manager Jones addressed initial budget assumptions for the FY 04 budget and distributed two handouts, “Pre-budget Expense/Revenue Profile” and “Pre-budget County Revenue Comparison & Expenditure Comparison.”
Highlights:

- The projections shown in the handouts are subject to change as better revenue figures are obtained and as departments prepare their budget requests. They do, however, illustrate the challenges the County is facing.
- The initial assessment of expenditure growth is nearly $75 million and the initial increase in revenue in additional county dollars is about $48.5 million, thus there’s a gap.
- If the revenue level is further reduced by the new half-cent sales tax, the gap between expenditures and revenues widens.
- It’s only anticipated that there will be enough revenue growth to cover those expenditures in the Mandates & Obligations section, that being Debt Service–general and education, Medicaid–local match, Public Health Contract, and the Charlotte-Mecklenburg Development Corporation. This means the other expenditure items need to be eliminated from consideration or absorbed into departmental budgets.
- Some of the consequences for the target budget: no additional funding for education, no pay for performance plan funding, no increase for deferred compensation plan and departments have to find budget reductions to accommodate benefit plan increases.
- Frozen positions would be eliminated from budgets or other reductions are necessary to retain the positions.
- No adjustments for the annualized cost of facilities or for health and human services demands.
- The target budget parameters simply reflect the starting point for developing the budget.
- The critical difference in this year’s budget process and those in the past is that departments have never been asked to start at or below their current level of funding in preparing their budgets.
- The Manager has asked departments to challenge their basic assumptions about the way they are organized, the way they operate and the services they provide.
- The Manager is optimistic that the funding gap will close as better revenue projections come in and as new opportunities are found for expenditure reductions.
- Types of budget scenarios being prepared per the Board’s instructions: “revenue neutral plus growth plus sales tax revenue” and “revenue neutral plus growth minus the estimated amount for sales taxes.”

Copies of the handouts are on file with the Clerk to the Board.

Chairman Cox left the meeting and was absent for the remainder of the meeting, which was chaired by Vice-Chairman Ramirez.

Manager Jones asked the Board for its patience, indulgence, and cooperation in going through this budget process, which he noted was very challenging for the organization.

(3) REQUEST THE N. C. LEGISLATURE TO IMPOSE A SPENDING CAP ON COUNTY SPENDING

Commissioner James addressed whether to request the N. C. Legislature to impose a spending cap on County spending as contemplated by the Governor and members of the legislature for the State budget.

Background as outlined by Commissioner James

The N. C. legislature and the Governor have suggested in various public forums that the State budget be limited to growth in personal income and/or population (House Bill #6). Since the State budget is funded primarily through income taxes that makes sense for them. Counties however derive most of their income from Property taxes and alternatively Sales Taxes. If the State imposes a spending cap and the Counties do not have a related cap on their spending it is likely that State spending will be shifted down to the Counties as “unfounded mandates.” This has happened in the past. Accordingly,
if the State is to consider a State “spending cap” it is important for the State to provide a related relevant spending cap for Counties (and in particular Mecklenburg). Without such a cap, county spending will continue to increase and spiral out of control as education and health and human services costs are transferred to N.C. Counties.

Commissioner James stated that he did not want the Board to take any action necessarily but wanted to bring this matter to the Board’s attention because it could have a financial impact in the future. He stated further that the Board needs to give thought to whether or not it should address this matter with the State.

Commissioner Helms noted that this matter was on the Taxation & Finance Steering Committee of the N. C. State Association of County Commissioners’ next agenda for discussion. He stated that he felt this was a matter of discussion and action by the N. C. State Association of County Commissioners. He noted that Commissioner James’ concerns were relevant, but that the Board should defer taking any action until after action by the Association.

Commissioner Puckett suggested that the County’s concerns be relayed to the Association.

Commissioner Helms suggested that we request the N. C. Association of County Commissioners to review and consider the impact of this matter on counties and to recommend appropriate statewide legislation to protect the interest of counties.

Commissioners were in agreement with Commissioner Helms’ statement.

Commissioner Helms said that he would convey this message to the Association’s Taxation & Finance Steering Committee, which he serves on.

Motion was made by Commissioner James, seconded by Commissioner Mitchell, and carried 7-0, with Commissioners Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 5:04 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman

Dan Ramirez, Vice-Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MARCH 18, 2003 5:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 18, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

Commissioner Helms was absent when the meeting was called to order and until noted in the Minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFING - ACQUISITION OF TROLLEY BARN

The Board discussed the Historic Landmarks Commission (HLC) request to approve the concept of purchase of a portion of Tax Parcel #123-041-26 at 1424 South Boulevard from Crescent Resources LLC, subject to certain contingencies being met.

Mark Hahn, Director of Real Estate Services introduced the matter and then deferred to members of the Historic Landmarks Commission, Jeff Bradsher, Chairman, John Parker, chair of the Project Committee, and Miller Jordan representing Charlotte Trolley. Mr. Hahn noted also that Charlotte Area Transit System Director Ron Tober was also available to answer questions.

Those representing the Historic Landmarks Commission expressed their interest in preserving the Trolley Barn. Although the Trolley Barn has not been designated as a historic landmark, it’s felt that it does have historical significance. Representatives of the HLC noted that the reason for coming to the County was because they do not have the funds for the acquisition and they now know Charlotte Trolley nor the Charlotte Area Transit System (CATS) would be able to repay the HLC back, as it had been hoped. It was stated that this acquisition by the HLC would not be in keeping with the purpose of their “revolving fund.” It was explained that with the “revolving fund” monies are taken from the “fund” for acquisition purposes, the property is renovated and then sold with the proceeds going back into the “fund.”

In conclusion HLC representatives asked the Board to purchase the Trolley Barn using $1.428 of 1999 Land Bonds and not require the HLC to repay the County.
Commissioner Samuelson asked HLC representatives if they had a back up plan if the County did not agree to the acquisition? Mr. Bradsher’s response was no, but that the next step would then be to go with CATS other alternatives.

Commissioner Samuelson asked Mr. Tober what was CATS preference? He stated that CATS preference was unknown at this time and that it would be determined by the Metropolitan Transit Commission (MTC).

Commissioner Samuelson suggested the Board defer taking any action until after the MTC had addressed this issue. She said it was important to know if this was a priority of the MTC.

Mr. Tober noted that in order for the MTC to make a decision regarding its preference, they would need to know who would be covering the cost of buying the land and building. Mr. Tober stated that the MTC had not taken action on this matter and were waiting on action by the Board of County Commissioners.

Commissioner Puckett asked HLC representatives if they had any unspent funds? The response was yes, but that all of those funds were committed to other projects.

Commissioner James noted to Mr. Tober that he would like to know if the MTC felt this was an appropriate use of the half cents transit monies. He suggested to Mr. Tober that another matter to ask is, if the MTC gets involved with this renovation request should they pay all of the cost or go back to the City of Charlotte and ask them to pay the difference in the cost to build and restore?

Chairman Cox noted this would require the use of $1.5 million of land banking funds for acquisition of the property and that an additional $500,000 would be needed for the County’s shared development cost for the building. It was noted that land bonds could not be used to build buildings, which means the County would have to come up with the additional $500,000 from somewhere else.

Mr. Tober noted that the shared development cost would need to be negotiated with the developer involved and that it could be more or less than $500,000.

General Manager Shields noted that the Board has $1.5 million earmarked in land bonds for acquiring the property and that the recommendation is that the additional $500,000 would be paid for by the MTC. He referenced the following contingencies that were included in the Board’s agenda information:

A purchase by the County would be contingent upon the following terms:

-The County, Crescent Resources, and CATS shall reach agreement on the proposed property boundaries.
- The County shall receive an independent property appraisal consistent with the asking price, taking into account all necessary due diligence items (i.e. environmental conditions, survey, title search, etc.)
- The building shall be designated as a local historic landmark by the City of Charlotte.
- The County would retain ownership of the land and building.
- CATS shall agree to lease the property from the County for $1 a year for a yet to be negotiated term, and in the lease agree to:
  • restore the building as a trolley barn per agreed upon terms between HLC and CATS;
  • pay any shared development expenses required by the developer of the complex in which the property and building is located;
  • maintain the building and pay all maintenance and operating expenses.

Per Mr. Tober’s glimpse of the contingencies he said that the shared development cost being paid for the MTC was not what was presented or recommended to the MTC. He stated that what
was presented to the MTC as noted in his memorandum was the $5.2 million that’s shown in the Duke Power Bland Street option, which was purely for construction cost and not any part of the land, building, or shared development costs.

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 7-1 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner Cox voting no, to defer consideration of the Historic Landmarks proposal to approve the concept of purchase of a portion of Tax Parcel #123-041-26 at 1424 South Boulevard from Crescent Resources LLC subject to certain contingencies being met, until after the next meeting of the Metropolitan Transit Commission.

(2) CLOSED SESSION/TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1) AND LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunemer with Real Estate Services announced the following land acquisition matter to be discussed in Closed Session:

Tax parcel #077-076-10 at 1436 Norris Avenue. The intended use of the property would be for the Druid Hills Neighborhood Park site.

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to Prevent Disclosure Of Information That Is Confidential Pursuant To G.S. 105-259. (G.S. 143-318.11(A)(1) and for Land Acquisition purposes.

The Board went into Closed Session at 5:43 p.m. and came back into Open Session at 5:56 p.m.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 11, 17, 20, 21, 22, 23, 24, and 26.

- FORMAL SESSION -

Invocation was given by Commissioner James, which was followed by the Pledge of Allegiance to the Flag.

(1) EMPLOYEE OF THE YEAR

Commissioner Helms entered the meeting during this time.
The Board recognized the Gerald G. Fox Employee of the Year and Runner Up, Brian Schick from the Chamber of Commerce, who was introduced by Susan Hutchins, Director of Human Resources, announced them.

The 2002 Gerald G. Fox Employee of the Year winner was Bobbie Cobb, Environmental Health Administrator with the Health Department. The Runner Up was Joanne Falco, an Accounting Technician with the Department of Social Services.

Both recipients expressed thanks.

The Gerald G. Fox Employee of the Year and Runner Up for Mecklenburg County are selected by the Chamber of Commerce based on nominations received from County employees. This was the 40th annual award given by the Charlotte Chamber of Commerce to employees that best exemplify public service in Mecklenburg County Government.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Sherrie Barnes, Chairman of the Domestic Violence Advisory Board and Judy Williams-Gardener, a recipient of services, spoke in support of the Women’s Commission remaining as a stand-alone department rather than becoming a division of the Department of Social Services.

Blanche Penn addressed the upcoming Jump Start for Parents Conference, March 29, 2003 at UNC-Charlotte at 10:00 a.m.

Steve Sellers on behalf of Nevins Inc. addressed services provided by Nevins to persons with developmental disabilities, including job training and employment opportunities. He was joined by two recipients of services Chris Lomax and Billy Bandie. Mr. Lomax and Mr. Bandie informed the Board of their employment at a local Harris Teeter. Mr. Sellers thanked the Board for its continued support of Nevins Inc.

(2B) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax parcel #077-076-10 at 1436 Norris Avenue from Betty Jean Trapps Wilks for $57,500 to be used for the Druid Hills Neighborhood Park site.

(3) APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Commissioner Samuelson nominated Tamara Gray and Denise McLlwain for appointment to the Adult Care Home Advisory Committee.

Appointments will occur on April 1, 2003.

Commissioner Helms noted that Charlotte City Council was reviewing its advisory board attendance policy for possible changes. He suggested consideration be given to reviewing the
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County’s attendance policy as well, and noted that often on large committees such as, the Adult Care Home Advisory Committee, it’s difficult to make 75% of the meetings. He said that perhaps consideration should be given to changing the attendance requirement from 75% to 50%.

Board of Equalization and Review

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint to the Board of Equalization and Review for one-year terms expiring April 7, 2004 the following persons: James Barnette, David Fuller, Kenneth Hammond, James Hobbs, and Michael Scharf.

Commissioner James nominated all applicants for appointment to the Board of Equalization and Review as follows: Damon Bidencope, Kenneth Friedman, Christopher Gegg, Jeanette Koger, and Doug Wynne.

Appointments will occur on April 1, 2003.

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint James Barnette as Chairman of the Board of Equalization and Review for a one-year term expiring April 7, 2004.

Community Relations Committee

The following persons were nominated for appointment to the Community Relations Committee:

Maura Chavez by Commissioner Clarke
Hal Markowitz by Commissioner Helms
Pablo Fernando by Commissioner Mitchell
Larry Ross by Commissioner James
Connie Vetter by Commissioner Samuelson
Deborah Walker by Commissioner Woodard

Appointments will occur on April 1, 2003.

Citizen’s Transit Advisory Committee

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Jerry Blackmon to the Citizen’s Transit Advisory Committee for a two-year term expiring June 30, 2004.

Commissioner Helms nominated Robert Bischoff for appointment to the Citizen’s Transit Advisory Committee.

The appointment will occur on April 1, 2003.

Housing and Development Committee

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Jonathan Carr to the Housing and Development Committee for a three-year term expiring April 4, 2006.
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HUMAN SERVICES COUNCIL

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Thereasea Elder and Denise Lynch to the Human Services Council for three-year terms expiring November 8, 2005.

The following persons were nominated for appointment to the Human Services Council:

- Evelyn Berger by Commissioner James
- Mohammed Idlibi by Commissioner Samuelson
- Sitasha Saunders by Commissioner Woodard
- Judith Willis by Commissioner Clarke

Appointments will occur on April 1, 2003.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Sharon Powell to the Nursing Home Community Advisory Committee for a three-year term expiring April 2, 2006 and Alice VanGelder for a three-year term expiring March 5, 2006.

Commissioner Mitchell nominated Diane Wright for appointment to the Nursing Home Community Advisory Committee.

The appointment will occur on April 1, 2003.

Commissioner Samuelson stated that if the Board decides to change its advisory board attendance policy from 75% to 50%, that it be applicable to the Nursing Home Community Advisory Committee also.

WOMEN’S COMMISSION

The following persons were nominated for appointment to the Women’s Commission:

- Emily Chavis by Commissioner Woodard
- Victoria Martinez by Commissioner Helms
- Cheryl Pugh by Commissioner Helms
- Marion Sullivan by Commissioner Helms
- Velia Watson by Commissioner Helms

Appointments will occur on April 1, 2003.

(3B) UPCOMING APPOINTMENTS

The Board received as information upcoming appointments for April, 2003.


Adult Care Home Advisory Committee
Area Client Rights Committee (Health Care Professional)
MARCH 18, 2003

Bicycle Committee  
Citizen’s Transit Advisory Committee  
Nursing Home Community Advisory Committee  
Region F Emergency Medical Services Advisory Council  
Register of Deeds Advisory Committee (Attorney)  
Storm Water Advisory Committee  
Waste Management Advisory Board

(4) PUBLIC HEARINGS – NONE

(5A) ADVISORY COMMITTEE REPORTS /CHARLOTTE-MECKLENBURG DEVELOPMENT CORPORATION REPORT

The Board received a status report from the Charlotte Mecklenburg Development Corporation (CMDC) regarding business investments in the Wilkinson Park Business Center on Wilkinson Boulevard and at City West Commons shopping center located at West Blvd. and Remount Road.

The report was given by Lawrence Toliver, Chamber of Commerce and Bob Sweeney, Chairman of the CMDC.

Mr. Sweeney thanked the Board for its support of the CMDC. He asked Board Members to provide input regarding other sites and corridors that needed attention because the Wilkinson Blvd. project would soon be completed.

Mr. Toliver noted that the Business Investment Program, which the County provides 55% of the investment grant and the City of Charlotte 45%, had generated 259 jobs, $31,930,000 in private investment, and that the County’s share to leverage this was about $850,000.

Chairman Cox thanked Mr. Toliver and Mr. Sweeney for their report.

(5B) MINORITY AFFAIRS ADVISORY COMMITTEE-STATE OF MINORITIES REPORT

The Board received the Minority Affairs Advisory Committee State of Minorities Report.

The report was given by Victor Guzman and Tracy Morris, members of the Minority Affairs Advisory Committee.

The report addressed disparities in the areas of Health Care and Education among minorities in Mecklenburg County, resources targeted toward addressing these disparities, and the critical challenges, issues, and needs in reducing and eliminating these disparities. The Report also offered recommendations and strategies for the Board and community to consider in reducing and eliminating these disparities.

It was suggested by several Board Members that the report be shared with the Board of Education.

Chairman Cox thanked Mr. Guzman and Ms. Morris for their report.

A copy of the report is on file with the Clerk to the Board.

(6) MANAGER’S REPORT: HOMELAND SECURITY UPDATE

The Board received the “Mecklenburg County Homeland Security Progress Report for August 2002 – January 2003.”
The report was given by Dr. Earl Wynn Mabry, Homeland Security Director.

Prior to presenting the Homeland Security Progress Report, Dr. Mabry addressed the current state of affairs, in light of the U.S. being on the brink of War. He noted that the U.S. has transitioned to condition orange and explained what would occur locally if the decision is made to go from a yellow threat condition to orange. Dr. Mabry stated that there would be extensive communication and collaboration between local law enforcement and intelligence agencies, who would in turn, brief the senior operational leadership, County and City, that has been organized. Next the decision would be made by the leadership whether to move from alert level yellow to orange; that decision would then be communicated to the media and to the public.

Report Highlights

The County Homeland Security Office (HSO) mission has three elements that are inextricably linked:

- Improving Threat Awareness and identifying areas of vulnerability
- Strengthening local and regional protection and preparedness programs
- Developing a “premier” Regional Threat Management System based on a common model, standardized operating procedures, quality improvement processes, and sound strategic planning.

- The most important progress in supporting the HSO Mission has been the increased levels of communication and collaboration on Homeland Security issues at the City, County, Region and State level. From these increased interactions have evolved higher levels of multi-agency cooperation and coordination.
- Recently City and County agencies demonstrated impressive capabilities to respond to an act of terrorism and a major natural disaster.
- In September 2002, the Advance Local Emergency Response Team (ALERT) demonstrated a local multi-agency response to a complex simulated terrorist incident involving conventional and chemical weapons, which produced contaminated mass casualties.
- In December 2002, the local Emergency Operating Center successfully coordinated emergency response and recovery activity caused by the worst winter ice storm and power failure in North Carolina history.
- Now Public Health, Hospital Systems, Corporate Security, Public Utilities, Academic Institutions, and the Media are part of the threat management collaborative process.

The report also covered the following topics:
- Major Local Homeland Security Goals
- Bioterrorism Surveillance Team
- Bioterrorism Surveillance System
- Smallpox Vaccination Plan
- Responding to a Hazardous Material Incident or a Chemical Weapons attack
- Responding to a nuclear power plant release of radioactive material
- Supporting the growth and development of special response teams
- The Emergency Radio System
- Medical and community preparedness
- City-County Government Communication and Collaboration
- Involving Charlotte Corporate Security experts in local Homeland Security Programs
- Involving local Academic Institutions in Homeland Security Programs
MARCH 18, 2003

- Public Awareness and Education
- The Concept of a Regional Threat Management System
- The Charlotte/Mecklenburg Region
- Regional Challenges

A copy of the report is on file with the Clerk to the Board.

Commissioner Mitchell suggested to Dr. Mabry that the chief local U.S. Postal Service Inspector be invited to regional meetings.

Commissioner James inquired about the allocation of Homeland Security funds.

Dr. Mabry said federal Homeland Security funds would be directed to the Governors of each state. The Governors decide who would be designated to start the allocation process. Dr. Mabry stated that in N.C. this matter would first be discussed with the state Homeland Security Director, Secretary Beatty and that in his office is the new Emergency Management Director Ken Taylor. Dr. Taylor is the key person in developing the dispersing criteria, which has not yet been finalized.

Dr. Mabry also noted that a decision had not been made as to locally who would receive the funds from the State.

Commissioner Ramirez noted that as a result of the ice storms experienced recently that he had asked some citizens to assist him in forming a Charlotte-Mecklenburg International Emergency Preparedness Task Force. The Task Force purpose is to help the County, the City of Charlotte, and the County’s Homeland Security Director to disseminate information to the international community on emergencies.

Commissioner Ramirez requested that staff work with him in placing a matter on the agenda to formalize the International Emergency Preparedness Task Force.

Commissioner Clarke suggested to Dr. Mabry that in his conversations with State representatives regarding the allocation of the Homeland Security funds that it be emphasized that monies spent in Mecklenburg County would benefit the entire region and not just Mecklenburg County.

Chairman Cox thanked Dr. Mabry for his report and for the excellent job that he was doing.

Commissioner Ramirez left the dais and was away until noted in the Minutes.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Clarke and carried 8-0, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 11, 17, 20, 21, 22, 23, 24, and 26 to be voted upon separately:

(7) APPROVAL OF MINUTES

(8) TAX REFUNDS

To approve refunds to be made by the Finance Department as requested by the Tax Assessor in the amount of $152,745.97 resulting from clerical errors, audits and other amendments.

(9) DESTRUCTION OF DOCUMENTS

To approve the disposal of LUESA Permitting and Inspections records (8 boxes) dated January and February 2003 that have been imaged on optical disk and verified, and Plans of commercial projects (459) permitted in January and February of 2001 in accordance with North Carolina records retention policies.

(10) STREET LIGHTING PRELIMINARY ASSESSMENT ROLLS/SET PUBLIC HEARING

To adopt resolutions setting a Public Hearing on April 15, 2003 at 6:30 p.m. on Street Lighting Preliminary Assessment Rolls for the Cardinal Woods and McGinnis Village Subdivisions.

Resolutions recorded in full in Minute Book 42-A, Document #

(12) MONTHLY SEWER OVERFLOW REPORTS


Copies of the reports are on file with the Clerk to the Board.

(13) REVISIONS TO THE MECKLENBURG COUNTY BUILDING DEVELOPMENT ORDINANCE

To approve revisions to the Building Development Ordinance, increasing the Building Development Commission membership from 12 to 13, to add representation from the National Association of the Remodeling Industry of Greater Charlotte.

Note: The Building Development Commission (BDC), as originally conceived and approved by the BOCC in 1996, consisted of 9 members representing a cross section of the local construction industry. In 1996, the BOCC increased the BDC to include 2 public members. In 2000, the BOCC further increased the BDC, adding a Charlotte Apartment Association representative. The National Association of the Remodeling Industry of Greater Charlotte (NARI) recently requested membership.

Ordinance recorded in full in Minute Book 42-A, Document #.

(14) ALLOCATION OF STATE FUNDS-DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

To approve the allocation of the Department of Juvenile Justice and Delinquency Prevention (DJJDP) state funds in the amount of $1,434,340 for fiscal year 2004 as recommended by the Juvenile Crime Prevention Council (JCPC) as follows:
<table>
<thead>
<tr>
<th>Program Name</th>
<th>Department/Agency</th>
<th>Allocation</th>
<th>Allocation</th>
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<tr>
<td>Youth Homes, Inc.</td>
<td>DSS/ Youth Homes, Inc.</td>
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<td>$306,830</td>
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<tr>
<td>FACET</td>
<td>DSS Youth &amp; Family Svcs.</td>
<td>225,000</td>
<td>223,214</td>
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<tr>
<td>Transition House</td>
<td>DSS/ Youth Network, Inc.</td>
<td>255,400</td>
<td>253,614</td>
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<td>Choices</td>
<td>DSS/ Youth Network, Inc.</td>
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<td>Present Day Restitution</td>
<td>DSS/ Present Day Cares</td>
<td>150,000</td>
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<td>RISE</td>
<td>Sheriff’s Office</td>
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<td>Reach One-Teach One</td>
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<tr>
<td>Ombudsman</td>
<td>Substance Abuse Prev. Svcs.</td>
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</tr>
<tr>
<td>JCPC</td>
<td>Court Services</td>
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<td><strong>Total</strong></td>
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<td>$1,434,340</td>
<td>$1,434,340</td>
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</tbody>
</table>

(15) **FUNDING REQUEST-CONTINUATION OF STRUCTURED DAY PROGRAM**

To authorize the County Manager to submit the FY04 Structured Day Program funding request in the amount of $410,178 to the Department of Correction.

*Note: The Structured Day Program is an alternative to incarceration providing enhanced supervision, job skill development and substance abuse treatment to nonviolent drug and property offenders. Offenders are required to report to the facility a minimum of 5 days per week, attend substance abuse treatment, job skills development classes and various life skills workshops, complete community service requirements, submit to random drug screens; and complete daily 24 hour itineraries to be approved by staff.*

(16) **ADDITIONAL BIOTERRORISM FUNDING RECEIVED**

To recognize, receive and appropriate a $51,000 grant award from the State of North Carolina for the Bioterrorism Regional Response Team.

*Note: These funds are to purchase a vehicle for the Team to travel to the 11 surrounding counties and to fund the Environmental Health automated software system, which will enable the local or regional staff to detect any potential food poisoning outbreaks throughout the region.*

(18) **GRANT APPLICATION–WOMEN’S COMMISSION**

To approve submission of a grant application for funding in the amount of $10,000.00 from Candle, Inc. to the Mecklenburg County Women’s Commission for the annual Child Observer’s “HERO” Holiday Celebration for December 2004 (FY 04-FY05), and 2) Recognize, receive and appropriate the amount of the grant awarded, when received.

(19) **GRANT APPLICATION–WOMEN'S COMMISSION**

To approve submission of a grant application for funding in the amount of $5,000.00 from Target to the Mecklenburg County Women’s Commission for the annual Child Observer’s “HERO” Holiday Celebration for December 2003 (FY 03-FY04), and 2) Recognize, receive and appropriate the amount of the grant awarded, when received.

(25) **CONTRACT AWARD-NEW COURTHOUSE PROJECT TUNNEL PACKAGE**

To award a contract for the construction of a new tunnel under 4th Street to Crowder Construction Company in the amount of $1,680,800.
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Construction of a new tunnel is needed under 4th Street that will provide a direct connection from Jail Central to the New Mecklenburg County Courthouse. This will provide a direct, safe means of escorting inmates from Jail-Central to the New Courthouse holding cells.

(27) CITY FUNDING FOR THIRD WARD VISION PLAN

To recognize, receive, and appropriate $50,000 from the City of Charlotte for preparation of the Third Ward Vision Plan.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(11) ABANDONMENT/CLOSURE OF SECTIONS OF STREETS IN THE HIDDEN VALLEY NEIGHBORHOOD

Commissioner Ramirez returned to the dais.

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize staff to submit a petition to Charlotte City Council to request the abandonment/closure of Beechway Circle, a section of Mark Way, a section of Springview Road, and a section of Mellow Drive located in the flood plain of Little Sugar Creek in the Hidden Valley Neighborhood.

Note: Mecklenburg County will be constructing an ecological storm water treatment facility in the Little Sugar Creek Flood Plain using wetlands, vegetation, ponds and buffers along the creek and flood plain. The right-of-way will become part of adjacent private land and county land when the roads are abandoned and closed by the City of Charlotte.

Commissioner Woodard removed this item from consent to ask if there was any opposition to petition for abandonment/closure.

Bob Binford with Real Estate Services said no opposition was expressed.

(17) REGIONAL HIV/AIDS CONSORTIUM FUNDING RECEIVED

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate a $10,000 continuation grant funding from the Regional HIV/AIDS Consortium to fund the Fighting Back Consumer Advocacy Initiative for the 2003 calendar year, and 2) Approve carrying-forward of unspent grant funds at June 30, 2003.

Note: The Consumer Advocacy Initiative makes contact with specific targeted populations with HIV and links them to services as needed. Funding continues through December 31, 2003.

Commissioner Woodard removed this item from consent for more public awareness.

(20) SET PUBLIC HEARING: NC DEPARTMENT OF TRANSPORTATION RURAL OPERATING ASSISTANCE PROGRAM GRANT APPLICATION
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Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to publish notice of intent to hold a public hearing at the April 1, 2003 Board of County Commissioners meeting to receive comments on the Mecklenburg County Department of Social Services application for the NC Department of Transportation’s Rural Operating Assistance Program for fiscal year 2003-2004.

Commissioner Mitchell removed this item from consent for more public awareness.

(21) KABOOM! PLAYGROUND EQUIPMENT

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve acceptance of playground equipment valued at $45,000 donated by KaBOOM!, with thanks. Secondly, to appropriate Mecklenburg County’s share of the equipment installation cost not to exceed $5,000.

Note: The playground equipment is for Progress Park and will be installed by community members, corporate volunteers and KaBOOM!, a non-profit organization. The source of Mecklenburg County’s share of the installation cost for the equipment, which will not exceed $5,000, will be the 1999 General Obligation bonds appropriated for Progress Park.

Commissioner Samuelson removed this item from consent for more public awareness.

(22) GOVERNOR’S CRIME COMMISSION GRANT ADJUSTMENT

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to decrease grant award amount by $21,616.00 from the Governor’s Crime Commission for the “Youth Alternatives to Abusive Relationships” program. The Board recognized, received and appropriated the original grant amount at the August 20, 2002 meeting. An adjustment was made by the Governor’s Crime Commission based upon the expenditure forecast report relating to difficulty in recruitment and hiring of qualified staff.

Commissioner Woodard removed this item from consent to receive clarification regarding the decrease.

Fred Gray, Deputy Director of Park and Recreation addressed this question. He noted originally it was difficult for the Department to find someone willing to accept the position because it was grant funded, but now they have found someone.

(23) GRANT AWARDED-IMPAIRED DRIVING PREVENTION

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell,
Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $10,000 in grant funding from the National Association of County and City Health Officials (NACCHO) to implement the impaired driving prevention program.

Note: The Impaired Driving Prevention Program will provide education and develop collaborative partnerships to reduce driving under the influence among Latino male’s ages 21-34 years.

Commissioner Ramirez removed this item from consent for more public awareness.

(24) BUSINESS INVESTMENT GRANT – BOSTON GEAR

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and carried 8-1 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner James voting no, to approve a City-County Business Investment Grant to cover Boston Gear’s "listing and labeling" costs, not to exceed $100,000.

Commissioner James removed this item from consent to vote in opposition because he felt there was not adequate justification for paying the companies listing and labeling costs, nor the County’s normal policy.

Note: General Manager Bobbie Shields addressed this issue. He noted that Boston Gear requested a business investment grant to offset their cost to label existing equipment that will be moved to their new site. Boston Gear would not incur those costs if Boston Gear relocated to South Carolina, which was an option.

(26) LEASE AGREEMENT WITH THE NORTH CAROLINA GOLF ACADEMY

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 6-3 with Commissioners Clarke, Cox, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioners Helms, James, and Mitchell voting no, to defer consideration of a resolution declaring intent to enter into a lease agreement with The North Carolina Golf Academy for the development and operation of a golf training facility at +/- 35 acres of County property located adjacent to the CPCC South Campus and bounded by I-485, until the April 1, 2003 meeting.

Commissioner Samuelson removed this item from consent to express concern for moving forward with this project in light of the upcoming budget and other needs.

Prior to the vote, Commissioner Puckett asked to defer action because there were persons wanting to address this matter but could not be at the meeting.

Commissioner Puckett left the dais and was away until noted in the minutes.

(28) CHARLOTTE-MECKLENBURG REGIONAL HOME CONSORTIUM ALLOCATION

Motion was made by Commissioner James, seconded by Commissioner Helms and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to receive a Progress Report from the Charlotte-Mecklenburg Regional Housing Consortium, including the FY 04 Consolidated Action Plan.

The report was given by Katrina Brown, Director of Community Development. No one from the public appeared to address this report.
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A copy of the report is on file with the Clerk to the Board.

Commissioner Puckett returned to the dais.

(29) THIRD WARD VISION PLAN/WEST PARK UPDATE

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive an update on the progress of the Third Ward Vision Plan and New West Park Project.

The report was given by Robert May of Real Estate Services and Deb Bryan, local consultant for Civitas (the Urban Design Team) and Professor of Architecture, UNC-Charlotte.

Report Highlights
- Purpose of the project is to create a community vision for Third Ward and the new West Park that elevates the quality of life for those that work and live in the area.
- The area is bounded by 5th Street, Tryon, John Belk Freeway, and Cedar Street.
- The park is being looked as a catalyst for economic development and will be designed to optimize both livability and economic development.
- Public meetings have been held to receive input with more meetings to come.
- They began the design process by questioning the location of the park and whether or not the County’s land was the optimal location and configuration for an urban park, in light of the fact that there would not be an arena in this area. It was noted that perhaps it was not.
- Per their economist it would take 25-30 years for development to surround the current site in order for it to grow out from Trade and Tryon.
- It’s felt Third Ward is the only location where commercial development can expand in the center city.
- It’s felt Third Ward should become a mixed-use commercial development and West Park could become a catalyst for the area’s redevelopment if it draws off of the energy and pedestrian activity that was occurring along either Trade Street or Tryon Street.
- New streets are recommended for entry into the Park, one on Second Street and one on Pine and Mint Streets.
- Various Park frameworks were reviewed. Framework A was the property currently owned by the County. It’s felt this site was isolated and too far away from any pedestrian paths or daily activity.
- Their preference is Framework D, which was also the preference of those attending their last public meeting.
- In Framework D the park is oriented to Tryon Street but at the same time it reaches towards the existing residential areas in Third Ward.
- The next public meeting is April 14, 2003 at 6:30 p.m. at the First Baptist Church on Davidson Street.
- The next steps: Study park configuration along Tryon Street relative to boundaries, adjacencies, and points of connections; programming to determine where and why what goes into the park; development options (development of the park’s edges) to determine investment opportunities; and an overall evaluation of how all of the factors add up to the most optimal configuration for both livability and economic development.
Commissioner Helms spoke in support of Park Framework D. He said this may require an exchange or some transaction that might involve a portion of the property the County owns. He noted that the old Virginia Paper Company property, which the County owns, that suggestions have been made that this property be retrofitted and perhaps made into a museum. He asked Ms. Bryan and Mr. May that as they go through this process to look at the Virginia Paper Company idea as a possibility. He also said acquisition of the old federal courthouse by the County would be to the County’s advantage and could be used as the entrance to West Trade Street.

Commissioner James said he appreciated the analysis that was done, however, it should have been done prior to the County’s purchase of park property in Third Ward. He said he could not understand how the County could be considering another alternative, especially if it raises the County’s cost.

Ms. Bryan noted that she was part of the original group that recommended the County’s current park site, but that things have changed significantly since that time. She stated that now there’s the North Tyron Village, the Gateway Village, and the Second Ward Master Plan, which were not in place at the time the original recommendation.

Commissioner Samuelson echoed Ms. Bryan’s remarks and said things have changed and that consideration should be given to all alternatives to ensure that the County does the right thing. She stated also that there needs to be some type of connection the Romare Bearden, world renowned African American Artist.

Commissioner Woodard echoed Commissioner Samuelson comments.

Chairman Cox expressed concern for the removal of high quality residential development for this area from the plan.

Commissioner Mitchell left the dais and was away until noted in the Minutes.

(30) RESOLUTION-LAND DEVELOPMENT SERVICES INTERLOCAL AGREEMENTS WITH THE NORTHERN TOWNS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt the Resolution Authorizing Execution Of The Amended And Restated Land Development Services Interlocal Agreements Between Mecklenburg County and The Towns Of Huntersville, Cornelius, And Davidson.

Note: In March 2002 the County and the Northern Towns staff started meeting to review and make recommendations on the type, level and location of services (both existing and future) the Land Use & Environmental Services Agency (LUESA) is to provide to the Towns and their citizens. As a result of those discussions and input from various stakeholder groups, the County and Northern Towns agreed to proceed with the establishment of a LUESA North Office. The services to be provided from that office is as follows:

- Single-family permit facilitation and plan review,
- Residential trades assistance/minimum housing/multi-trade inspections,
- Engineering and inspection services (land development, water quality, and transportation), and
- Zoning enforcement.
The Land Development Services Interlocal Agreements further defined roles and responsibilities for the Towns and the County, as well as establishing a three-year term for the agreement to coincide with a three-year lease contract for the LUESA North Office.

Resolution recorded in full in Minute Book 42-A, Document #.

(31) LUESA NORTH SATELLITE—LEASE SPACE

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to negotiate and execute a lease with Goodrum/115 Partners for a satellite office in the northern part of the County for the Land Use and Environmental Services Agency (LUESA).

Commissioner Mitchell returned to the dais.

(32) CHARGE OF CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to amend the charge of the Citizen’s Capital Budget Advisory Committee to include developing recommendations on community capital infrastructure standards.

General Manager Bobbie Shields addressed this issue.

A copy of the charge is on file with the Clerk to the Board.

(33) ABC BOARD SALARY

Chairman Cox passed the gavel to Vice-Chairman Ramirez to address agenda Item 33 - Consider reducing the current salary of the ABC Board members, which he placed on the agenda.

Motion was made by Commissioner Cox, seconded by Commissioner Puckett, to reduce the current salary of the ABC Board members from $600 per month for the Chairman and $500 per month for members to zero respectively.

Chairman Cox addressed this issue and stated the following: “The ABC Board controls the sale of alcohol in this County. The local Board is obliged to return to the community any profits beyond which it requires for on-going operations. Those profits are spent on various programs, including primarily substance abuse, preventing and treating alcohol and substance abuse. State law says that the Board of Commissioners shall appoint the members of the ABC Board and shall set the members salaries at whatever level we choose. There are good citizens in this County with the skills and knowledge the local Board needs. People who know about sites and leases to operate profitable businesses, who will gladly serve without compensation. The newspaper quotes several current members saying that they would serve without pay. No pay means, we can reasonably expect for the ABC profits to go up by close to $32,000. That means an additional $32,000 roughly, back into the community. This Board can reasonably expect funding for prevention and treatment programs to increase by that amount, simply by reducing members salaries to zero. I ask the Board to consider the choice before us, either pay salaries to members who would serve for no pay or pay the salary of, for example, a
MARCH 18, 2003

counselor, roughly the same amount of money; who might save someone from a family shattering addiction. How will we allocate the people’s money? I ask this Board to set right what a previous Board has done. Spend this money on a core purpose and one that may bring a family together and perhaps even save someone’s life.”

Commissioner Helms spoke in opposition to the motion. He stated that the ABC Board was unlike any other advisory board because it has the authority to adopt rules for the Alcohol Beverage System within the County; to hire and fire employees; to designate one employee as Manager of the System, to operate the ABC Board store systems and to do a wide range of significantly important matters that result in large sums of money being paid to this County; to the library, for substance abuse services and other related issues.

Commissioner Helms noted also that he had served on the ABC Board in the past and that it requires a great deal of one’s time. He said the ABC Board was a board that deserves to be compensated just as the Board of County Commissioners. He suggested that any adjustments to the ABC Board salaries be addressed during the FY 04 budget discussions and to not eliminate the salaries of current ABC Board members.

Commissioner Woodard noted that there were other Boards that receive compensation besides the ABC Board, which she shared. They were the Board of Equalization and Review, Board of Motor Vehicle Review, Fire Commission, Planning Commission, and the Zoning Board of Adjustment.

Commissioner Woodard stated that all boards receiving compensation should be reviewed. She noted also that the composition of these boards and others should be reviewed to see if they are representative of the community. She stated that the review should be done by the Board’s Effective and Efficient Government Committee.

Substitute motion was made by Commissioner Woodard, seconded by Commissioner Helms, to refer Item 33 - Consider reducing the current salary of the ABC Board members to the Board’s Effective and Efficient Government Committee and that the Committee also review all advisory boards that receive compensation.

Discussion continued.

It was noted by Commissioner James that the Board of Elections receives compensation also.

Commissioner Woodard stated that for fairness sake, “if you’re going to delete one, you might want to look at all and if you’re going to keep one you keep all.”

Commissioner Cox asked to speak to his motion, in light of the fact that Commissioner Mitchell called the question. However, it was noted by Attorney Bethune that the question could not be called until everyone had had two opportunities to address a motion.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to allow Commissioner Cox to continue to address the motions on the floor.

Commissioner Cox clarified that his motion is based on looking at how funds are allocated and answering the question of do you spend on salaries for people that will serve for no pay or do you spend it on badly needed programs for prevention and treatment of alcohol and substance abuse. He noted that his reasoning had nothing to do with the current members of the ABC Board or their party affiliation.
Commissioner Helms suggested the Board consider eliminating its own salary and that he would be willing to serve without pay. He asked Commissioner Woodard, maker of the substitute motion if she would be willing to add this to the substitute motion for the Committee’s review also.

Commissioner Woodard stated that she could not.

The vote was then taken on the substitute motion made by Commissioner Woodard, seconded by Commissioner Helms and was carried 5-4 with Commissioners Clarke, Helms, Mitchell, Samuelson, and Woodard voting yes and Commissioners Cox, James, Puckett, and Ramirez, to refer Item 35 - Consider reducing the current salary of the ABC Board members to the Board’s Effective and Efficient Government Committee for review and that the Committee also review all advisory boards that receive compensation and report back to the Board with a recommendation.

_Vice-Chairman Ramirez returned the gavel to Chairman Cox._

_Chairman Cox noted that this concluded the Board’s agenda for March 18, 2003._

**ADJOURNMENT**

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:15 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center on Tuesday, March 25, 2003 at 3:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

Commissioners Helms and Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox. The purpose of the meeting was to discuss FY04 budget matters, including but not limited to, the law enforcement service district, compensation/benefits recommendations, and the budget process in general.

(1) LAW ENFORCEMENT SERVICE DISTRICT

Police Chief Darrel Stephens addressed the provision of law enforcement services in the unincorporated area of the County in a report entitled, Dissolving the Police Functional Consolidation Agreement.

Commissioner Helms entered the meeting during this time.

The report covered the following:

- The Proposal which was that the County was considering dissolving the Police Functional Consolidation Agreement and pursuing other alternatives for policing in the unincorporated area of the County. The alternatives are 1) to allow the municipalities to provide service to residents that live within their sphere of influence and 2) give the responsibility for policing the unincorporated area to the Sheriff’s Office.

- The history of the consolidated Charlotte-Mecklenburg Police Department, which occurred on October 1, 1993

- The costs of policing

- Challenges of deconsolidation
• Annexation impacts on policy change
• Information about the Charlotte-Mecklenburg Police Department

The report also included data on the following:
• Comparison data of local police departments for populations of 500,000 – 1,000,000
• GIS-based analysis of land area
• Spheres of Influence
• Charlotte-Mecklenburg Police Department response area
• Charlotte-Mecklenburg Police Department response area with large areas of unincorporated Mecklenburg County

A copy of the report is on file with the Clerk to the Board.

Comments

Chairman Cox
• Complimented Chief Stephens for having one of best Police Departments in the U. S.
• In his opinion the Board would either go with the option of allowing the municipalities to provide service to residents that live within their sphere of influence or keep things as they are.
• Stated that even with the Sphere of Influence option the City would still have a significant amount of area to police.
• Stated there needs to be a review of police services from the perspective of what those services should be in the future.
• He envisions there being only three police departments in the future once annexation is complete. The three envisioned, one in the northern part of the County as a result of the northern towns forming an alliance; one in the southern part of the County per an alliance between Matthews and Mint Hill; and the City of Charlotte police department, which would provide services in Pineville.

Chief Stephens noted his concurrence that it would be good to discuss the level of services being provided both now and in the future.

Commissioner Samuelson
• Concurred with Chairman Cox that a study group should be formed to look at future services.
• Suggested the current police consolidation agreement be reviewed also to see if the current pricing is fair and are the correct services being provided.
• Questioned the survey that was conducted and asked if it only included persons in the unincorporated area.

Chief Stephens stated that the survey was a statistical valid sample of the entire area, the unincorporated and incorporated. He stated that they were unable to separate the responses out.

Attorney Bethune noted that:
• The current contract for law enforcement services in the unincorporated area was intended to be for an indefinite period of time.
• It was originally projected that annexation would be completed by 2005.
• There is a provision in the agreement which would allow either the City or County to terminate the agreement effective at the beginning of a fiscal year, provided they give a 14-months notice prior to a July 1 effective termination date to the Manager of either entity.
• It would take additional legislative authority for the County to take either of the following actions:
MARCH 25, 2003

*Contract with any municipality other than the City of Charlotte for the municipality to provide police protection outside of the municipality’s corporate limits.

*Fund law enforcement services in the unincorporated area using a law enforcement service district tax if such services are to be provided either by a new County Police Department, the Sheriff’s Office, or a municipality other than the City of Charlotte.

Motion was made by Commissioner Samuelson, seconded by Commissioner James, to ask the City of Charlotte and the other municipalities to agree to convene a committee to discuss a long range plan for providing police services in the County; with the make up of the committee and the duration of the study to be determined upon further consultation; and that the committee report back to the Board with a recommendation.

Discussion continued.

Commissioner James noted that the feedback he received from those in the unincorporated area was that the level of police services being received is not what was expected, which was a higher level of service.

Commissioner Helms noted that this matter should be looked at from the broader perspective of crime because all of the incidents that law enforcement agencies deal with do not lend themselves to geographic boundaries. Commissioner Helms said that it was important to recognize that the assumption that a value can be allocated for police services to geographic areas was misleading.

Commissioner Mitchell noted that the feedback he received from constituents in the unincorporated area was that there needs to be more visibility and better response times.

Commissioner Clarke echoed Commissioner Helms’ remarks. He feels a lot of the complaints being received are because of the tax and not necessarily the services that are being provided.

Commissioner Ramirez asked about the status of responses received from the municipalities per the letter that was sent by the Chairman regarding the provision of law enforcement services.

Commissioner Cox noted the following responses to date:

- Davidson has indicated an interest and provided an incremental cost.
- Cornelius has indicated an interest, however, noted that it was not a pressing issue for them since the amount of unincorporated area in Cornelius is not that much.
- Mint Hill has indicated an interest.
- He is scheduled to meet with the Mayor of Huntersville.
- Mayor Myers of Matthews has gone to the legislature requesting authority to annex a certain area now, even though it does not qualify per annexation rules.
- Mayor McCrory has indicated that he was not interested.

Commissioner Puckett entered the meeting during this time.

Commissioner Woodard noted the importance of having all entities involved in whatever discussions take place.

Commissioner James noted that the quality of service needs to be a part of the discussion as well.

The vote was then taken on the motion and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes.

Chairman Cox thanked Chief Stephens for his report.

(2) COMPENSATION/BENEFITS RECOMMENDATIONS
The presentation on compensation/benefits recommendations was deferred because of time constraints. It was the consensus of the Board to receive this presentation on April 8, 2003 at 2:00 p.m.

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:37 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 1, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

Commissioner Helms was absent when the meeting was called to order and until noted in the Minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION - PERSONNEL MATTER/LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services noted that the land acquisition matters to be discussed in Closed Session were:

- Eight (8) tax parcels on Bank and Griffin Streets to expand the Marie G. Davis Middle School property
- Tax Parcel # 081-083-09 at 1005 Eveningside Drive from Eveningside Digest Trust for the Belmont area Water Quality Enhancement Project on Little Sugar Creek.

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to discuss Land Acquisition and Personnel Matter.

Commissioner Woodard had stepped away at the time of the above vote, however, she returned immediately after the vote was taken.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:00 p.m.

Commissioner Helms was present when the Board came back into Open Session, having arrived during Closed Session.
The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 9, 12, 13, and 15.

-FORMAL SESSION-

Invocation was given by Commissioner Mitchell, which was followed by the Pledge of Allegiance to the Flag.

(1A) FAIR HOUSING MONTH

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a joint proclamation designating April 2003 as Fair Housing Month.

The proclamation was read by Commissioner Mitchell and accepted by Don Steger, Chairman of the Charlotte-Mecklenburg Community Relations Committee.

A copy of the proclamation is on file with the Clerk to the Board.

(1B) HEALTHY CHOICES/YOUTH WEEK

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating March 30-April 5, 2003 as Healthy Choices/Youth Week.

The proclamation was read by Commissioner Clarke and accepted by Terry Beasley and Vincent Alexander, Co-chairs of the Mecklenburg Council on Adolescent Pregnancy Board of Directors.

A copy of the proclamation is on file with the Clerk to the Board.

(1C) CHILD ABUSE AWARENESS AND PREVENTION MONTH

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating April 2003 as Child Abuse Awareness and Prevention Month.

The proclamation was read by Commissioner Samuelson and accepted by Dannette Smith, Director of Mecklenburg County Youth and Families Services, Anne Pfeiffer, Chair of the Child Fatality Team, and Beth Gregg, President of the Junior League.

A copy of the proclamation is on file with the Clerk to the Board.

(1D) WEEK OF THE YOUNG CHILD

Motion was made by Commissioner Ramirez, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a joint proclamation designating April 5-12, 2003 as the Week of the Young Child.
The proclamation was read by Commissioner Ramirez and accepted by Jane Meyer, Executive Director of Smart Start, Janet Singerman, with Child Care Resources, and Connie Glass, President of the Charlotte-Mecklenburg Association for the Education of Young Children.

A copy of the proclamation is on file with the Clerk to the Board.

(1E) CONSERVATION AWARD RECEIVED

The Board received a Statewide Conservation Award, which was presented by Catawba Lands Conservancy representatives Frank Bragg and Ron Altmann.

(1F) NATIONAL COUNTY GOVERNMENT WEEK

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution proclaiming April 6-12, 2003 as National County Government Week.

The proclamation was read by Commissioner Woodard and accepted by Danny Diehl, Director of Public Service and Information.

The National Association of Counties (NACo) encourages County governments to promote the programs and services it provides to its citizens, especially those in NACo’s target focus area, which in 2003 is “Counties Care about Kids.” Mecklenburg County’s annual “MeckFest” on April 5, 2003 will host a “Health Pavilion” that features dozens of County and partner services that help protect the health of children and adults. In addition, dozens of other programs and services will be on hand to educate attendees.

A copy of the proclamation is on file with the Clerk to the Board.

(1G) SCOTTISH HERITAGE MONTH

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating April 2003 as Scottish Heritage Month.

The proclamation was read by Commissioner Puckett and accepted by Carl McIntosh, Dick Taylor and Keets Taylor representing the Catawba Valley Scottish Society.

A copy of the proclamation is on file with the Clerk to the Board.

(18) CHARLOTTE READS UPDATE

The Board received an update on Charlotte READS. The report was given by Peter Covington and Dr. Terri Manning from Central Piedmont Community College, Planning & Research Department. The report was entitled “Mecklenburg County Index of Readiness and Literacy.”

A copy of the report is on file with the Clerk to the Board.
The following persons appeared to speak during the public appearance portion of the meeting:

Mike Minsker and Anna Daly on behalf of the Optimist Park Community addressed the Board regarding the air quality permit issued for an asphalt plant located at 1005 N. Davidson Street. It was stated that residents of the Optimist Park Community learned of the permit after it had been issued. Ms. Daly stated that the County’s Air Quality Control Ordinances have a provision for a public hearing which states the Director of Air Quality Control may initiate a public hearing in response to or before issuing any permit where there is a significant public interest or where the public interest would be served.

Ms. Daly asked the Board to direct the Air Quality Director to conduct a public hearing to allow residents of the various communities that would be affected by the asphalt plant, an opportunity to be heard and to provide input, since a public hearing was not held. She noted that not only was the asphalt plant a concern of the Optimist Park Community but also the First Ward and Fourth Ward Neighborhood Associations.

She noted also that studies have shown that asphalt plants cause a series of health problems; also there are issues concerning noise and odor.

Chairman Cox asked staff to respond to the comments made.

Attorney Bethune noted 1) per his review of the County’s Ordinance it states that public hearings can be scheduled only with respect to proposed permit modifications or proposed new permits. 2) It is a public hearing that the director can call when he is considering whether to issue a permit. 3) It is not a public hearing that can be held after the permit has been issued.

AGENDA ITEM ADDED – ASPHALT PLANT

Motion was made by Commissioner Helms, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add an item to the agenda concerning the Asphalt Plant located at 1005 N. Davidson Street.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to direct the Director of the County’s Air Quality Division of Land Use and Environmental Services, to review the issuance of the Asphalt Plant (1005 N. Davidson Street) permit and to determine the following:

1. If there is any information that the company submitted in its application that is incorrect or in error.
2. Have there been any changes in conditions since the issuance of the permit?
3. Is it necessary to revoke the permit in order to carry out the purposes set forth in N.C. G.S. Chapter 143, Section 21b?

and that the Director of the County’s Air Quality Division report back to the Board on this matter.

Additional notations by Attorney Bethune during the discussion:

- The permit was valid.
- Permits can be revoked at any time, not by the Board but the Air Quality Director, per the County’s ordinance.
- The standards in the County’s ordinance for asphalt plants are the same as those throughout the State.
  A “public hearing” was not held but what did occur was that the application was made;
notice that the application was going to be considered was given at a meeting of the
• Environmental Protection Commission, now the Air Quality Commission; and 83 days
after the application was filed the permit was granted, which was within the required 90
days for a decision to be made.
• Because of concern that was expressed after the permit was issued a “public meeting”
was held with the community to convey information about the process followed and the
circumstances under which the permit was issued.
• The holder of a permit does have the right to contest the revocation and have a hearing
before the Air Quality Commission and ultimately go to court if they believe their permit
has been unfairly revoked under the standards of the Ordinance.

The following persons addressed this issue after the approval of Commissioner Helms’ motion:

Nancy Bryant with the Sierra Club, the N. C. Clean Air Commission and the County’s Air
Quality Commission noted the following:
• In her opinion and in those of others, the asphalt plant was a public health issue that must
be addressed in the future, if not now.
• She asked the Board to direct the Air Quality Division to make air quality permitting a
wholistic approach in the entire County and in the region.
• The County should consider all county and city plans for neighborhoods in the permitting
process.
• She stated that the permit may have been issued legally because emissions were within
the federal standards, however, currently the County is not in compliance with air quality
standards, especially in the Center City.
• The asphalt plant will negatively impact the already polluted air and will harm the
children and adults in this fragile community.

Linda Williams representing the Optimist Park Community thanked Board Members for
attending their community meetings. She noted that the asphalt plant would decrease their
property values.

Ron Bryant asked the Board to look at the Federal Clean Air Act standards during its review
because the standards that were used were local/state standards. He stated that in the Federal
Clean Air Act it states that the increased pollution must not harm air quality in any area where
pollution levels already render air that is unhealthy to breathe. Mr. Bryant stated that in his
opinion code orange, code red, and code purple were unhealthy.

Air Quality Director Don Willard addressed this matter and encouraged those citizens with
concerns to provide him with any factual information they may have regarding the asphalt plant,
so that it could be applied to staff’s revaluation.

Calvin Latimer asked the Board to assist him getting a matter resolved concerning the taking of
his property on N. Tryon Street several years ago because of road widenings. He said that he was
told years ago that if the road widening prevented someone from operating their business then
they would be relocated. This never occurred in Mr. Latimer’s case. He stated that the County
issued him a building permit and that inspections should have occurred. He feels the County
could have done more to prevent the City from taking his property.

Attorney Bethune noted to Mr. Latimer that the County was not in the road widening business.

Chairman Cox asked Mr. Latimer to consult further with Attorney Bethune.

Anna Bennett and Robert Munn representing Homeless Helping Homeless addressed the need
for shelter since Rooms in the Inn and the Emergency Winter Shelter were closing. Mr. Munn
noted that it was his understanding there was a possibility that the jail modular units on Spector
Drive may be made available for the homeless. Mr. Munn said that if this was true, the modular
units should be located in an area where the homeless would have access to transportation, emergency facilities, job referral services, and other city and county agencies.

Donna Dawson addressed community services and noted that she felt services were more reactive than proactive. She addressed also the need for community involvement and asked that all citizens become involved in their local government and with other community activities.

Chairman Cox encouraged Ms. Dawson to apply for a County Advisory Board and to contact the Clerk regarding how to go about it.

Janice Coulter asked the Board to support keeping the Women’s Commission as a separate department rather than becoming a division of the Department of Social Services.

Martin Davis addressed an article that appeared in Creative Loafing in November 2002 regarding the Charlotte Gay Swim Club and its use of the Mecklenburg County Aquatic Center. Prior to making his comments, Mr. Davis noted to the Chairman that his comments may not be appropriate for children that may be watching the meeting at home or in the Chamber.

Chairman Cox noted this for the public’s awareness.

Mr. Davis stated that homosexuals were accountable for a third or more of the sexual molestations of children. Mr. Davis said he felt children were at risk when they visit the Aquatic Center because of the attendance of the Charlotte Gay Swim Club. He asked the Board to protect children at the Aquatic Center.

Chairman Cox noted that he had received an e-mail regarding the Charlotte Gay Swim Club’s use of the Aquatic Center, which was responded to by Park and Recreation Director Wayne Weston. He noted further that Director Weston in his response said that staff observes for any inappropriate activity by anyone and when detected persons involved are asked to leave the facility.

County Manager Jones echoed Chairman Cox’s statement that inappropriate behavior of any kind, by anyone, is not tolerated at the Aquatic Center. He said that if it were to occur persons would be asked to leave and if necessary and deemed appropriate the County would prosecute to the fullest extent of the law.

Chairman Cox informed Mr. Davis that a copy of the County’s policy would be sent to him.

A handout from Mr. Davis is on file with the Clerk to the Board.

2B1 LAND ACQUISITION FOR MARIE G. DAVIS MIDDLE SCHOOL SITE EXPANSION

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the acquisition of eight (8) tax parcels on Bank and Griffin Streets to expand the Marie G. Davis Middle School property in the amount of +/- $1,089,000.

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<td>3008 Bank St.</td>
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<td>Araron &amp; Linda Hill</td>
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<td>Totals</td>
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<td></td>
<td>$957,000</td>
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2B2 LAND ACQUISITION FOR BELMONT AREA WATER QUALITY ENHANCEMENT PROJECT ON LITTLE SUGAR CREEK

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel # 081-083-09 at 1005 Eveningside Drive from Eveningside Digest Trust for $59,600 for the Belmont area Water Quality Enhancement Project on Little Sugar Creek.

The subject parcel is part of an assemblage of properties within the floodplain of Little Sugar Creek between Parkwood Avenue and the CSX railroad trestle off 12th Street.

(3) APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Adult Care Home Advisory Committee:

TaMara Gray Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Denise McIlwain Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that TaMara Gray and Denise McIlwain were appointed to the Adult Care Home Advisory Committee for a one-year term expiring April 1, 2004.

BOARD OF EQUALIZATION AND REVIEW

The vote was taken on the following nominees for appointments to the Board of Equalization and Review:

Damon Bidencope Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Kenneth Friedman None
Christopher Gegg None
Jeannette Koger None
Doug Wynn Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard

Chairman Cox announced that Damon Bidencope and Doug Wynn were appointed to the Board of Equalization and Review for one-year terms expiring April 7, 2004.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment to the Charlotte-Mecklenburg Community Relations Committee:
April 1, 2003

Round One

Maura Chavez     Commissioners Cox, Puckett, and Ramirez
Pablo Fernando   Commissioners Helms, James, and Mitchell
Hal Markowitz    None
Larry Ross       None
Connie Vetter    Commissioners Clarke and Samuelson
Deborah Walker   Commissioner Woodard

Round Two

Maura Chavez     Commissioners Clarke, Cox, Helms, Puckett, and Ramirez

Voting Ceased

Pablo Fernando
Hal Markowitz
Larry Ross
Connie Vetter
Deborah Walker

Chairman Cox announced that Maura Chavez was appointed to the Community Relations Committee to fill an unexpired term expiring July 2, 2005.

HUMAN SERVICES COUNCIL

The vote was taken on the following nominees for appointment to the Human Services Council:

Evelyn Berger     None
Mohammed Idlibi   Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Sitasha Saunders  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Judith Willis     Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Mohammed Idlibi and Sitasha Saunders were appointed to the Human Services Council to fill unexpired terms expiring January 3, 2005 and Judith Willis to fill an unexpired term expiring September 19, 2003.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

The vote was taken on the following nominee for appointment to the Nursing Home Community Advisory Committee:

Diane Wright     Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Diane Wright was appointed to the Nursing Home Community Advisory Committee for a one-year term expiring April 1, 2004.
WOMEN’S COMMISSION

The vote was taken on the following nominees for appointment to the Women’s Commission:

Emily Chavis      None
Victoria Martinez  Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Cheryl Pugh       Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Marion Sullivan   None
Velia Watson      None

Chairman Cox announced that Victoria Martinez was appointed to the Women’s Commission to fill an unexpired term expiring October 31, 2005 and Cheryl Pugh to fill an unexpired term expiring December 4, 2004.

(4) PUBLIC HEARINGS - NC DEPARTMENT OF TRANSPORTATION RURAL OPERATING ASSISTANCE PROGRAM GRANT APPLICATION

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to receive comments on the NC Department of Transportation Rural Operating Assistance Program Grant Application.

Annually, the Mecklenburg County Department of Social Services submits a Rural Operating Assistance Program Grant Application. This North Carolina Department of Transportation grant provides funding for transportation services to the Elderly and Disabled, citizens living in rural areas of Mecklenburg County, and for Work First clients requiring transitional/employment transportation services. A public hearing is a required part of the grant application process.

Commissioner Puckett left the dais and was away until noted in the Minutes.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing and adopt a resolution for the Mecklenburg County Department of Social Services to submit an application for the NC Department of Transportation’s Rural Operating Assistance Program for fiscal year 2003-2004.

Resolution recorded in full in Minute Book 42-A, Document #11.

(5) ADVISORY COMMITTEE REPORTS – NONE

(6) MANAGER’S REPORT – TROLLEY BARN UPDATE & COMMITTEE MEETINGS

County Manager Jones gave an update on the status of the Trolley Barn acquisition issue per the last meeting of the Metropolitan Transit Commission (MTC). The MTC’s FY 04-05 Transit Program includes funds for a trolley maintenance facility and three options for locating the facility, one of which is the Historic Trolley Barn site.
April 1, 2003

Commissioner Puckett returned to the dais.

County Manager Jones noted the following:

- The MTC approved its FY 2004-05 Transit Program and Capital Improvement Program (CIP) for FY 04-08.
- The MTC conditionally approved the plan for a trolley maintenance facility with the understanding that the Charlotte Area Transit System (CATS) would present to the MTC a final financial investment plan for the maintenance facility (trolley barn) at its next meeting, which would include specific funding sources.
- The MTC supported funding for the operation of a full trolley service and the completion of upgrades to Trolley Car 85. Left undecided, however, was the question of where the Historic Trolley would be based and maintained because funding was not included in CATS budget for the Trolley Barn acquisition or for the shared development cost.
- The MTC asked that the BOCC consider providing funding to purchase the Trolley Barn and asked Charlotte Trolley Inc. to obtain funding for the $500,000 - $700,000 in shared development cost from private sources.
- The MTC is scheduled to reconsider this matter at its next meeting on April 23, 2003.
- The asking price for the Historic Trolley Barn is $1.4 million.
- Staff is unaware if the market value is more or less than $1.4 million.

County Manager Jones reminded the Board that when this matter was presented to them on March 18, 2003 several contingencies were laid out. One contingency was that if the BOCC elected to proceed with the acquisition of the Historic Trolley Barn that an appraisal of the property would need to be done.

County Manager Jones concluded his remarks by asking the Board for direction on proceeding.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell, to receive the Manager’s update on the last MTC meeting, specifically regarding the Trolley Barn and that staff be authorized to secure an appraisal of the property to be presented to the Board at its April 15, 2003 meeting.

Discussion continued.

Chairman Cox noted the following per his attendance at the MTC’s last meeting, including comments he made at the meeting:

- The shared development cost is not in the MTC’s budget.
- The proposed concept or idea is that if this property were redeveloped it would be operated as a museum.
- Chairman Cox stated that he shared the following opinions with the public at the MTC meeting:
  - That if the MTC was really supportive of the Historic Trolley Barn, they would have voted on it then rather than sending the matter back to the BOCC
  - That he felt in order to obtain Board support, the question of the $500,000 development cost must be settled
  - That the Board would have to be shown “demonstrable” funding and a plan for operation of the museum, long term.
  - That he felt the County does not have the money, especially coming out of current year budget allocations, for a project of this nature.

Chairman Cox continued and noted the following that:
April 1, 2003

- Those representing the public on this matter at the MTC meeting left, in his opinion, grateful that the MTC did not disapprove the Plan “outright” and they (those representing the public) were committed to raising the needed development cost.
- Even if the Board took action to acquire this property, the MTC still may not want to participate.
- CATS has a development plan that calls for action in August to put trolley cars in service.
- CATS Executive Director Ron Tober made it very clear that the time to act on the matter of the Trolley Barn was now, in order for CATS to meet its schedules.
- The plan is to keep one - two of the old trolleys and supplement the remainder of the fleet with replicas.

Discussion continued.

Attorney Bethune noted that it was his understanding that the $500,000 in shared development costs would be used for development expenses of some of the common areas of the complex.

Commissioner Samuelson noted the following that:

- This property probably would not have come before the Board were it not for efforts to restore the trolleys, which is the MTC’s responsibility and likewise would be the entity paying for the restoration.

Commissioner Samuelson stated that the County should not be the entity placed in the position of making the decision regarding restoration of the Trolley Barn.

Commissioner Samuelson suggested that the Board inform the MTC that once the MTC prioritizes the three options they have before them and inform the Board if they are willing to spend the money for developing the property; the Board would then consider acquisition of the property.

Commissioner James said he did not feel an appraisal should be obtained until the County has specific, quantifiable facts.

Commissioner Mitchell asked if the Trolley Barn was a historic site? Attorney Bethune said that it was not.

Commissioner Puckett said he felt that the historic significance of the Barn has been overstated.

Commissioner Clarke said that despite the changes that have occurred to the Trolley Barn, he feels it does have historical significance. Commissioner Clarke also stated that this project has economic development possibilities, as well.

Chairman Cox stated that it would be his intention to ask staff to place the issue of the Trolley Barn on the Board’s next agenda, to allow those that are representing the public on this issue to come and address it and to state whether or not they have been able to come up with the shared development cost needed.

Substitute motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to defer consideration of the Trolley Barn acquisition issue until the April 15, 2003 meeting.

Committee Meetings

County Manager Jones asked the Board to consider suspending its Board Committee meetings scheduled for April 15th and May 6th and to use this time for budget workshops. The budget
April 1, 2003

meetings would begin at 2:00 p.m. rather than 3:00 p.m.

It was the consensus of the Board to suspend its Board Committee meetings as requested by the County Manager.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of items 9, 12, 13, and 15 to be voted upon separately:

(7) APPROVAL OF MINUTES

To approve minutes of Regular Meeting held March 18, 2003

(8) AREA MENTAL HEALTH - STATE ALLOCATION RECEIVED

To recognize, receive and appropriate a one-time State allocation in the amount of $17,596 for FY02-03 to cover capital shortfall associated with two HUD 811 Supervised Apartment projects.

The two facilities provide a total of 18 supervised apartment placements for adult consumers with severe and persistent mental illness.

(10) TRANSFER OF FUNDS – LAND USE & ENVIRONMENTAL SERVICES AGENCIES

To appropriate $147,437 of Solid Waste Enterprise Fund unreserved net assets for transfer to the Discarded White Goods Special Revenue Fund.

(11) STREET NAME CHANGE/SET PUBLIC HEARING

To set a public hearing for 6:30 p.m. on May 6, 2003, on the proposal to change the name of a section of Dixie River Road to Berewick Commons Parkway

(14) AMEND PARK AND RECREATION FY03 OPERATING BUDGET

To recognize, receive and appropriate $67,606 to the Park and Recreation FY03 operating budget for revenue collected by the Recreation Coordinator for the Northwest Park District for Senior Citizen trips.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(9) AREA MENTAL HEALTH GRANT FUNDS

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $110,383 of unspent year one grant award for the SAMHSA TCE-CSAT Grant #TI 12787 for FY03 use; and establish 3 additional positions: 1 Psychiatric Nurse and 2 Case Coordinators.
Commissioner Samuelson removed this item from consent for clarification purposes. Grayce Crockett, Director of Area Mental addressed this issue.

Note: In November 2001 the Board approved acceptance of a SAMHSA Grant in the amount of $1,500,000, to be used over a 3-year period to initiate a program that would provide integrated services for clients with co-occurring psychiatric and substance abuse disorders. This action accepts the portion of grant funds which were earmarked for use during the first grant year to begin an Assertive Community Treatment Team, but were unable to be used in their entirety due to delayed start-up of the program.

The Assertive Community Treatment Team is currently operational and has reached the maximum caseload size allowable by documented practice standards. Use of part of the funds to add the requested positions will allow the program to expand its caseload size by an additional 30 clients.

(12) **SURPLUS PROPERTY/SET PUBLIC AUCTION**

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to declare a list of vehicles, equipment, tools and/or other miscellaneous items (Exhibit A) as surplus and approve a resolution listing vehicles, equipment, tools and/or other miscellaneous items for sale at public auction to be held April 26, 2003 at 10:00 a.m., 3301 N. I-85 Service Road, Charlotte, N.C. 28269.

Commissioner Mitchell removed this item from consent for more public awareness.

*Resolution recorded in full in Minute Book 42-A, Document #12*

(13) **LAND ACQUISITION FOR LITTLE SUGAR CREEK GREENWAY AT PRINCETON AVENUE**

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve purchase of .117-acre tract (all of Tax Parcel #151-113-01) on Princeton Avenue at Geneva Court from Melissa S. Murphy for $1,500 for the Little Sugar Creek Greenway.

Commissioner Samuelson removed this item from consent for more public awareness.

(15) **NORTH CAROLINA FOREST SERVICE GRANT**

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate grant award from the North Carolina Division of Forestry Resources, and approve carry forward of unspent grant funds at June 30, 2003 to FY04.

Commissioner Samuelson removed this item from consent for more public awareness.

Note: The grant award will be utilized for tree replanting along Little Sugar Creek in Freedom Park. The grant is for a maximum of $4,815.00 with a required 50% match to be funded from Parks & Recreation operating funds ($4173) and in-kind volunteer services ($642). The replanting is required due to tree loss from the stream restoration project.
April 1, 2003

Commissioner Mitchell left the dais and was away until noted in the Minutes.

(16) ITEM WAS REMOVED FROM THE AGENDA - LEASE AGREEMENT WITH THE NORTH CAROLINA GOLF ACADEMY

(17) ELIZABETH AVENUE REDEVELOPMENT PROJECT

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive information regarding the Elizabeth Avenue Redevelopment Project and authorize the County Manager to work with the developer to prepare a Memorandum of Understanding for the Board’s consideration.

Clay Grubb of Grubb Properties and his associates are planning a renewal project to take place on Elizabeth Avenue between Presbyterian Hospital and Central Piedmont Community College. On March 11, 2003, Clay Grubb discussed the project with Mecklenburg County’s Ad-Hoc Economic Development Committee. The private investment is estimated at approximately $200 million over the next 10 to 15 years. Mr. Grubb is seeking public funding to help underwrite a portion of the expense associated with a 965 space public parking deck. The development team would not request any assistance from the City or County until the project generates property taxes that would pay the annual debt service. On February 4, 2003, City Council authorized City staff to work with Clay Grubb to prepare a memorandum of understanding for Council’s consideration.

(19) LEGISLATIVE REQUEST – SUPPORT FOR TOWN OF MATTHEWS REQUEST TO ANNEX THE TOWN’S SPHERE OF INFLUENCE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the Chairman to submit a letter to the Mecklenburg Legislative Delegation supporting the Town of Matthews legislative request to annex the Town of Matthews’ sphere of influence, House DRH70148-LBx-115A with the proviso that the property owned by the County be excluded until such time that it is sold.


(20) RESOLUTION IN SUPPORT OF THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE

Chairman Cox noted that he had been contacted by the Chairman of the Gaston County Board of Commissioners, Joe Carpenter requesting his assistance and support in getting others in the region to support a resolution in support of the University of North Carolina at Charlotte’s receipt of equitable funding and opportunities for participation in any new investment program by the State.

Motion was made by Commissioner James, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve a Resolution in Support of the University of North Carolina at Charlotte, which states that the Mecklenburg County Board of Commissioners calls upon the North Carolina General Assembly, especially the members from this region, to ensure equitable funding for UNC Charlotte and to ensure that UNC Charlotte participates in any new investment program by the State of North Carolina in research activities and infrastructure intended to enhance economic opportunity and competitiveness, particularly in emerging fields such as biotechnology, photonics and optoelectronics, information technology and nanotechnology.
Resolution recorded in full in Minute Book 42-A, Document #14.

ADJOURNMENT

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:50 P.M.

Janice S. Paige, Clerk Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

APRIL 8, 2003 2:00 P.M.

N O R T H   C A R O L I N A
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center on Tuesday, April 8, 2003 at 2:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
        Dumont Clarke, H. Parks Helms
        Bill James, Norman A. Mitchell, Sr.
        Jim Puckett, Dan Ramirez
        Ruth Samuelson, and Valerie Woodard
        County Manager Harry L. Jones, Sr.
        Clerk to the Board Janice S. Paige

Absent: None.

____________________
Chairman Cox and Commissioner Puckett were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Vice-Chairman Ramirez. The purpose of the meeting was to discuss FY04 budget matters, including but not limited to, making appointments to the Board of Equalization and Review, receiving compensation/benefits recommendations, and to receive a Balanced Scorecard update.

(1) BOARD OF EQUALIZATION AND REVIEW

The vote was taken on the following nominees for appointment to the Board of Equalization and Review:

Kenneth L. Friedman  Commissioners Clarke, Helms, James, Mitchell, Ramirez,
                    Samuelson, and Woodard
Christopher L. Gegg  None
Jeannette Koger     Commissioners Clarke, Helms, James, Mitchell, Ramirez,
                    Samuelson, and Woodard

Vice-Chairman Ramirez announced that Kenneth Friedman and Jeanette Koger were appointed to the Board of Equalization and Review for one-year terms expiring April 7, 2004.

(2) COMPENSATION/BENEFITS RECOMMENDATIONS

Susan Hutchins, Director of Human Resources addressed FY 04 Compensation/Benefit issues.

The report covered the following:
  • BOCC Compensation Philosophy
  • FY 03 Pay Plan
  • Employee Climate Survey Results
Chairman Cox and Commissioner Puckett entered the meeting during this time.

Commissioner Helms left the meeting during this time and was absent for the remainder of the meeting.

- Cost of Recommended Pay Plan
- Benefits Recommendations
- Projected Insurance Rate Increases
- 401k/457 Employer Contribution

**Summary of Recommendations:**
- Pay Plan changes - $5.8 million
- Insurance benefit - $1.9 million
- 4% 401k/457 match - $567,894
- FY 04 Projected Cost in County Dollars: $8,267,894

A copy of the report is on file with the Clerk to the Board.

Comments:
Commissioner Mitchell questioned the Hay System and stated that it should be reviewed.

Chairman Cox raised the following point, that if the market is the basis upon which employees are paid and their performance; and since the paylines are derived from market studies, public and private, then why wouldn’t the County try to achieve a level of performance expectations that were derived of expectations of both public and private sector performance.

Director Hutchins said the County was striving for this and that the balanced scorecard was moving the County in that direction. She stated that the County believes in being a high performance organization and does provide incentives for people to perform better than the market rate.

Commissioner Samuelson asked if there was an objective study of performance?

Director Hutchins noted that the Classification System is what objectively looks at the duties and responsibilities of a particular job and assigns a particular classification to it.

Deputy County Manager Russ Crider said that it must be kept in mind that the analysis of performance is done by an individual and no two individuals do their analysis the same.

Commissioner Clarke stated that as an organization the County wants to have as many employees as possible that perform at or above the County’s expectations. He noted the importance of good customer service, having a good work ethic and high productivity. Commissioner Clarke said having a competitive pay structure allows employers to obtain high performers. He noted that the County generally brings new hires in at the minimum.

Director Hutchins noted that managers do have the flexibility to hire above the minimum.

Commissioner Puckett asked about the retirement system, which was explained by Director Hutchins.
Director Hutchins and Deputy County Manager Crider addressed the issue of vacant and/or eliminated positions per questions asked.

Commissioner Clarke asked staff to provide information on the number of positions that are being eliminated permanently as a result FY 04 budgetary needs and where they are located.

Discussion concluded.

Chairman Cox thanked Director Hutchins for her report.

(3) BALANCED SCORECARD UPDATE

Leslie Johnson, Director of Planning and Evaluation gave a mid-year Balanced Scorecard performance report.

The report covered the following:
- Overview of performance for each of the four focus areas per the measures that have been established for each

**Focus Area - Social, Education & Economic Opportunity**

Performance Status on outcomes:
- Two (2) Green Lights, which indicates positive performance
- One (1) Yellow Light which indicates mixed performance
- No Red Lights, which would mean reason for concern
- Three (3) Gray Lights which indicates either the measure is under development or data currently is not available

**Focus Area - Community Health & Safety**

Performance Status on outcomes:
- One (1) Green Light, which indicates positive performance
- Three (3) Yellow Lights, which indicates mixed performance
- One (1) Red Light, which indicates reason for concern
- Two (2) Gray Lights which indicates either the measure is under development or data currently is not available

**Focus Area - Growth Management & Environment**

Performance Status on outcomes:
- One (1) Green Light, which indicates positive performance
- One (1) Yellow Light, which indicates mixed performance
- No Red Lights, which would mean reason for concern
- Four (4) Gray Lights which indicates either the measure is under development or data currently is not available

**Focus Area - Effective & Efficient Government**

Performance Status on outcomes:
- Five (5) Green Lights, which indicates positive performance
- Two (2) Yellow Lights, which indicates mixed performance
- No Red Lights, which would mean reason for concern
- Nine (9) Gray Lights which indicates either the measure is under development or data currently is not available

Director Johnson noted also that a survey would be submitted to the Board to obtain their satisfaction rating with staff.
A copy of the report is on file with the Clerk to the Board.

Comments:

Commissioners Woodard and Puckett asked that in the future the Minority Affairs membership be included in the analysis of Advisory Committee Diversity, which is a measure for Increased Citizen Involvement, an outcome under the Effective & Efficient Government focus area.

Commissioner Woodard asked also that in the future data be provided regarding minority participation on all boards.

Commissioner Ramirez asked questions regarding sick leave benefits.

Directors Johnson and Hutchins addressed this issue.

Commissioner Puckett suggested staff take a look at “paid time off” vs. “sick leave” and “vacation leave.”

Chairman Cox asked if there were any conflicts between the principles of zero-based budgeting and the framework known as the balanced scorecard? He asked if his perception was correct or in line that the Board had approved implementation of zero-based principles into the framework of the balanced scorecard process?

Director Johnson said there’s a close proxy, but it is not “apples and apples.” She said that the framework in zero-based budgeting or in project-based budgeting is very much in line. The processes of getting there are a little different, however.

Commissioner James said that he would like to see the recommendations of the Public Resource Advisory Group (PRAG) incorporated into the scorecard when it comes to measures for the Preserved Financial Stability & Maintain Organizational Integrity outcome as it relates to debt. He said it’s important to make sure the County is meeting its level of standards when it comes to debt.

Chairman Cox concluded by saying that one day he would like to see a picture of the application of modified zero-based principles to the balanced scorecard process.

Commissioner Mitchell noted that he would hope in the future the County would take a more aggressive role when it comes to affordable housing, which is an outcome under the Social, Education & Economic Opportunity focus area.

Discussion ended.

Chairman Cox thanked Director Johnson for her report.

______________________________ ____________________________
Janice S. Paige, Clerk Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 15, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Deputy Clerk to the Board Tonette F. Spears

Absent: None.

-INFORMAL SESSION-

Commissioners Helms and Puckett were absent when the meeting was called to order and until noted in the minutes.

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION – LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

Property owned by Mason M. Moton, tax parcel # 077-075-19 and 077-075-20 on Roddy Avenue. The intended use of the property would be for the Druid Hills Neighborhood Park.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Ramirez, Samuelson and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:25 p.m. and came back into Open Session at 5:30 p.m.

Commissioners Helms and Puckett was present when the Board came back into Open Session.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 16 and 17.
Invocation was given by Commissioner Mitchell, which was followed by the Pledge of Allegiance to the Flag.

**(1A) WATER QUALITY VOLUNTEER RECOGNITION**

The Board recognized the following four volunteer groups for their outstanding efforts and contribution toward improving water quality conditions in Mecklenburg County through the Adopt-A-Stream Program:

- Providence Day School, Beta Club (McAlpine Creek)
- Merry Oaks Neighborhood Association (Briar Creek)
- Auto Bell Carwash (Little Sugar Creek)
- North Carolina Wildlife Federation (Briar Creek)

Rusty Rozzelle with the Water Quality Program introduced the groups. Plaques were given to each.

**(1B) INCOME MAINTENANCE ELIGIBILITY PROFESSIONALS WEEK 2003**

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating April 21-25, 2003 as "Income Maintenance Eligibility Professional Week."

*The proclamation was read by Commissioner Mitchell and accepted by Richard Jacobsen, Director of Social Services and Cynthia Sampson, Eligibility Worker of Social Services.*

*A copy of the proclamation is on file with the Clerk to the Board.*

**(1C) ORDER OF THE HORNET**

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to induct Tim Hayes and Bobby Suarez, MEDIC employees, into the Order of the Hornet for their service to the community.

*Commissioner Puckett read the order with additional comments from Joe Penner, Medic Director.*

The Board can pay no higher tribute to those who have given so generously of their time and talents to improve the quality of life for our citizens.

**(1D) LEONARD ROBINSON DAY**

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating April 15, 2003 as Leonard Robinson Day.

*The proclamation was read by Commissioner Samuelson and accepted by Mr. Robinson.*

*The following citizens spoke on the proclamation: Margaret Almond, Micki Fisher and Dick Getz. They gave accolades to the many contributions Mr. Robinson has made to the community.*
April 15, 2003

(1E) CORRIE RESOLUTION

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution in support of House Congressional Resolution 111, "Expressing sympathy for the loss of Rachel Corrie in the Palestinian Village of Rafah in the Gaza Strip on March 16, 2003."

The following individuals spoke in support of the Resolution: Edith Garwood, Sherif Mohamed, Margaret Davis and Mujahid Idlibi.

Commissioner James sponsored the Resolution.

A copy of the Resolution is on file with the Clerk to the Board.

(1F) RESOLUTION IN SUPPORT OF TROOPS

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson and Woodard voting yes, to adopt a resolution in support of our Troops involved in the war against Iraq.

Commissioner Puckett sponsored the Resolution.

A copy of the resolution is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following person appeared to speak during the public appearance portion of the meeting:

Maxine Eaves, President of League of Women Voters in Charlotte-Mecklenburg, addressed the Board in support of the Women's Commission remaining an independent office.

(3A) NOMINATIONS/APPOINTMENTS

BICYCLE COMMITTEE

The following individuals were nominated for appointment to the Bicycle Committee:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lauren Blackburn</td>
<td>Commissioner Clarke</td>
</tr>
<tr>
<td>Joni L. Groomes</td>
<td>Commissioner Samuelson</td>
</tr>
<tr>
<td>John M. Horton, Jr.</td>
<td>Commissioner James</td>
</tr>
<tr>
<td>John P. McPherson</td>
<td>Commissioner Samuelson</td>
</tr>
</tbody>
</table>

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations to the Bicycle Committee.

An appointment will occur on May 6, 2003.

HOUSING AND DEVELOPMENT COMMITTEE

The following individuals were nominated for appointment to the Housing and Development Committee:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sabrina Brown</td>
<td>Commissioner Samuelson</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>Commissioner Helms</td>
</tr>
<tr>
<td>Donald Howard</td>
<td>Commissioner Mitchell</td>
</tr>
<tr>
<td>Larry G. Ross</td>
<td>Commissioner James</td>
</tr>
</tbody>
</table>
April 15, 2003

An appointment will occur on May 6, 2003.

HUMAN SERVICES COUNCIL

The following individuals were nominated for appointment to the Human Services Council:

- Evelyn Berger     by Commissioner Helms
- Caroline Elliot     by Commissioner Mitchell
- Marcus B. Sloan    by Commissioner Ramirez
- Becca Thompson    by Commissioner Samuelson

Appointments will occur on May 6, 2003.

PERSONNEL COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Cynthia C. Mitchell to the Personnel Commission for a three-year term expiring, May 3, 2006.

The following applicant was nominated for appointment to the Personnel Commission:

- Jennifer Stuebbe    by Commissioner Puckett

The appointment will occur on May 6, 2003.

WOMEN'S COMMISSION

The following individuals were nominated for appointment to the Women's Commission:

- Emily A. Chavis    by Commissioner Woodard
- Lisa Conklin     by Commissioner Helms
- Christy Gaudet    by Commissioner James
- Lawanda Horton    by Commissioner Helms
- Marion Sullivan    by Commissioner Woodard

Motion was made by Commissioner Woodard, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations to the Women's Commission.

Appointments will occur on May 6, 2003.

(3B) CMS LONG RANGE SCHOOL FACILITIES CITIZENS ADVISORY TASK FORCE

Due to a conflict-of-interest, Vice-chair Ramirez requested to be excused from voting.

One of the applicants, Douglas Vinson, is Vice-Chair Ramirez’s son-in-law.

Chairman Cox recommended that he not excuse himself entirely but vote once.

The vote was taken on the following applicants to the CMS Long Range School Facilities Citizens Advisory Task Force:

**Round One**

- Nancy Barkemeyer    Commissioners Clarke, Helms and Mitchell
- Liz Downing     Commissioners James, Ramirez and Samuelson
- Norm Gundel     Commissioners Cox and Puckett
- Richard McElrath    Commissioners Clarke and Woodard
April 15, 2003

Douglas Vinson

Commissioners Cox, James, Mitchell, Puckett and Samuelson

Lisa Bossert
None

Randall G. Cline
None

Teri G. Deal
None

Eric Douglas
None

Teresa Hermanson
None

Fred Marsh
None

Michael Waugh
Commissioner Helms

Chairman Cox announced that Douglas Vinson was appointed to the CMS Long Range School Facilities Citizens Advisory Task Force.

Round Two

Nancy Barkemeyer
Commissioners Clarke, Helms and Mitchell

Liz Downing
Commissioners James, Ramirez and Samuelson

Norm Gundel
Commissioners Cox and Puckett

Richard McElrath
Commissioner Woodard

Lisa Bossert
None

Randall G. Cline
None

Teri G. Deal
None

Eric Douglas
None

Teresa Hermanson
None

Fred Marsh
None

Michael Waugh
None

Round Three

Nancy Barkemeyer
Commissioners Clarke, Helms and Mitchell

Liz Downing
Commissioners James, Puckett, Ramirez and Samuelson

Norm Gundel
Commissioner Cox

Richard McElrath
Commissioner Woodard

Lisa Bossert
None

Randall G. Cline
None

Teri G. Deal
None

Eric Douglas
None

Teresa Hermanson
None

Fred Marsh
None

Michael Waugh
None

Round Four

Nancy Barkemeyer
Commissioners Clarke, Helms, Mitchell and Woodard

Liz Downing
Commissioners Cox, James, Puckett, Ramirez and Samuelson

Voting Ceased

Norm Gundel

Richard McElrath

Douglas Vinson

Lisa Bossert

Randall G. Cline

Teri G. Deal

Eric Douglas

Teresa Hermanson

Fred Marsh

Michael Waugh
Chairman Cox announced that Liz Downing was appointed to the CMS Long Range School Facilities Citizens Advisory Task Force.

(3C) SCHEDULE OF UPCOMING APPOINTMENTS

The Board received as information the upcoming appointments for May 2003:

- Adult Care Home Advisory Committee
- Alcoholic Beverage Control Board
- Area Client Rights Committee (healthcare professional)
- Central Piedmont Community College Board of Trustees
- CMUD Advisory Committee
- Jury Commission
- Information Services & Technology Advisory Board
- Minority Affairs Advisory Committee
- Nursing Home Community Advisory Committee
- Parks & Recreation Commission
- Planning Commission
- Public Broadcasting Authority
- Region F Emergency Medical Services Advisory Council
- Register of Deeds Advisory Committee (attorney)
- Storm Water Advisory Committee (attorney)
- Waste Management Advisory Board

(4A) PUBLIC HEARING - STREET LIGHTING ASSESSMENT ROLLS

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all the property owners in Cardinal Woods and McGinnis Village Subdivisions.

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on street lighting preliminary assessment rolls for Cardinal Woods and McGinnis Village Subdivisions.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on street lighting preliminary assessment rolls for Cardinal Woods and McGinnis Village Subdivisions and adopt Final Assessment Roll Resolution for each.

Resolutions recorded in full in Minute Book 42-A, Document #15 & 16.

(5A) ITEM WAS REMOVED FROM AGENDA - ADVISORY BOARD COMPENSATION/ABC BOARD AND BOARD OF ELECTION

(5B) TRANSIT STATION AREA JOINT DEVELOPMENT POLICY GUIDELINES

Commissioner Samuelson, chairman of the Board’s Natural Resources Committee, gave an overview of the Joint Area Development Policy Guidelines. She stated the City along and the Metrolina Transit Commission (MTC) desires to have some planning around transit stations. She further stated cooperation with this process has been requested of the County, Libraries and Park & Recreation.
April 15, 2003

Commissioner Samuelson explained that the principles of the Transit Station Joint Area Development Policy Guidelines are to provide a framework for local governments to encourage and promote transit supportive development at transit stations. She further stated the guidelines would help to express the desire to have schools, parks and library development along transit corridors.

Commissioner Samuelson stated further that the Park & Recreation Commission have reviewed the guidelines and were in agreement with the general policies and principles. She also stated the Library Board would be reviewing the policies within the next couple of days.

Motion was made by Commissioner Samuelson, seconded by Commissioner Helms, to adopt a resolution supporting the Transit Station Joint Area Development Policy Guidelines.

The Board discussed the motion.

Commissioner James expressed concern with one of the bullets in the document that states the Board of Education should consider transit corridors and station locations as one of the criteria in the site selection process as indicated by the Long Range Facilities Master Plan. Specifically, work with the Board of Education to consider: 1) New school prototypes that support both the district’s curriculum-based facility standards and Transit Station Area Principles; and 2) New or significantly renovated schools that may facilitate programs such as pre-kindergarten or before/after school care which might encourage residential development in transit corridors.

He further remarked that he was concerned about the idea of locating new schools along transit corridors when the population of students to be served might not live around the transit corridor.

Commissioner Samuelson responded by stating this concern was addressed in Committee and at the Planning Liaison meeting. She noted that the Committee agreed that there would be times when a school location would work and times when it would not. She stated the Board of Education was aware of these criteria but has indicated that they would not build a school on the corridor just to meet the criteria unless it works with their plan.

Commissioner Puckett, a member of the Natural Resources Committee, stated the Committee in principle, agreed that these guidelines were a great idea. He further stated that the Park & Recreation Commission does not see these guidelines as redirecting their priorities with their current master plans for parks. He stated there were no dollars or re-direction of dollars attached to these principles.

Commissioner Puckett stated that he saw the guidelines as an advisory tool for the schools, library and parks.

Tim Gibbs, with CATS, stated there were three school board members on the Joint Use Task Force that helped to prepare the guidelines.

Commissioner Mitchell stated that building schools along a transit corridor should help alleviate purchasing more school buses.

Commissioner Clarke said he felt locating schools, in appropriate cases, in close proximity to transit stations was a good idea. He stated this would enable mobility for children that do not have transportation.

Commissioner Ramirez stated that locating schools near transit corridors was a good idea and would foster a sense of independence for children.

The vote was then taken on the motion and unanimously carried with Commissioners Clark, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution supporting the Transit Station Joint Area Development Policy Guidelines.
Resolution recorded in full in minute book 42-A, Document #17.

(6) MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of items 16 and 17 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held April 1, 2003, Closed Session Minutes of April 1, 2003 and March 18, 2003 and Special Meeting held February 25, 2003.

(8) TAX REFUNDS

Approve refunds to be made by the Finance Department as requested by the Tax Assessor.

A list of taxpayers is on file with the Clerk to the Board.

(9) GRANT APPLICATION - CLEAN AIR ACT, SECTION 103, SPECIAL PURPOSE FEDERAL GRANT REVISION

Authorize the County Manager to file a revised Section 103, Special Purpose federal grant application for FY03 and recognize, receive and appropriate grant revenue upon receipt.

This action is in response to the EPA's requirement that all PM 2.5 applicants renewing a grant must reapply to use unspent current grant awards in the next grant cycle.

(10) CONTRACT AWARDS FOR BROADBAND WIRELESS DATA SERVICES

Authorize the County Manager to negotiate and execute three-year contracts with Verizon and Sprint to provide wireless data services to field inspectors using the new permitting and inspection system.

(11) MONTHLY SEWER OVERFLOW REPORT


A copy of the report is on file with the Clerk to the Board.

(12) DESIGNATION OF AGENT FOR FEMA REIMBURSEMENTS

To adopt resolution - Designation of Applicant's Agent - Authorizing the Director of Finance and the Investment Officer to act as agents with the N.C. Division of Emergency Management/FEMA regarding the December, 2002 ice storm.

Resolution recorded in full in Minute Book 42-A, Document #18.

(13) AMEND IST FY2003 BUDGET

To recognize and appropriate $100,000 in additional revenue to the IST Department budget.
April 15, 2003

Revenue from the City of Charlotte for Mainframe Data Center services is projected to exceed budgeted revenue by approximately $100,000 for FY2003. These additional funds would be used to replace an outdated and problematic primary network switch to reduce network outages and increase staff productivity.

(14) SANITARY SEWER EASEMENT

1) To approve request for a sanitary sewer easement on Mecklenburg County property (Parcel Number 215-231-01) and authorize County Manager to sign easement agreement.

2) To recognize, receive and appropriate $1,363.60 from Dan Moser Company for the easement.

(15) STREET LIGHTING ASSESSMENT PROJECT/SET PUBLIC HEARING

To adopt Preliminary Assessment Resolution setting a public hearing on Mecklenburg County’s participation in the Street Lighting Assessment Project for Mountain Isle Harbor Subdivision on May 20, 2003 at 6:30 p.m.

Resolution recorded in full in Minute Book 42-A, Document #19.

(18) NEW DSS RECORDS RETENTION SCHEDULE

To approve new Records Retention Schedule for the Department of Social Services.

The records retention and disposition schedule and retention periods governing the records listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records do not and will not have further use or value for official business, research, or reference purpose after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. It is further agreed that these records may not be destroyed prior to the time periods stated: however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

A copy of the schedule is on file with the Clerk to the Board.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Mitchell left the dais and was absent until noted in the minutes.

(16) GREENWAY DONATIONS

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) approve acceptance of land donations on two major creeks: McAlpine Creek in the Marlwood Ridge and McAlpine Glen subdivisions off Lawyers Road from H. Dean Sellers. 2) +/- 4.75 acres on Back Creek between Back Creek Church Road and I-485 from Back Creek II Developers, L.L.C.

Commissioner Samuelson removed this item from consent for more public awareness.

Commissioner Mitchell returned to the dais.
April 15, 2003

(17) TRANSFER OF REUSABLE BUILDING MATERIALS AND USE OF STRUCTURES FOR PUBLIC SAFETY

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to A) adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials located at 1625 - 1637 W. Morehead Street prior to demolition of structures (buildings) purchased by Mecklenburg County. 2) Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training purchases.

Commissioner Samuelson removed this item from consent for more public awareness.

Resolution recorded in full in Minute Book 42-A, Document #20.

(19) ACQUISITION OF TROLLEY BARN SITE

Chairman Cox called on Dan Morrill, Director of the Historic Landmarks Commission to give the historical background of the trolley barn site.

The following persons spoke in favor of the County purchasing the trolley barn site:

- Miller Jordan of Charlotte Trolley
- Kevin Gullette, Executive Director of Historic Charlotte
- Terry Shook, Vice-Chair of Charlotte Trolley
- Lisa Lee Morgan, President of Board for Historic Charlotte, and
- Cameron Blake Holtz, Executive Director of Historic Charlotte.

Motion was made by Commissioner Samuelson, seconded by Commissioner Clarke to defer for two weeks a decision on acquisition of the trolley barn site.

The Board discussed the motion.

Commissioner Samuelson said that she was still undecided. She wants to hear from the Metropolitan Transit Commission (MTC) on their desire to purchase the trolley barn site.

Commissioner Clarke stated the purchase of this historic property has enormous economic development potential.

Ron Tober, Executive Director of MTC, stated that the MTC last month adopted a budget that included capital funding for the trolley.

The Board discussed the budget and asked further questions regarding the operations of the museum and the trolley barn site.

Substitute motion was made by Commissioner Helms, seconded by Commissioner Woodard to authorize staff to negotiate the purchase of the property at the appraised value but purchase be conditioned upon Crescent Resources, Historic Trolley or MTC commitment in a MOU to closing the gap in funding.

The Board discussed the motion.

Commissioner Helms restated his motion.
Authorize staff to work with MTC, Charlotte Trolley staff and Crescent Resources to negotiate an agreement for the acquisition of this site for $1.5 million contingent upon the gap of the financing being closed and contingent upon a clearer understanding of how the museum and trolley would be operated and bring back a MOU in three weeks.

The vote was then taken on the substitute motion as restated and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Puckett, Samuelson, and Woodard voting yes.

(20) THIRD WARD VISION PLAN/WEST PARK

Mark Hahn with Real Estate Services was recognized. Mark presented John Johnson of CIVITAS to present three urban design options for Third Ward/West Park. He stated that Mr. Johnson would present proposed development scenarios for each park option to include: land uses, building footprints and estimated square footage of development.

Mr. Johnson stated that the fourth public workshop in a series of six was held on April 14, 2003. He presented six key principles being recommended for planning and redevelopment of Third Ward with the emphasis that Third Ward be a mixed-use community with emphasis on transit access and connectivity.

Mr. Johnson presented three designs: 1) Urban Design Option, Existing County Land, 2) Urban Design Option: Trade Street and 3) Urban Design Option: Tryon Street.

Candace Damon explained the market analysis. She explained why the parks absorb at different rates. She further stated parks generate economic development by drawing on existing energy. Currently, there are three sources of energy this park might draw on: 1) commercial energy on Tryon, 2) existing 4th Ward residential energy and 3) Johnson & Wales/3rd Ward Residential.

Ms. Damon also presented: 1) Survey data confirming Census analysis, 2) Center City demographics suggesting the nature of future growth and 3) Trade and County Land options suggesting the need for additional interventions.

Mr. Johnson presented design principles shared with them from the public. They were: 1) authenticity, 2) civic purpose and character, 3) attracts development, 4) vibrant and accessible, 5) multiple uses and 6) multiple users.

Mr. Johnson stated that the next presentation, which should be in about six weeks, would present the three alternatives that they have developed to help the Board understand what the potential revenue might be.

Commissioner Samuelson asked if the park remains on the current site would it require more residential than can currently be supported? She asked if the Tryon Street option was more balanced with office and residential?

Mr. Johnson said yes.

Chairman Cox thanked Mr. Johnson and Ms. Damon for the presentation.

_A copy of the report is on file with the Clerk to the Board._
(21) CORE VALUES AND STANDARDS FOR CHILDREN IN CHARLOTTE-MECKLENBURG

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 8-1 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, and Commissioner Samuelson voting no, to Endorse "Core Values and Standards for Children in Charlotte-Mecklenburg."

Comments:

Commissioner Clarke thanked the President for Council for Children, Will Miller and Larry King for their hard work with this document.

Richard Jacobsen, Director of Social Services addressed the set of Values and Standards for Children in Charlotte-Mecklenburg. Mr. Jacobsen highlighted:

Core Values and Standards for Children in Charlotte-Mecklenburg

In Mecklenburg County, we have minimum standards for our air and water, our cars, even our lawn mowers. What about standards for raising happy, healthy children? The community was asked, “What does it take to enable children to reach their full potential as an adult and become responsible citizens?” The community responded that the following Core Values are “absolutely necessary.”

ALL children in Mecklenburg County have a right to expect that:

- They will have adults who will provide them with affection, a positive role model and concern for their present and future needs.
- They will have opportunities, from birth to adulthood, for free and appropriate education.
- They will not suffer needlessly or be constrained by a lack of health care.
- They will feel safe at home, in their neighborhoods and in their schools; the justice system will protect and advocate for them.
- They will have opportunities to develop emotional strength.
- They will have sufficient food, shelter and clothing for their needs, and the adults in their lives will support them.
- They will have places to go and things to do that involve them in their community.
- They will be the priority of the entire community.

Commissioner Samuelson addressed concern with the phrase "All children in Mecklenburg County have a right to expect." She stated that her understanding of a “right” would not necessarily encompass the bulleted items.

She further stated if the Board would consider changing the word “right” she would support the document.

Mr. Jacobsen said that approximately 30 children and family serving agencies in Mecklenburg County that emerged after the children’s summit support this effort.

A copy of the document is on file with the Clerk to the Board.


**April 15, 2003**

**(22) REFERENDUM SCHEDULE**

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to change referendum schedule from odd-numbered years to even-numbered years, and amend the County's Debt Policy and Capital Budget Process to reflect the change to even-numbered years.

*This will put the referendum on the ballot at the same time as the election for County Commission.*

The Efficient & Effective Government Committee unanimously approved this item.

**(23) MULTIFAMILY HOUSING REVENUE BONDS**

Motion was made by Commissioner Woodard, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve a resolution giving preliminary approval for issuance of multifamily housing revenue bonds for Barrington Oaks Apartments and approve exemption of project from $10 million minimum amount of financing as stated in the County's Conduit Debt Policy.

*Resolution recorded in full in Minute Book 42-A, Document #21.*

**(24) RE-APPOINTMENT OF ROBINSON, BRADSHAW & HINSON, P.A. AS BOND COUNSEL**

Due to a conflict-of-interest, Commissioner Cox requested to be excused from voting on this item.

Motion was made by Commissioner James, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to excuse Commissioner Cox from voting on this item.

Chairman Cox passed the gavel to Vice-chair Ramirez and then left the dais.

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 7-1 with Commissioners Clarke, Helms, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, and Commissioner Mitchell voting no, to approve the re-appointment of Robinson, Bradshaw & Hinson, P.A. as County Bond Counsel with County management to periodically review effectiveness and efficiency of services received.

**Comments:**

Harry Weatherley, Director of Finance, gave history on the process used to acquire bond counsel. He stated that this appointment would not be based on a definite time period.

Commissioner Puckett said that he hoped the County would continue to review the effectiveness of this counsel and assure market price for services would continue.

Director Weatherly responded to Commissioner Puckett’s concern by stating that there are two control points through the State on charges assessed.

Commissioner Mitchell stated he was not in favor of appointing a bond counsel for an unspecified time frame. He further stated that this did not allow other firms opportunities to bid.

Chairman Cox returned to the dais and resumed chairmanship.
April 15, 2003

(25) CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS) CONTINUATION FUNDING FY04 & FY05

Commissioner James, Chairman of the Board’s Efficient & Effective Government Committee, addressed the Criminal Justice Information System (CJIS).

Commissioner James said he would make the motion made by the Committee.

Motion was made by Commissioner James, seconded by Commissioner Helms, to authorize the County Manager to amend contract payment schedule with PEC, Inc. for Phase II Design and Implementation of the CJIS project and for the Board to maintain its commitment to CJIS.

Commissioner James addressed the motion by stating that if the Board voted yes, the County would be taking on the financial liability. He stated that this impact was not a current cost today but a future cost that would impact budgets in the next several years and that there was still a possibility Federal and State governments could not fund the package at all.

Commissioner Helms spoke in favor of the County funding the project.

Commissioner Samuelson also spoke in favor of funding the project but stated she would like to have the Manager’s budget before committing to the funds. She stated further that she, too, felt apprehensive about receiving any funds from the State in future years.

Commissioner Samuelson asked if there were any constraints that would prevent delaying a decision.

Manager Jones stated that the crucial date was April 30 due to contractual agreements.

Commissioner Samuelson asked if the contract could be renegotiated after the Manager’s budget has been presented.

Peter Cook, Court Services Director, addressed the question.

The vote was then taken on the motion and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes.

The U.S. Department of Justice has announced that FY03 federal funds for CJIS will be reduced significantly from the $3 million received in FY02, due to funds being committed to homeland security initiatives.

(26) LAW ENFORCEMENT SERVICE DISTRICT

Commissioner Samuelson gave an overview on the Law Enforcement Service District. She stated at the Board’s March 25, 2003 Budget/Public Policy Workshop, the Board voted unanimously to seek dialogue with City Council about the provision of law enforcement services in unincorporated Mecklenburg County. The goal was to establish a long-term vision for providing public safety to the entire county with considerations given to cost and service levels. This approach will provide a long-term solution to meet the law enforcement needs of our community.

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett to:

A) Direct the County Manager to convene a committee comprised of: 1) the chief public safety officer from each of Mecklenburg County’s municipalities; 2) the manager from each of the municipalities; 3) the County Manager; and 4) a designee of the County Manager.
April 15, 2003

B) Charge the committee to 1) provide a long range plan for law enforcement in Mecklenburg County that specifically addresses the provision of law enforcement in unincorporated areas of the County until such areas no longer exist; 2) recommend service level expectations for the entire County; 3) identify funding requirements and recommend methods for all law enforcement; and 4) report back to all participating governing boards no later than February 15, 2004.

C) Authorize the Chairman to notify all municipalities of: 1) the Board’s desire to convene this committee; 2) the Board’s request that upon receipt of the committee’s report each municipality take any necessary action by April 15, 2004; and 3) the Board’s intent to withdraw from the current inter-local agreement regarding law enforcement on April 30, 2004 and seek alternative means for providing law enforcement in the unincorporated areas if no agreement can be reached.

The Board discussed the motion.

Substitute motion was made by Commissioner Helms, seconded by Commissioner Mitchell to defer for three (3) weeks until unanswered questions are resolved and issues involved made more specific.

The Board discussed the substitute motion.

The vote was then taken on the substitute motion and failed 5-4 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting no, and Commissioners Clarke, Helms, Mitchell and Woodard voting yes.

The vote was then taken on the original motion with additional language added to bullet B:

5) Charge the committee to consider inclusion of other homeland security and fire protection elements in their planning.

And to add:

D) Concurrent with this process ask the North Carolina General Assembly to make the effective date of the pending legislative request to allow municipalities to provide law enforcement service in the unincorporated areas no sooner than January 1, 2005, so that the tax can be levied by July 1, 2005 and effective only if the City fails to approve the recommendations of the ad-hoc committee prior to April 15, 2004 or if the committee should recommend that this legislative authority be exercised as a solution.

The vote was taken on the original motion with the inclusion of items B and D and passed 5-4 with Commissioners Cox, James, Puckett, Ramirez and Samuelson voting yes, and Commissioners Clarke, Helms, Mitchell, and Woodard voting no.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:50 p.m.

__________________________  ____________________________
Tonette F. Spears, Deputy Clerk       Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Meeting Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center at 2:00 p.m. on Tuesday, April 15, 2003.

ATTENDANCE

Present: Chairman Tom Cox
Commissioners Dumont Clarke,
H. Parks Helms, Bill James
Norman A. Mitchell, Sr., Jim Puckett
Dan Ramirez, Ruth Samuelson and
Valerie Woodard
County Manager Harry L. Jones, Sr.
Deputy Clerk to the Board Tonette F. Spears

Absent: None

Commissioner Woodard was absent when the meeting was called to order and until noted in the minutes.

Chairman Cox called the meeting to order. The purpose of the meeting was to discuss FY04 Strategic Budget Issues, to include Outside Agency Funding Options and Revenue Projections.

(1) OUTSIDE AGENCY FUNDING OPTIONS

Deputy County Manager Russ Crider and General Manager John McGillicuddy addressed outside agency funding.

They provided the Board information and options for funding outside agencies and requested direction from the Board on what option is preferred for purposes of developing the Manager's Recommended Budget.

General Manager McGillicuddy said the Board could take a shift in its current funding policy/practice and fund outside agencies as start-up agencies rather than on an ongoing grant basis. He further stated that if the Board decides to fund outside agencies as start-up agencies, decisions would need to be made on how to proceed with outside agencies that are currently receiving funding.

General Manager McGillicuddy also said the question for the Board was should current outside agencies continue to receive funding or should the playing field be leveled for existing and potential outside agencies and treat them in a similar manner?

The following three (3) options were presented to the Board:

Option 1: No Change in current practice.

The Board majority will dictate from year to year funding of individual outside agencies.

Option 2: Set a total dollar or budget percentage amount that the Board would use as a "cap" for total funding of outside agencies.
Option 3: Phase-out/Phase-in
This option has the following components:

- Three-Year Step Down
- Department Vendor Contract
- New Agency Funding

General Manager McGillicuddy stated that staff made a distinction between outside agencies. They are:

1. **Service vendors** – these agencies are contracted by County departments to provide a specific service that is mission critical to the department. Essentially, this represents an outsourced service.
2. **Grant recipient** – these agencies receive funding from the County but are not tied to any specific departmental service. Essentially, the Board has provided “grant” funding based on the agency’s mission in the community.

The Board received information on the County's funding history of grant recipients for the past few years. This included percentage of County funding per agency budget and the agency's FY04 funding request.

Questions:

**Commissioner Ramirez** asked if grant recipients are one-time recipients before becoming yearly recipients?

Response: The County budget is prepared once a year, thereby making outside agencies once a year grant recipients with the exception of six agencies for which the County has a different commitment with.

**Commissioner Mitchell** asked is service-vendors similar to privatizing?

Response: Yes.

**Commissioner Samuelson** asked if the Arts & Science Council have a contract with the County that provides for certain regular increases or is the amount indicated on the spreadsheet what the Arts & Science Council suppose to get every year?

Response: The contract with the Arts & Science Council is a contract to fund the facility of Spirit Square.

Commissioner Samuelson requested additional information on funding for the Arts & Science Council.

Chairman Cox requested the information be sent to all Commissioners.

It was noted that a portion of the funding is for the lease payment and there is an automatic increase according to the CPI index and is added every year.

Commissioner Samuelson asked if the amount indicated includes a base amount plus the increase for Spirit Square and everything above it was a grant?

Response: Yes.

**Chairman Cox** stated before the Board decides to discontinue funding for outside agencies, the County should request Business Plans on the agency making a funding request.
Commissioner Helms stated that if the Board decides to continue the current practice perhaps a process should be implemented for the outside agencies to reconfirm their mission. Commissioner Woodard entered the meeting at this time.

The Board continued to discuss the options of funding outside agencies.

Commissioner Puckett stated that because the County has been asked to cut their budget, outside agencies should not receive increases either.

It was the consensus of the Board that the current practice used for funding outside agencies continue for this budget cycle; however, in the meantime, request staff begin to work on a new process for the next budget cycle to include and not limited to the means of reviewing agencies requesting funding.

It was also the consensus of the Board that staff should bring these recommendations to one of the Board’s Policy meetings for discussion, after which to be referred to one of the Board committees for study.

(2) REVENUE PROJECTS

John Petoskey from Property Assessment and Land Records Management presented a powerpoint presentation on Real Property Revaluation 2003.

The presentation covered the following:

- Real Property Revaluation 2003 Progress Report
- Notice Mailings
- New Construction Time Line
- Appeals Impact
- Initial Assessment Projections
- Estimates Based on Historical Trends of:
  - Building Permits
  - Tax-base Growth
  - Appeals
- Initial Assessment Projections Confidence Level
- Tax Base Estimates
  - Revaluation Increase: 11 billion
  - Reduction Due to Appeals: 2 billion
  - New Construction Growth: 2.5 billion

The Board briefly discussed the presentation.

Finance Director Harry Weatherly, reviewed Estimated Assessed Valuation and Sales Tax for Mecklenburg County.

Commissioner Clarke asked if the tax burden was falling more heavily on the shoulders of property owners whose property taxes increased because of revaluation? Also, is the growth in the community getting the benefit from the lower tax rate?

Response: Property tax is calculated by multiplying property tax value by tax rate; therefore, if you have a higher tax value due to revaluation, yes, your taxes will be higher even at the lower tax rate.

Commissioner Clarke asked what is the historical rate increase on personal property value?

Response: Historically it has been going up to the same degree as Real Value does, on a percentage basis.
Commissioner Clarke asked how was the 2.5% average growth rate calculated?

Response: A review of the trend over the last several years and review of the previous quarter were considered.

This concluded the discussion.

**ADJOURNMENT**

There being no further business to come before the Board the meeting was declared adjourned at 4:00 P.M.

______________________________  ____________________________
Tonette F. Spears, Deputy Clerk  Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 on the 2nd floor of the Charlotte-Mecklenburg Government Center on Tuesday, April 22, 2003 at 3:00 p.m.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
          Dumont Clarke, H. Parks Helms, Bill James
          Norman A. Mitchell, Sr., Jim Puckett
          Dan Ramirez, Ruth Samuelson, and
          Valerie Woodard
          County Manager Harry L. Jones, Sr.
          Clerk to the Board Janice S. Paige

Absent:  None.

Commissioners Clarke and Samuelson were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox. The purpose of the meeting was to discuss FY04 budget matters, including but not limited to, receiving a report from the Education Budget Advisory Committee and to receive information on a Capital and Investment Fund Model.

Prior to the start of the presentations, County Manager Jones gave an update on the development of the FY04 budget.

Commissioner Samuelson entered the meeting during this time.

County Manager Jones noted the following:

- There is a $23 million gap in balancing the proposed budget based on revised revenue projections.
- The $23 million gap widens to approximately $48 million if you consider the difference between the revised revenue projections and current service level.
- The gap widens even further for each dollar that is given towards education above the current funding level.
- Staff is in the process of identifying an additional $23 million in budget cuts from County departments and outside agencies, which would result in service reductions.
- These additional cuts will come on top of the already $50 million in cuts that occurred in order to balance the current year’s budget.
- These additional cuts will come also on top of the $25 million already cut by departments from this year’s current funding level in order to meet their target budgets.

County Manager Jones posed the following question: “To what extent should Charlotte-Mecklenburg Schools and Central Piedmont Community College share in these funding cuts for next year?”
Per staff’s analysis thus far, the budget option that reduces the property tax rate twice, once for revaluation and once to offset the one-half cent sales tax, will not allow the Board to make progress towards its goals and visions for the community.

County Manager Jones noted that although he needs to follow the Board’s direction in developing budget options, he also has an obligation to provide the Board with a recommended budget that addresses the needs embodied in the Board’s visions and goals.

- The budget is being prepared on the assumption that there are no “sacred cows.”
- Included in the budget will be those additional items that the County must pay for that are currently not in the target budget, for example, the $2 million for the CJIS project.
- The Board’s Community and Corporate Scorecard will be used to identify the County’s “core” responsibilities and services and to decide which if any non-core programs need to be retained.
- The County is faced with these budget challenges because of rising debt service and increased school funding needs, combined with a “souring” economy.

County Manager Jones asked the Board to keep an “open mind” regarding not rolling back to the property tax rate to offset the one-half cent sales tax, to help pay for a Capital and Investment Fund and also to ensure County services are able to address the “fundamental” needs of the community.

Comments:

Commissioner Helms asked if the $23 million shortfall was based on the direction of developing a budget using a revenue neutral impact? County Manager Jones said yes.

Commissioner Helms noted an e-mail he submitted to the County Manager requesting that the option of a current service level budget be presented to the Board with a cost allocated to each category of services with the intended tax rate. Also, that it include the total amount requested by Charlotte-Mecklenburg Schools and outside agencies.

County Manager Jones stated that the options to be presented are 1) revenue neutral with growth, 2) revenue neutral with growth minus the tax rate equivalent of the new one-half cent sales tax, and 3) current service level budget.

Chairman Cox requested a one-page brief on how staff derived at its numbers for the shortfall and also where the $50 million in savings came from.

Commissioner Puckett requested information regarding the dollar amount that the County is mandated to do, including funding for Charlotte-Mecklenburg Schools and Central Piedmont Community College for 04.

Commissioner Clarke entered the meeting during this time.

Commissioner Helms asked for a description of the process used to arrive at a revenue neutral budget.

County Manager Jones noted that staff would provide the Board with its definition of “revenue neutral.”

Chairman Cox requested also that information be provided on lost revenue due to the reallocation of sales tax monies in the County.

Deputy County Manager Crider stated that this can’t be experienced or known until next fiscal year.
This concluded the discussion regarding the Manager’s update.

(1) EDUCATION BUDGET ADVISORY COMMITTEE

Ken Harris, Ernie Dehnert and Howard Haworth presented the Education Budget Advisory Committee Report.

At the request of Commissioner James, a copy of the Education Budget Advisory Committee Report is being included in the minutes.

The Education Budget Advisory Committee recommends full approval of the recommendation as requested by the Board of Education.

April 9, 2003

Mecklenburg County
Board of County Commissioners

We have received the Charlotte-Mecklenburg Schools’ 2003-2004 Budget Recommendation, dated March 11, 2003. In accordance with our charge, members of the Education Budget Advisory Committee (EBAC) have performed a thorough analysis of this budget and provide the following recommendation to you.

At this time, based on our analysis to date, the EBAC recommends full approval of the recommendation as requested by the Board of Education.

As you are aware, given the newness of this group and in consideration of the need for our members to fully understand the budget process, we had no specific recommendation last year. Rather, our group recommended a funding range for the county appropriation to CMS of between $258 million and $275 million.

In this Superintendent’s budget, CMS is requesting additional funding from the County over the 2002-2003 fiscal budget of $14,946,001. This is an extremely fair request from a number of angles:

1. CMS is projecting additional enrollment in 2003-2004 of 3,240 students, a 3.0% increase.

2. CMS projects costs of growth and opening new schools of $9.275 million. The projection for simply sustaining operations is $9.418 million. Taken together, that is $18.693 million. In our view, CMS’ total request of $14.946 million is not enough to cover this combination of sustaining operations and growth. Dr. Pughsley has come up with cuts in other areas of the budget to cover this $3.747 million shortfall.

3. Compound growth in the Operations and Leadership areas of the budget, the non-instructional side, is only 1.7% over the past three years. This is a sign of how hard CMS is working at controlling the administrative side of the budget.

4. On a per pupil basis, the CMS request is $2,480. That compares to $2,418 in County funding for 2002-2003, and $2,477 in 2001-2002. The fact that CMS is asking the County for only $3 more per pupil over the rate of two years ago is impressive, and a testament to their efforts at controlling expenses. Please note, EBAC is not a proponent of a per pupil funding basis as will be explained later in this letter.

The EBAC is pleased at the way Dr. James Pughsley, CMS Superintendent of Schools, has
handled this budget in a number of ways. Last year, one of the EBAC recommendations was for a more transparent budget, one that non-financial people could understand.

In response to an EBAC recommendation regarding a zero based budget approach, Dr. Pughsley has initiated the Sunset Evaluation Program. Through this initiative, all programs and services are evaluated on a rolling three-year basis. If this program is managed properly this should be a very effective tool in controlling expenses going forward.

Based on our initial analysis of this budget, relative to perceived needs, this budget is very fair and realistic. It is apparent to us that Dr. Pughsley has given serious consideration to current economic conditions in preparing this budget. In the past, many people perceived that CMS had inflated their initial budget request as a negotiating tactic in the long budget process. Our impression is that this has not occurred this time. It appears that Dr. Pughsley has brought the best case budget to the table up front.

There is a serious concern that needs to be addressed here. This budget assumes a State appropriation of $497 million, a 6.5% increase over the 2002-2003 amount. Given the current tough economic environment being experienced at the state level, it would not be surprising if CMS does not receive the full projection of $497 million. If that happens, it creates a funding gap for CMS next year.

It has been brought to our attention that some members of the BOCC favor the use of a per pupil funding formula to arrive at the County portion of the CMS budget. While we respect the attempt to make the process more objective, we would caution against the use of such a formula as a sole determining factor. In our view, there are many pitfalls in using such a rigid formula. As one example, the rapid growth in the county’s English as a Second Language (ESL) population forces CMS to spend more per pupil in order to get these students up to speed relative to their English speaking counterparts. There are many other examples like this around the system.

In light of the challenges the school board faces, the budget is modest and may not be adequate to bring all students to a successful level of performance. To that end, attached to this letter is a list of issues that warrant additional attention. We will speak to them in our final report; however, we feel that they are of sufficient gravity to include in our initial report.

In conclusion, thank you for giving us the opportunity to analyze the CMS Budget and to respond accordingly. We share many of the same goals as the Commissioners with regard to providing a successful and efficient school system for our community.

Members of the Education Budget Advisory Committee

Mr. Haworth presented the following:

**SIGNIFICANT CMS CHALLENGES**

- Demographics and Demographic Trends
- Growth Velocity
- Teacher Recruitment and Turnover
- ABC Accountability Issues (State)
- No Child Left Behind Education Act (Federal)
- Family Choice Plan
- High School and Select Middle School and Elementary School Academic Performance
- Equity Pursuit
- Social Promotion Scope
- Clarity, Content and Balanced Reporting Issues
- Dropout Level/Graduation Rate/Departures
- Resources and Process Issues
Low expectations: N.C. test failure cited

A former chairman of the N.C. Board of Education argued Wednesday that failures in Raleigh have damaged the credibility of the state’s testing program and give some parents a false sense of their children’s academic success. And he urged a citizens advisory group to push Charlotte-Mecklenburg Schools for candid conversation about the challenges it faces educating all children.

“Improvements have occurred in this system,” said Howard Haworth, who settled in Charlotte after a career in furniture manufacturing. “We ought to always start with the enthusiasm to celebrate gains, because they’re not easy to create.”

But Haworth contends that “30% of our students are receiving a good to excellent education, and I think the next 20% are getting a fair to good education.

“I am considerably concerned that ... at least 40% of our students are churning through our system and are not remotely close to receiving what the Constitution of North Carolina requires, which is ‘a sound, basic education....’”

The statistics that show that about 20 percent of each 9th grade class doesn’t graduate are “a tragedy because we’re going to see those children again in various venues that are extremely expensive, a whole lot more expensive than it would have been to educate them.”

Haworth told fellow members of the Education Budget Advisory Committee that he had no quibble with commission chairman Tom Cox who, at an earlier meeting, said parents and citizens should hold the schools accountable.

“But I would submit to you... that the citizens in general and even parents do not have adequate information in a form that is simple and candid enough to make a clear judgment as to how secure their children are with regard to academic progress.

“The system, by the way, ought to hold the citizens accountable to provide adequate resources in order for them to have a prayer of getting the job done....”

The academic challenges CMS faces did not show up overnight, Haworth said, and earlier superintendents have struggled with them, including the “particularly onerous” outcomes in the high schools. “The concern is the degree and speed with which they are being answered.”

Haworth praised Supt. Jim Pughsley’s announced policy changes aimed at increasing staff experience levels and cutting turnover. Reducing the teacher turnover rate by half, Haworth said, would save $6 million to $8 million a year that is now spent on hiring and training new teachers.

But he said CMS must be more candid about both its successes and its challenges. He called for “clear disclosure of not just the exciting part of the trip that we’re taking, but there needs to be far more dialogue, clarity and definition with regard to what’s happening to these children who are not getting a sound basic education.

“If they fail to address it, there’s going to be a time out there in the not too distant future where it’s going to very difficult to get the citizens to provide the adequate funding that this system needs.”
At the September school board meeting at which ABCs test results were announced, “There is no question the celebratory was attended to in great detail. But there was next to nothing said... regarding the unsatisfactory areas of progress. And that’s got to change....”

**Big factors in cost**

“We are a uniquely expensive urban school system,” Haworth said. Among the factors, he said, is the family choice plan. “I believe there will have to be some fairly significant changes ... if we’re going to get it smoothed out – not so much for choice but for delivery of an opportunity for a well-rounded education for all of our children.

“I’m not at all happy that we have 29 of our schools with over 70% free and reduced lunch children in them. A number of those schools are over 90% minority or ESL (English as a Second Language) students. All research that any of us have ever seen makes it very clear that this is an environment that is extremely difficult in which to deliver the educational outcomes that we desire....”

Other cost factors Haworth cited were teacher turnover; high percentages of poor children, minority children and English as a Second Language children; and the size of the system, which Haworth believes warrants creation of a chief operating officer to run the nonacademic affairs of the district.

As for student achievement, Haworth said it not only made educational sense but also economic sense to intervene early with high-needs children. An erosion of support for the Bright Beginnings program for 4-year-olds “would be a huge tragedy. The cost of rescuing a seventh-grader is dramatically higher and not very successful usually.”

**Mistake with the ABCs**

At the heart of Haworth’s critique is a challenge to how the state has handled the developing ABCs testing program, which was initiated in the mid-1990s. He has already delivered the critique to the State Board of Education, which Haworth chaired about a decade ago.

“After the early design of the ABCs program... we all agreed that the bar [for being on grade level] would be set at a fairly low level for two reasons. One, we wanted to not have a situation where large numbers of children failed immediately, and two, we wanted a buy-in from the teachers.

“The thing that was not done as was intended in the original decision was that every couple of years you’d bump the thresholds up, so you’d ratchet up the rigor of what it took to be on-grade-level....

Not only has the bar not been raised, but 4,100 children in CMS didn’t pass tests at the “gateway” third, fifth and eighth grades. About 2,700 were promoted anyway last year.

“We’ll see those children again. They will be in the dropout numbers, they’ll be manning our rehab programs, they’ll be heavily involved over at Social Services and, God forbid, a number of them, being unable to behave responsibly, will be in prison....

“My original concern was the 2,700 we promoted. The longer I’ve thought about it, I’m just as concerned about the 1,400 we held back. They’re stigmatized.

They left their normal peer group. But most importantly, I seriously doubt if we have the resources to have as much one-on-one and one-on-four type of intensity to catch those students back up.”
In addition to the 2,700 and 1,400, thousands more children were not on grade level at non-"gateway" grades. Haworth said he had no numbers, but they are easily available and dismal.

What the cut-offs look like

“Look at what it takes in eighth-grade math to be considered on grade level,” says Haworth. “Thirty-four percent. We’re according a level 3 (on grade level) if you can get to that threshold…34% of the 80 questions asked answered correctly! “We’ve got another crowd of kids that are short of these thresholds by two to four points and they, if they get into the standard deviation ‘band,’ they get moved forward as level 3s.” Testing experts agree that these children are on shaky ground, but they are “being included in our ‘progress.’”

“My issue is not to take those kids and re-categorize them,” but CMS’s testing expert says many of the children in this “band” drop back to level 2 in later years.

“The real issue is not to circumvent the system and design it to make some numbers better than they really are. The assignment is to educate children. I’m not interested in the numbers. I’m interested in whether the child is getting a sound, well-rounded, basic education....

“Research shows kids will meet the bar. They didn’t raise the bar. Why didn’t they? Politics, pure and simple. They didn’t want to look at a year that might be a little less exciting that the year before.

“Well, that’s all a part of making progress. Any of us who’ve run a corporation know that it is never a straight line to the mountaintop. You’ve got down years, and they’re not much fun, because everyone wants to know what happened....

“We’re giving incentives to people at all levels to worry way too much about how the numbers look and too little about how the kids look....

“Do we go home, pull down the blinds and turn the lights out? Not so at all. This trip can be taken. But in order to take the trip the system has got to be openly accountable…from the toughest children to the best. And we can celebrate as we rise, and we will worry in certain areas, but we need to be candid with one another, constructively candid....

“I think it’s possible to put together an outstanding group of leaders in this community, corporate leaders, parents and others who will create an environment of support for the administration and the board so these children who are not able to take this trip as we are now going about it, can make it. We can talk about these subjects candidly, as opposed to be concerned about even talking about them at all.

“I’ve never seen a problem solved that didn’t start with candor about what was really involved....

A ‘train wreck’ called No Child

“If you think we’re in some degree of difficulty with what I’ve just said to you about ABCs,” Haworth told EBAC members, “when [No Child Left Behind] comes down the track, and it’s coming with very few resources, it is going to add to the train wreck.”

Haworth was particularly critical of a state decision to apply No Child’s sanctions only to schools receiving federal Title I money. That would exempt half the state’s schools. He and Pughsley agreed that federal officials are unlikely to approve such an end run around the legislation. But the decision, Haworth said, fits the pattern set by the state’s refusal to raise the bar for ABCs testing.

“The pattern’s there. And the pattern is a disastrous one. No Child gives us the chance to highlight these issues. ABCs was an early chance to highlight them. We chose to hide the dark...
side of the moon... We’re getting ready to hide the dark side of the moon again, and guess what part of the dark side of moon we’re getting ready to hide – the kids who need us the most, the uniquely challenged youngsters, some minority, many of them not minority, English Second Language kids...

“Are we really going to take this trip? We keep saying it rhetorically, and we keep doing things like [the No Child exemption].”

“I think we ought to go ahead and face the music. I don’t mean that critically. I’m talking about the communities wrapping themselves around their school systems. Let’s go ahead and face more rigor... and provide the resources.

“If North Carolina can circumvent the spirit and goals of No Child,” Haworth said, “then I would say to you we’re getting real close to losing our public education system in the sense of reaching the 40% that need us the most.”

**Summary of steps that should be taken according to Haworth:**

**At the state level**
- State should ratchet up the minimum standards for being on grade level at regular intervals
- State should embrace No Child Left Behind legislation as a means of building a groundswell of support for education resources in the community
- State and districts should provide more candid communication about individual and collective student achievement—both the exciting and the not very exciting

**At the district level**
- Along with celebrating successes, the district should talk about problem areas in student achievement and how they will be addressed
- CMS should create a chief operating officer to run the nonacademic affairs of the district.
- CMS should alter the Family Choice Plan to avoid high concentrations of poverty.

**At both levels**
- State and local governments should provide more resources for dealing with students with the greatest challenges

*Adapted with permission from February 13, 2003 edition of Educate!* 

**Copies of the reports and attachments are on file with the Clerk to the Board.**

**Comments**

Chairman Cox noted that his understanding of the equity issue as explained by Mr. Haworth, is that a better return on the investment is received from classroom equity than with the “bricks and mortar” equity.

Mr. Haworth agreed and noted that the Schools were not at a point of “no return”, however, the “bricks and mortar” issue needs to be looked at very carefully.

Commissioner Puckett asked School officials to consider for future budgeting purposes, doing a comparison of in-house versus privatized food service, maintenance, and portions of human resources.

Commissioner Puckett also inquired as to why Wake County’s teacher turnover rate was low.

Mr. Haworth stated that this matter was noticed and discussed, however, the specifics are unknown, but he suspects it’s because of differences in demographics.

Commissioner Puckett said he would like to see in future assessments by the Education Budget Advisory Committee data verifying why funding of certain School programs should continue and
the demonstrable effect of that funding. He would also like to see a CMS per pupil cost versus like-sized systems, adjusted regionally, including local supplements.

Mr. Harris and Mr. Haworth encouraged Board members to submit any suggestions they have to the Education Budget Advisory Committee.

Commissioner Ramirez asked if the State’s ABC program “bar” standard or level had been raised?

Mr. Haworth noted that when the ABC program was first established the bar was to be raised every year or two years, however, this has not occurred. The bar has not moved in seven years. He stated that the problem that the State Board of Education has now is that if they raise the bar, they’ll have a couple of years of low test scores. Also, that now there’s the “no child left behind” act, so there’s no real motivation at this time to change anything.

Commissioner Clarke asked Mr. Haworth to comment on the impact to CMS if there was no increase in funding.

Mr. Haworth said he felt it would be devastating.

Commissioner Woodard expressed concern for children that do not have a support system.

Chairman Cox noted that there were services available, such as, after-school programs.

Commissioner Mitchell noted that both equity pieces are needed, “bricks and mortar” and “classroom.”

Commissioner Helms left the meeting and was absent for the remainder of the meeting.

Chairman Cox thanked representatives from the Education Budget Advisory Committee for their report.

Commissioner James noted that there was a minority report from Karen Bentley and Debbie Ware also members of the Education Budget Advisory Committee. He asked the Board to consider receiving the minority report.

It was noted by Mr. Harris, Chairman of the Education Budget Advisory Committee that he had not seen the Minority Report.

Motion was made by Commissioner Samuelson, seconded by Commissioner Clarke and carried 7-1 with Commissioners Clarke, Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner Mitchell voting no, to allow Ms. Bentley 10 minutes to present the Minority Report.

Commissioner James requested that the report be included in the minutes.

*The Minority Report recommends a zero budget increase for CMS for the 2003-04 budget year.*

**Minority Report**

April 18, 2003

To: Mecklenburg Board of County Commissioners  
From: Karen Bentley, Debbie Ware  
Re: EBAC Recommendation for CMS Budget Request – Counter Proposal
Introduction

Less than two years ago, the Education Budget Advisory Committee was created to provide advisory recommendations to the Mecklenburg Board of County Commissioners on the operational needs of the Charlotte-Mecklenburg School system. Other deliverables include identifying opportunities for improved communication and working relationships between the county and the school system and assessing school system performance against established performance standards and against other comparable school systems.

The focus of this report will be budget integrity, cost-effectiveness analysis of CMS over time, and finally a look at how CMS stacks up against systems statewide with regard to academic performance and cost-effectiveness.

Budget Integrity

As mentioned earlier, our charge at EBAC is to investigate, analyze and prioritize spending as presented in the CMS budget. Very few questions regarding the integrity of the budget have been met with open and honest answers from CMS administrators. And substantive questions remain about the finances of CMS. Following are examples of why we question the integrity of the CMS budget:

1. Questions regarding the number of buses purchased in the last year and how they were expensed. Only after considerable prodding by a member of EBAC did CMS administration provide answers to this question. The information provided by CMS to EBAC, the press, the Chamber, the Board of Education and elected officials as a result of this questioning is troubling and relates directly to the integrity of the budget. This information provided by CMS indicates monies budgeted for Bright Beginnings and employee benefits/insurance premiums (which have increased 70% over six years) were used to purchase buses without transparency to the taxpayer. On one hand CMS uses teacher pay and Bright Beginnings as emotional leverage during the budget process yet on the other hand, monies received based on these emotional arguments is easily redirected to cover expenses CMS should have explicitly noted in the budget. Therefore, it becomes difficult for the public to trust that the monies allocated to CMS will indeed be spent in the manner presented.

2. State sales tax reimbursements used to purchase items outside the view of taxpayers. For example, when a teacher purchases $100 worth of classroom materials, instead of paying $100 the teacher pays $107.50 with the state reimbursement of $7.50 being used by CMS outside the view of the taxpayer.

3. Questions remain about the number of empty seats by school.


5. Questions remain about lapsed teacher salaries and how this is handled in the budget.

Cost-Effectiveness Over Time

This portion of the report will analyze CMS budgets over the past six years relative to student population growth and academic performance trends.

CMS student enrollment has increased from 99,427 in 1998-99 to a projected 115,500 for the 2003-04 school year – a 16% increase. Total instructional budget expenditures have increased 38%, Instructional Support-26%, Operations-17%, Leadership-17%, and Employee Benefits-70%. Total CMS budget expenditures have increased 37% since 1998-99. Therefore, total CMS expenditures have increased more than double that of student enrollment. Looking at several measurements of student achievement we see single digit growth, and almost flat growth, in the majority of measures used by CMS. The CMS average SAT score in 1998-99 was 985. In 2001-02 it was 996 – a 1% increase. The state average SAT score in 2001-02 was 998. The average AP exam pass rate has remained flat at 41%. The CMS composite score for third
through fifth grade reading and math has increased 7% since 1998-99, the CMS 6-8 grade composite score for reading and math shows single digit growth of 6%, sixth through eighth grade social studies composite is almost flat at a 1% increase over 1998-99 and finally the CMS 9-12 grade composite has increased 5%.

Although the majority of the members of EBAC are not proponents of a per pupil funding method, it does provide an objective measure for budget analysis. Annual per pupil spending has increased $1000/pupil from 1998-99 to 2002-03. Now, with capital costs included, per pupil spending is projected to be $8559 per student. For the purposes of this analysis, it is appropriate to look at capital expenditures and debt service as this directly impacts the county’s ability to meet its budget.

Performance Relative to Other Systems in North Carolina

The North Carolina Education Alliance has produced a report called “Grading Our Schools 2002”. Dr. Karen Palasek is the author of the analysis. She holds a PhD in Economics from George Mason University, an M.A. in Economics from the University of Connecticut and a Bachelor of Music Education from the Hartt School of Music. She has held faculty positions at numerous colleges and universities including NC State and Johns Hopkins University. Dr. Palasek is a member of the NC Economic Policy Board and is a staff member of the non-partisan, non-profit John Locke Foundation. Therefore, “Grading Our Schools 2002” is a credible source and a useful tool for local analysis. This report offers a different lens for studying test results and other performance data. It allows taxpayers to better evaluate student performance in North Carolina’s public schools, and in our case, Charlotte-Mecklenburg Schools.

The ABC information is presented in two ways, a performance composite and a growth composite. The Department of Public Instruction places heavy emphasis on the growth composite component which places the average taxpayer at a disadvantage when trying to interpret results because few are experts at interpreting the scales scores upon which growth measures are based. Given the refashioning of each year’s state tests, yearly changes yield an apples-to-oranges comparison rather than a reliable trend. Therefore, “Grading Our Schools 2002” offers an alternative way to look at the state testing information that provides a meaningful analysis across systems statewide. Raw data is compiled in a weighted index using attendance for each school. Additional data on district-wide income levels and the percentage of students that apply for Free and Reduced Lunch figure into the cost-effectiveness portion of the analysis. “Grading Our Schools 2002” uses a letter grading approach because it is familiar to everyone and employs a benchmark that unambiguously represents excellence. Two of the state’s largest districts, Wake and Mecklenburg, retained their 2001 grades in 2002. Wake remains a B- district and Mecklenburg remains a D+ district. This grade is a weighted average of 1) ABC-percent at grade level, 2) Average SAT score, and 3) the four-year graduation rate. The overall grade for the state remained a C- versus 2001. To balance the arguments of those that would say CMS is uniquely expensive due to high numbers of FRL students (including a significant number of ESL students), there are sixteen districts throughout the state that are considered “Pacesetters” because they all received a “C” or better while also working with relatively disadvantaged student populations. Three of these systems – Cherokee, Mitchell and Yancey – all performed with at least 84% on grade level while having county incomes less than 90% of the state average and having a higher percentage of needy students than the North Carolina average.

Cost-effectiveness rankings are also a part of the report. Using a 5-year average of operating and capital spending per pupil, this rank indicates the percentage of the state-average dollar amount per grade point spent by each school district in 2002. Mecklenburg’s 2002 cost-effectiveness ranking was 105 out of 118 (state average of 100% ranks between 41 and 42). Mecklenburg’s cost per grade point as a percentage of the state average is 127.48. This means that Mecklenburg spends approximately 30% more per student per grade point average – we are getting 30% less bang for our buck relative to the state average. For reference purposes, Wake county’s cost-effectiveness rank is 49 out of 118 at 102.5 or approximately 3% more per grade point than the state average. Although this cost-effectiveness measure is a rough determination of how each
unit of educational output costs taxpayers, this analysis serves to illustrate the fact that student achievement and school spending do not rise in tandem. School systems that spend more taxpayer dollars do not necessarily produce better scores per dollar.

Based on “Grading Our Schools 2002”, Mecklenburg County is performing well below the state average on both cost-effectiveness and student achievement measures.

Conclusion
According to an article in the Charlotte Observer on Friday, April 18, 2003, the county is facing a significant budget shortfall. County taxpayers have been faced with a property tax increase, a sales tax increase that is unlikely to go away, and a property revaluation. Couple that with a sluggish economy and taxpayers will not tolerate another tax increase to support the budget increases desired by various county agencies, CMS prime among them.

Linking these facts with the analysis outlining the serious questions about the integrity of the CMS budget, the fact that total budget expenditures have grown at more than double the rate of student enrollment while academic achievement measures increase only slightly, and the disappointing performance relative to other North Carolina school systems, we recommend a zero budget increase for CMS for the 2003-04 budget year.

(2) CAPITAL AND INVESTMENT FUND MODEL
Finance Director Harry Weatherly addressed a Capital and Investment Fund Model.

Prior to his presentation, County Manager Jones encouraged the Board to approve the model in concept and to instruct him to consider this concept in developing his FY04 Recommended Budget. He stated that this funding model would provide the Board with greater certainty about funding debt service and more flexibility in making other funding choices.

Director Weatherly reviewed spreadsheets entitled Capital & Investment Funding (Constant Sale Amount after 2004) and Mecklenburg County Debt Statistics Based on Constant Sale Amount after 2004.

They showed:

- The tax rate effect that is necessary to fund debt service for the next nine years with the assumption that all sales tax and a portion of investment income, ABC profit, and property tax would go into the fund for debt service.
- Debt service figures, the estimated current debt service (general), estimated debt service for planned sales (general), estimated current debt service for Charlotte-Mecklenburg Schools (CMS), including planned sales.
- The average tax rate effect over the next nine years so that the tax rate effect would be steady (5.50 cents) to fund the necessary debt service over the next nine years.

Director Weatherly noted that staff took the planned issues for what has already been authorized and unissued and looking into the future, used $150 million each year to show the effects on the debt service. The issue was then split based on the most recent number of issues with $90 million of the $150 million for CMS and $60 million for other. This was used to calculate the relative proportion of debt service for each, CMS and other.

Director Weatherly noted that taking the 5.50 cents and splitting it between user groups (CMS and other), 3.02 cents would be necessary to fund the amount for CMS, 2.47 would be necessary
to fund the other; using the assumption of $90 million each year for schools and $60 million for other capital.

Director Weatherly noted that this data has to be looked at annually.

**A copy of the spreadsheets is on file with the Clerk to the Board.**

Comments:
Commissioner James asked for the breakdown of the “full funding tax rate” shown on the spreadsheet as 20.61.

Director Weatherly said it was 55% CMS and 45% County.

Commissioner Clarke noted that he needed more information regarding the Capital and Investment Fund Model in order to better understand the concept.

Chairman Cox noted that one of the hopes of the Capital and Investment Fund Model is that conservation is rewarded by having money to apply using pay-as-you-go techniques. He stated that the plan staff has presented does not get the County to pay-as-you-go. He suggested the Board consider, prior to approving the Capital and Investment Fund Model, first defining this concept only to the County part of the capital program.

Director Weatherly noted that the model assumes the continuation of the issuance of debt in the amount of $60 million. Also, that Chairman Cox was correct regarding pay-as-you-go because as long as the County continues to issue debt at any level, the County will never get to the pay-as-you-go process. He stated that in order to get to pay-as-you-go, the County has to increase the tax rate of 2.47 cents (using the 5.50 cents average tax rate effect scenario and splitting between user groups) to generate extra money to give the incentives to have extra money available for debt service; and use the extra money to avoid issuing debt in the future.

Commissioner Samuelson addressed Chairman Cox’s pay-as-you-go concern and stated that if the County didn’t spend $60 million a year under this model, the County would still issue $150 million but then the Schools could issue more. Also, that the question was should the County separate the issues (CMS and other) so that if the County only issued $50 million, the additional capacity in that, the difference between $50 million and $60 million, the County could use to eventually build up a pay-as-you-go. She said the concern was that if the two are married together than any efficiency on the County side would be consumed by the Schools side, so then the question becomes is there a way to separate them until the County can preserve the benefit of its efficiencies.

Director Weatherly said staff could further break the data out to show what’s needed for pay-as-you-go.

Chairman Cox and Commissioner James asked staff to provide a chart for the County and the Schools showing each entities dedicated source of revenue and dedicated tax rate.

Commissioner James also asked staff to provide information on the total rate for debt, per penny that the County pays for CMS.

This concluded discussion of the Capital and Investment Fund Model. Staff noted that this matter would be brought back to the Board on May 6, 2003.

Motion was made by Commissioner Samuelson and seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson and Woodard voting yes, to add an item to the agenda for the purpose of offering a prayer for Commissioner Helms, who will be undergoing knee surgery.
Commissioner Samuelson gave the prayer.

There being no further business to come before the Board the meeting was adjourned at 5:50 P.M.

______________________________ ____________________________
Janice S. Paige, Clerk Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 6, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioners H. Parks Helms and Ruth Samuelson

-INFORMAL SESSION-

(1) STAFF BRIEFING - NONE

(2) CLOSED SESSION LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Nancy Brunner with Real Estate Services announced the following land acquisition matter to be discussed in Closed Session:

Property owned by Home Realty and Management Company, Tax Parcel #125-213-10 at 920 South Kings Drive. The intended use of the property would be for greenway purposes.

*Commissioner Woodard left the meeting and was away until noted in the minutes.*

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 6-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, and Ramirez voting yes, to go into Closed Session to discuss Land Acquisition and Consult with the Attorney.

*The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 5:30 p.m.*

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. Identified was Item 27.

*The Board held general discussion on Item 31 the North Carolina Cigarette Tax – Resolution, which was scheduled for discussion later in the meeting. No action was taken.*

*Commissioner Woodard returned to the meeting.*
Invocation was given by Commissioner Puckett, which was followed by the Pledge of Allegiance to the Flag.

(1A) NATIONAL FOSTER CARE MONTH

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to adopt a proclamation recognizing May 2003 as “National Foster Care Month” in Mecklenburg County.

The proclamation was read by Chairman Cox and accepted by Richard Jacobsen, Director of Social Services.

A copy of the proclamation is on file with the Clerk to the Board.

The Board also acknowledged that Charlie and Annie Huey were Mecklenburg County's Foster Parents of the Year. It was noted by Director Jacobsen that the Huey’s were unable to be present because of the recent death of Mr. Huey. He noted that Mrs. Huey would be rescheduled to appear at a later date.

(1B) TEACHERS OF THE YEAR DAY

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to adopt a proclamation designating May 8, 2003 as “Teachers of the Year Day.”

The proclamation was read by Commissioner Clarke and accepted by Margaret Carnes, Director of Charlotte Advocates for Education and Faye Jones, the 2002 Teacher of the Year.

A copy of the proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

June Kimmel addressed the Women’s Commission and asked that it not become a division of the Department of Social Services.

Frank Mansfield addressed services provided by the Uptown Men’s Shelter.

(1A) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the purchase of Tax Parcel #125-213-10 at 920 South Kings Drive from Home Realty and Management Company for $1,575,000.

The 1.171-acre property is part of the targeted Little Sugar Creek floodplain assemblage to create a 12-mile greenway/open space corridor from Cordelia Park to the South Carolina line.
(3) APPOINTMENTS

BICYCLE COMMITTEE

The vote was taken on the following nominees for appointments to the Bicycle Committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lauren Blackburn</td>
<td>Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard</td>
</tr>
<tr>
<td>Joni L. Groomes</td>
<td>None</td>
</tr>
<tr>
<td>John M. Horton, Jr.</td>
<td>None</td>
</tr>
<tr>
<td>John P. MacPherson</td>
<td>Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard</td>
</tr>
</tbody>
</table>

Chairman Cox announced that Lauren Blackburn was appointed to the Bicycle Committee to fill a term expiring March 6, 2005 and John P. MacPherson to fill a term expiring March 6, 2006.

CITIZENS TRANSIT ADVISORY COMMITTEE

The vote was taken on the following nominee for appointment to the Citizens Transit Advisory Committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert H. Bischoff</td>
<td>Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard</td>
</tr>
</tbody>
</table>

Chairman Cox announced that Robert H. Bischoff was appointed to the Citizens Transit Advisory Committee to fill an unexpired term expiring June 30, 2003, followed by a two-year term expiring June 30, 2005.

HOUSING AND DEVELOPMENT COMMITTEE

The vote was taken on the following nominees for appointment to the Housing and Development Committee:

**Round One**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sabrina Brown</td>
<td>Clarke, Mitchell, and Woodard</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>None</td>
</tr>
<tr>
<td>Donald Howard</td>
<td>Commissioners Cox and Ramirez</td>
</tr>
<tr>
<td>Larry Ross</td>
<td>Commissioners James and Puckett</td>
</tr>
</tbody>
</table>

**Round Two**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sabrina Brown</td>
<td>Mitchell and Woodard</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>None</td>
</tr>
<tr>
<td>Donald Howard</td>
<td>Commissioners Clarke, Cox, Puckett, and Ramirez</td>
</tr>
<tr>
<td>Larry Ross</td>
<td>Commissioner James</td>
</tr>
</tbody>
</table>

**Round Three**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sabrina Brown</td>
<td>Commissioner Woodard</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>None</td>
</tr>
<tr>
<td>Donald Howard</td>
<td>Commissioners Clarke, Cox, Mitchell, Puckett, and Ramirez</td>
</tr>
<tr>
<td>Larry Ross</td>
<td>Commissioner James</td>
</tr>
</tbody>
</table>

Chairman Cox announced that Donald Howard was appointed to the Housing and Development Committee for a three-year term expiring May 6, 2006.
HUMAN SERVICES COUNCIL

The vote was taken on the following nominees for appointment to the Human Services Council:

- Evelyn Berger
- None
- Caroline Elliott
- Commissioner Woodard
- Marcus B. Sloan
- Commissioners Clarke, Cox, James, Puckett, and Ramirez
- Becca Thompson
- Commissioners Clarke, Cox, James, Mitchell, and Puckett

Chairman Cox announced that Marcus Sloan was appointed to the Human Services Council to fill an unexpired term expiring September 19, 2005 and Becca Thompson to fill an unexpired term expiring September 19, 2003.

PERSONNEL COMMISSION

The vote was taken on the following nominee for appointment to the Personnel Commission:

- Jennifer Stuebbe
- Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard

Chairman Cox announced that Jennifer Stuebbe was appointed to the Personnel Commission for a three-year term expiring May 6, 2006.

WOMEN’S COMMISSION

The vote was taken on the following nominees for appointment to the Women’s Commission:

**Round One**

- Emily Chavis
- Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard
- Lisa Conklin
- Commissioner Cox
- Christy Gaudet
- Commissioners Clarke and Puckett
- Lawanda Horton
- Commissioner Clarke
- Marion Sullivan
- Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard

**Round Two**

- Lisa Conklin
- Commissioner Cox, James, Mitchell, Ramirez, and Puckett
- Christy Gaudet
- Commissioners Ramirez and Puckett
- Lawanda Horton
- Commissioner Clarke and Woodard

**Round Three**

- Christy Gaudet
- Commissioners Cox, James, Mitchell, Ramirez, and Puckett
- Lawanda Horton
- Commissioner Clarke and Woodard

Chairman Cox announced that Emily Chavis and Marion Sullivan were appointed to the Women’s Commission to fill unexpired terms expiring October 31, 2005, Lisa Conklin to fill an unexpired term expiring June 19, 2004, and Christy Gaudet to fill an unexpired term expiring December 3, 2003.
MAY 6, 2003

(4)  PUBLIC HEARING STREET NAME CHANGE DIXIE RIVER ROAD TO BEREWICK COMMONS PARKWAY

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to open a public hearing on the proposal to change the name of a section Dixie River Road to Berewick Commons Parkway located westerly from Steele Creek Road near Shopton Road to the proposed Berewick Commons Parkway.

Bob Binford with Real Estate Services addressed the proposal.

Charles Teal, Developer, spoke in support of the request.

The following persons spoke in opposition to the proposed street name change: Robert Kerns and Thom Powell. They stated that their preference was for the name to remain Dixie River Road because of its sentimental and historical significance.

Mr. Kerns presented a petition bearing signatures of others that were in opposition.

_A copy of the petition is on file with the Clerk to the Board._

Chairman Cox also explained the proposed change.

Motion was made by Commissioner Clarke, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to close the public hearing and approve the name change for this section of section Dixie River Road to Berewick Commons Parkway located westerly from Steele Creek Road, effective when the future proposed section of Berewick Common Parkway is constructed and open to traffic.

(5)  ADVISORY COMMITTEE REPORTS - NONE

(6)  MANAGER’S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the following item(s) with the exception of Items 10, 11, 26, and 27 to be voted upon separately:

(7)  APPROVAL OF MINUTES

Approve minutes of Regular Meeting held April 15, 2003, Special Meetings held March 11, March 25, 2003, and April 8, 2003.

(8)  STORM WATER FEE – SET CITY/COUNTY JOINT PUBLIC HEARING

Set a joint public hearing with the Charlotte City Council on May 20, 2003 at 6:30 p.m. on a proposed increase in the Storm Water fee for the minor system inside the City.
(9) NEW COURTHOUSE PROJECT - CRANE AND OPERATOR BID PACKAGE

Award a contract for furnishing Cranes and Operators for the construction of the New Courthouse to Heede Southeast, Inc. in the amount of $653,390.

(12) CLEAN AIR ACT, SECTION 103, SPECIAL PURPOSE FEDERAL GRANT RECEIVED

Recognize, receive and appropriate $66,555 of Section 103, Special Purpose grant revenue.

(13) L. C. COLEMAN PARK EASEMENT

Approve request to grant the Charlotte-Mecklenburg Board of Education an easement at L. C. Coleman Park.

(14) AREA MENTAL HEALTH AUTHORITY THIRD QUARTER REPORT 2003

Receive the Third Quarter 2003 Area Mental Health Authority Report.

III. Financial Management portion of the report:

The state Integrated Payment and Reporting System (IPRS) project is continuing. This initiative to develop an integrated reimbursement system and central storage for consumer data will replace the existing Unit Cost Reimbursement (UCR) systems with one integrated system for processing and reporting all mental health, developmental disability and substance abuse state and Medicaid claims. All consumer billing will be routed through IPRS. All consumers will be placed in identified state “target populations” (there are 46) in order for billing processing to occur. Six thousand consumers have been successfully placed in target populations using electronic technology and sophisticated programming. It is expected that IPRS will be fully operational by May 2003 for Mecklenburg County.

During the third quarter, AMHA performed “due diligence” researching LME software. The product chosen – Ecura which is marketed by Info-MC has been approved by the Technical Advisory Committee and will provide the functionality, support and reliability needed for the LME.

Significant infrastructure needs were identified related to the age of several of AMHA’s buildings. The Carlton G. Watkins Center, is over 35 years old, and requires major renovation to bring it in line with life safety codes. The Tom Ray Center needs to be converted into office space and a potential addition built to house all of the LME staff. Work has been ongoing with CMC-Randolph and the county real estate division to coordinate space needs. AMHA has requested that money from Fiscal Year 2003 be placed in a Capital account earmarked for these specific capital concerns.

Budgeted Expenditures:

<table>
<thead>
<tr>
<th>Service</th>
<th>Amount Allocated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mental Health Services</td>
<td>$ 9,611,122</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$ 10,198,866</td>
</tr>
<tr>
<td>Child and Adolescent Services</td>
<td>$22,763,979</td>
</tr>
<tr>
<td>Developmental Disabilities Services</td>
<td>$16,546,711</td>
</tr>
<tr>
<td>Infant/Toddler Preschool</td>
<td>$  5,809,966</td>
</tr>
<tr>
<td>BHC Randolph</td>
<td>$10,354,212</td>
</tr>
<tr>
<td>Centralized Services</td>
<td>$  4,775,682</td>
</tr>
<tr>
<td>Administration Services</td>
<td>$  8,168,164</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$88,228,702</strong></td>
</tr>
</tbody>
</table>
MAY 6, 2003

Budgeted Revenues

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Revenue Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid</td>
<td>$19,007,378</td>
</tr>
<tr>
<td>State and Federal</td>
<td>$18,279,700</td>
</tr>
<tr>
<td>State MR/MR</td>
<td>$ 2,699,013</td>
</tr>
<tr>
<td>State CTSP</td>
<td>$ 2,211,727</td>
</tr>
<tr>
<td>Medicaid- CAP</td>
<td>$ 2,988,888</td>
</tr>
<tr>
<td>Third Party/Other</td>
<td>$ 636,598</td>
</tr>
<tr>
<td>Grants</td>
<td>$ 2,334,036</td>
</tr>
<tr>
<td>County</td>
<td>$40,071,362</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$88,228,702</strong></td>
</tr>
</tbody>
</table>

Expenditures YTD March 31, 2003

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount Obligated</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mental Health Services</td>
<td>$ 5,894,379</td>
<td>61%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$ 6,545,035</td>
<td>64%</td>
</tr>
<tr>
<td>Child and Adolescent Services</td>
<td>$ 9,626,378</td>
<td>42%</td>
</tr>
<tr>
<td>Developmental Disabilities Services</td>
<td>$ 9,745,633</td>
<td>59%</td>
</tr>
<tr>
<td>Infant/Toddler Preschool</td>
<td>$ 3,157,566</td>
<td>54%</td>
</tr>
<tr>
<td>BHC Randolph</td>
<td>$ 7,824,323</td>
<td>76%</td>
</tr>
<tr>
<td>Centralized Services</td>
<td>$ 2,429,100</td>
<td>51%</td>
</tr>
<tr>
<td>Administration Services</td>
<td>$ 3,533,456</td>
<td>43%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$48,755,870</strong></td>
<td><strong>55%</strong></td>
</tr>
</tbody>
</table>

Revenues YTD December 31, 2002

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Revenue Amount</th>
<th>Percent Spent</th>
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<tbody>
<tr>
<td>Medicaid</td>
<td>$12,155,884</td>
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<tr>
<td>State and Federal</td>
<td>$ 8,486,476</td>
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<td>State MR/MR</td>
<td>$ 1,141,926</td>
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<td>State CTSP</td>
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<tr>
<td>Medicaid- CAP</td>
<td>$ 1,834,951</td>
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<td>Third Party/Other</td>
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<td>Grants</td>
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<td>County</td>
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<td><strong>Total</strong></td>
<td><strong>$48,755,870</strong></td>
<td><strong>55%</strong></td>
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A copy of the report is on file with the Clerk to the Board.

(15) COMPUTER HARDWARE PURCHASE – AREA MENTAL HEALTH

Approve the purchase of computer hardware to support Area Mental Health’s managed behavioral healthcare information system.

All purchases will be made using existing Mecklenburg County vendor contracts.

(16) STREET LIGHTING PRELIMINARY ASSESSMENT ROLLS – SET PUBLIC HEARING

Set a Public Hearing on June 3, 2003 at 6:30 p.m. on Street Lighting Preliminary Assessment Rolls for the NorthPark Business Park and the Ridgewood Subdivision.

Resolutions recorded in full in Minute Book 42-A, Document #22 & 23.
(17) **ESTABLISH OFFICE ASSISTANT IV POSITION AT CMC-NORTHPARK**

Amend the Department of Social Services FY03 budget to allocate revenue and expenses related to the establishment of an Office Assistant IV position at Carolinas Medical Center-North Park. Establish the position to be funded through federal and Carolinas HealthCare System (CHS) dollars.

(18) **MECKLENBURG COUNTY COMMERCIAL RECYCLING PROGRAM PROGRESS REPORT**

Receive as information an update on the progress of activities under the Mandatory Source Separation Ordinance (Commercial Recycling Program).

* A copy of the report is on file with the Clerk to the Board.

(19) **AGREEMENT WITH NC DIVISION OF WASTE MANAGEMENT - DELEGATED SOLID WASTE REGULATORY AUTHORITY**

Authorize the Manager or his designee to enter into a Memorandum of Agreement for Delegated Solid Waste Regulatory Authority with the NC Division of Waste Management.

The NC Department of Environment and Natural Resources, Division of Waste Management (Division) is authorized and directed by G.S. 130A-291 to develop and permit the establishment and operation of solid waste facilities. To facilitate enforcement activities, the Division delegated this authority to Mecklenburg County in April 1984. The proposed Memorandum of Agreement updates the delegation to reflect current rules and regulations. The delegation allows the County to more closely monitor solid waste facilities in order to better protect the local environment and the citizens of the County.

(20) **SCATTERED SITE HOUSING GRANT – SET PUBLIC HEARING**

Set a Public Hearing on May 20, 2003 on the Mecklenburg County Scattered Site Housing Grant.

(21) **INSURANCE REIMBURSEMENTS**

Recognize, receive and appropriate insurance reimbursement funds in the amount of $4,910.50 for Land Use & Environmental Services, $294.97 for Court Services, $4,854.40 for Sheriff and $6,509.61 for Park & Recreation.

(22) **MONTHLY SEWER OVERFLOW REPORT**

Receive as information the Monthly Sewer Overflow Report for March 14 through April 14, 2003, which indicated a total of 83 spills with the total volume of overflows at 6,164,075 gallons.

* A copy of the report is on file with the Clerk to the Board.

(23) **SOLID WASTE MANAGEMENT 10-YEAR PLAN**

Adopt the Resolution Approving the Mecklenburg County Solid Waste Management Plan Dated July 1, 2003.

(24) EXPENDITURE OF CAPITAL RESERVE FUNDS – PARK AND RECREATION

Recognize, appropriate and authorize funds from the McDowell Park Capital Reserve account in an amount not to exceed $70,000 for the upgrade of the lift stations, rehabilitation of piers, docks, picnic pavilion and picnic overlooks in McDowell Park.

(25) NC COUNCIL ON DEVELOPMENTAL DISABILITIES GRANT APPLICATION

Approve submission of an application for the North Carolina Council on Developmental Disabilities Youth Leadership Development Grant for a maximum of $100,000 over a three (3) year period; and if grant is awarded, recognize, receive and appropriate funds.

(28) SEDGEFIELD PARK IMPROVEMENTS AGREEMENT, BIKE PATH AGREEMENT AND EASEMENT

1) Approve request to enter into an agreement between Mecklenburg County and the City of Charlotte for storm water detention and park improvements at Sedgefield Park.

2) Approve request to enter into an agreement between Mecklenburg County, City of Charlotte and the Charlotte-Mecklenburg Board of Education for bicycle/pedestrian pathway funding, development, and maintenance at Sedgefield Elementary School.

3) Approve request to grant the City of Charlotte a permanent storm drainage easement at Sedgefield Park.

(29) REIMBURSED FUNDS RECEIVED - WOMEN'S COMMISSION

Recognize, receive and appropriate funds in the amount of $6,093.00 from Systinct to the Mecklenburg County Women’s Commission.

Systinct reimbursed funds to the Women’s Commission from a voided contract due to their inability to provide supportive service at a distance.

(30) BANKING SERVICES CONTRACT

Approve appointment of First Citizens Bank to provide banking services for Mecklenburg County for two years beginning July 1, 2003.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(10) GRANT APPLICATION - WOMEN'S COMMISSION

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve submission of a grant application for funding in the amount of $15,000.00 from Philip Morris, USA for the annual Child Observer’s “HERO” Holiday Celebration; and if awarded, recognize, receive and appropriate funds.

Commissioner Woodard removed this item from consent for more public awareness.
(11) GRANT APPLICATION - WOMEN’S COMMISSION

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve submission of a grant application for funding in the amount of $9,984.50 from Candle, Inc. to expand outreach and promote awareness/education about teen dating Violence; and if awarded, recognize, receive and appropriate funds.

Commissioner Woodard removed this item from consent for more public awareness.

(26) GOVERNOR’S CRIME COMMISSION GRANT

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to decrease the grant award amount by $7205.65 from the Governor’s Crime Commission for the “Youth Alternatives to Abusive Relationships” program.

Commissioner Woodard removed this item from consent in order to get clarification on the reason for the decrease.

The Therapeutic Recreation Division applied for and received a Governor’s Crime Commission Grant to implement the “Youth Alternatives to Abusive Relationships” program. An adjustment was made by the Governor’s Crime Commission based upon the expenditure forecast report relating to difficulty in recruitment and hiring of qualified staff.

(27) GRIER HEIGHTS PARK IMPROVEMENTS AGREEMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve request to enter into an agreement between Mecklenburg County and the Charlotte-Mecklenburg Board of Education for park and school improvements at Grier Heights Park.

Commissioner Clarke removed this item from consent for more public awareness.

(31) NORTH CAROLINA CIGARETTE TAX - RESOLUTION

Health Director Peter Safir and Dr. Marcus Plescia addressed a proposed resolution in support of an increase in NC’s Cigarette Tax to $.80 per pack, an increase of $.75. The following was noted:

• The US average tax is $.62 per pack.
• Increasing the cost of cigarettes is effective in the prevention and reduction of tobacco use by children.
• This addresses the Balanced Scorecard Health Index to reduce Smoking Prevalence.
• North Carolina currently has the third lowest tax in the nation.
• This increase would generate estimated statewide annual revenue of $400 million.
• The Health Committee is endorsing this proposal with a portion of the funds to expand local health department school health services.

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to refer the proposed resolution to the Board’s Youth and Families Committee for review and recommendation back to the Board.
Note: During the discussion of this matter there was concern expressed regarding the inclusion, as well as, the deletion of the portion of the proposed resolution that addressed the State’s budget situation.

(32) ACQUISITION OF TROLLEY BARN SITE

Motion was made by Commissioner Ramirez, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to defer consideration of Item 32 Acquisition of Trolley Barn Site until the May 20, 2003 meeting, since the full Board was not present.

(33) BUSINESS INVESTMENT GRANT TO TIME WARNER CABLE

Motion was made by Commissioner Ramirez, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve a framework for a business investment grant with Time Warner Cable; and authorize the County Manager to execute a contract with Time Warner Cable consistent with the framework.

General Manager Bobbie Shields addressed this issue.

Background:
Time Warner Cable proposes to 1) relocate its Corporate operations facility from Denver to Charlotte, 2) create a new Shared Services facility for accounts payables and payroll in Charlotte and 3) consolidate additional administrative functions in Charlotte. The relocation of these functions will create the following new full-time jobs at the Charlotte location on Arrowood Road.

- Phase 1A - Denver Corporate Operations, Accounts Payable and Payroll Shared Services: 420 jobs
- Phase 1B – Additional Administrative Functions: 250 jobs

In addition, Time Warner Cable is evaluating the relocation of other functions. The relocation of these functions would create the following new full-time jobs at the Charlotte location on Arrowood Road:

- Phase II: 200 jobs
- Phase III: 280 jobs

Time Warner Cable proposes to make the following estimated investments in Charlotte as part of relocating these businesses:

- Corporate Services Facility: $27.9 million (150,000 sq. ft of office space)
- Phase II and Phase III: $38.6 million (220,000 sq. ft. of office space)

On July 22, 2002, the Board of County Commissioners authorized the County Manager to negotiate a City/County economic development grant agreement with Time Warner Cable for an amount not to exceed $8 million to be paid over a 10 year period with grants being provided for each phase. The attached framework is the result of the negotiations with Time Warner Cable. The estimated total City/County annual payment to Time Warner is $142,000 for Phase IA and $162,000 for Phase IB. The estimated County’s share is $90,400 for Phase IA and $105,000 for Phase IB. The estimated grant amounts are revenue positive to the County.

City Council is scheduled to take action during their May 12th meeting.
ADJOURNMENT

Motion was made by Commissioner Ramirez, seconded by Commissioner James, and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:45 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
ATTENDANCE

Present: Chairman Tom Cox and Commissioners Dumont Clarke, Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioners H. Parks Helms and Ruth Samuelson

Commissioners Puckett and Woodard were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox.

Commissioner Woodard entered the meeting.

(1) CAPITAL AND INVESTMENT FUND MODEL

Finance Director Harry Weatherly addressed the Capital and Investment Fund Model.

Highlights:
- Based on the assumptions used in the model, the total average tax rate affect over this period of time would be 5.50 cents, which would mean in early years the County would generate more property tax dollars than needed to pay for debt service; however, the “build up” over the first couple of years begins to “build down” in later years when the County increases its debt service budget expenditures.
- As it relates to schools, if a total tax rate of 3.03 is levied, it would fund the schools estimation of an allocation of future debt.
- The schools debt is approximately 60% of the County’s total debt.
- If the County uses this model it would require an annual review because of changing situations.

Comments:

Commissioner James addressed the possibility of County and School assets being sold with the proceeds being placed in the fund to help it balance.

Finance Director Weatherly stated that assets sales could be a revenue source but a one-time resource. He stated further, that if the Board wants to pursue this model then he would recommend that the tax rate affect be set to pay for current debt service; and as assets are sold during the year, look at what has been accumulated without any other appropriation and recalculate this in the future.
Commissioner James noted that he would like to see the fund set up into two parts, if it can be done.

County Manager Jones noted that another option would be dedicating the 3.34 cents through a tax increase.

Commissioner Clarke asked for an explanation of how staff reached these assumptions, which was addressed by Director Weatherly.

**Commissioner Puckett entered the meeting.**

Chairman Cox asked Director Weatherly to comment on what policy decisions the Board would need to make.

Director Weatherly response was as follows:

- Establish this fund(s), one for schools and one for non-schools
- Set a property tax rate of 5.50 cents to go into the fund, to be split between the two
- Review annually

Chairman Cox asked Director Weatherly to comment on what this approach would solve or achieve for the County.

Director Weatherly response was as follows:

- It’s a much better planning tool.
- It provides a formal basis of opportunity to look into the future that the County has not had in the past. It shows the “what ifs” when issuing at certain amounts.
- It gives direction over time to the capital process, the Citizen’s Capital Budget Advisory Committee and others that come to the Board, which would indicate that a parameter has been set.
- It’s an effective tool for managing debt.
- It identifies a dedicated source of revenue.
- This also ties into keeping the County’s debt within the policy guidelines established by the Board.
- It would also keep the County’s debt to a point where the County would not have a rating problem, which adds cost to the County.

It was noted also that there would be variations in the revenue streams.

Chairman Cox noted that he was hoping to see a pay-as-you-go opportunity.

Chairman Cox asked Director Weatherly to respond on pay-as-you-go

Finance Director Weatherly noted that when you make the assumption of $150 million, the possibility of pay-as-you-go using this technique at this level goes away.

Chairman Cox asked if it was correct to say that the way to put a pay-as-you-go component or objective into this scheme would be to not issue debt or sell assets to make contributions to the fund. Finance Director Weatherly’s response was yes.

Finance Director Weatherly noted that the 5.50 cents yields the $150 million, but must be looked at every year because of statistical changes, revenue changes, needed changes, which could result in the amount being changed.

Commissioner Puckett noted that he sees this as a guideline for the Board to set policy. He commented further that it’s taking a snapshot today within the PRAG guidelines, which is what
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has been set up as close to policy as the Board can have. He said there was opportunity within this to do different things such as pay-as-you-go, increase revenue through growth, raise taxes, there can be savings that can be allocated or you can do less debt that you can reallocate those dollars and do pay-as-you-go.

Following continued discussion, Commissioner James suggested that the Board instruct staff to put in something in writing that passes “legal muster” and revises the County’s capital policy for these various things and sets up two funds and does all of the things that are incorporated in the various assumptions; and update it for whatever numbers are available; and report back to the Board, so that the Board can set up the funds.

Commissioner James summarized by saying that what’s needed at this point is a) legal work, b) changes to the capital policy, and c) changes or some type of structure for establishing the two funds, such as limits on capital.

Chairman Cox asked if this concept should be presented to the Board of Education leadership before the Board takes any action? The responses were yes and that it could be done in parallel.

Chairman Cox stated that the Board’s representatives on the School Liaison Committee would inform the Board of Education leadership of what’s being considered.

Commissioner Puckett noted that this idea was mentioned at a past School Liaison Committee meeting, but not in any detail, therefore it should not come as a surprise to the committee.

It was the consensus of the Board that this matter be presented at the next School Liaison Committee meeting and in parallel to that have staff prepare a written document reflecting the policy issues that have been discussed at this meeting and others concerning this topic and report back to the Board.

Deputy County Manager Crider noted that he was a little hesitant about establishing two funds and that staff probably needs to also consult with Bond Counsel.

Chairman Cox noted that although the concept of two funds was discussed, the Board has not decided this.

A copy of the handout distributed by Finance Director Weatherly is on file with the Clerk to the Board.

(2) LAW ENFORCEMENT SERVICE DISTRICT

Deputy County Manager Russ Crider shared preliminary numbers for the Law Enforcement Service District.

It was noted that the biggest difference between the 03 & 04 number is because of Mint Hill’s going out, which causes the County’s share to go up.

Prior to the close of the meeting Deputy County Manager Crider also addressed a handout regarding the history of appropriating from fund balance, per the request of Commissioner Clarke.

ADJOURNMENT

There being no further business to come before the Board the meeting was declared adjourned at 4:05 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman

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Vice-Chairman Dan Ramirez called the meeting to order. The purpose of the meeting was to discuss FY04 Budget Issues, including but not limited to, receiving presentations from Charlotte-Mecklenburg Schools and Central Piedmont Community College.

(1) CHARLOTTE-MECKLENBURG SCHOOLS BUDGET REQUEST

Board of Education Chairman Wilhelmenia Rembert, Board Member Arthur Griffin, School Superintendent James Pughsley, and Finance Officer Sheila Shirley presented the School’s FY04 Budget Request of $279,934,952.

Prior to the presentation, Chairman Rembert stated that she was just made aware of a recent request by County Staff that CMS reduce its proposed budget by $16 million, however, this request was received after the Board of Education had adopted its budget. Also, the Board of Education has not met since the adoption of its budget and therefore has not directed the Superintendent to place the County’s request before them.

The following topics were addressed:

- Immediate and Long Range Challenges
  - Student Achievement
  - Change in Student Population
  - Impact of Choice Program
  - Quality of Teaching/Administrative Staff
  - Equity Initiatives
  - No Child Left Behind
  - Safe Schools
  - Instructional Programs
  - Technology
  - Maintenance and Operations
  - Capital Needs Assessment/Capital Improvement Plan

- School Performance
- Student Performance
CMS Goals 2005
- Academic Achievement
- Safe and Orderly Environment
- Community Collaboration
- Equity
- Efficient and Effective Support Operations

Budgetary Goals in developing the proposed budget:
- Maintain the integrity of major district instructional programs and services
- Continue district equity initiatives as directed by the Board of Education

Budget Initiatives
- Accelerate the recruitment, retention and deployment of quality teachers to all schools
- Provide a salary increase for all district employees equal to the state-mandated estimate
- Implement a competency-based performance increase
- Address the deficit areas evidenced by way of the Equity Scorecard and to expand the implementation of the Equity Instructional Standard Template
- To implement the third semester accelerated program at Garinger High School
- To strengthen the Instructional Accountability Department to carry out the functions of program and service evaluations in keeping with the budget’s three-year sunset clause

It was noted that a Three-Year Financial Forecast was being developed by Dr. Pughesley at the request of the Board of Education and would be shared with the Board of County Commissioners once its been presented to the Board of Education.

Following the presentation CMS officials addressed questions.

A copy of handouts distributed, including CMS’s formal budget proposal is on file with the Clerk to the Board.

Below is a summary of Comments/Questions of Board Members per CMS’s presentation:

Dr. Pughesley stated that he would provide answers to questions raised.

Commissioner Puckett
- What is the per pupil capital expense for the top 25 school systems in U.S.?

Enrollment projections –
- Is it not correct that some of the growth that is coming on is actually already there from the last budget from the County side, the labor side?

Commissioner Puckett commented that last year the County funded CMS based on enrollment assumptions of 6,000–7,000 new students, however, the actual number was around 3,500. He stated that CMS was already “ahead of the game” because the County funded at projected levels of student growth last year and that the money stayed and those positions were not eliminated but were absorbed in the system.

Child nutrient –
- What is this year’s revenue on child nutrient?

Commissioner Puckett referenced page 191 of CMS budget proposal and commented that the 2002-03 adopted budget operating revenue total was $24 million, in 03-04 it’s $21.7 million, a decrease of 10% in operating revenue, yet CMS is charging the same price for meals with a 3% increase in students. He said that he would expect that along with the growth would be the growth revenue to go with it.
Dr. Pughsley stated that the Child Nutrient Program was being reviewed for possible adjustments.

Charter Schools -
Commissioner Puckett commented on Charter Schools, specifically Queens Grant Charter School.

Dr. Pughsley said this school was not initially budgeted but is now reflected in the budget in order to keep it operating.

Commissioner Puckett said that he thought Dr. Smith had budgeted for this school.

Certified Teachers
- What is the actual County cost of the ‘national certified teacher’ supplement?

**Commissioner James**
- If the County gave CMS an amount and CMS added the $4.1 million that was available as of June 30, 2002 on top of the amount given, then couldn’t the $4.1 million go to eliminate many cuts?
- Is the $4.1 million cash that is available to offset potential cuts?

Commissioner James referenced a CMS memorandum dated May 6, 2003 in response to questions from the Commissioner Puckett, item 2 which stated that at June 30, 2002 CMS had $4.1 million in undesignated fund balance, which represents one-time non-recurring monies that are available.

Item 5 of CMS memorandum dated May 6, 2003 was referenced regarding lapsed salaries.
- Is the $7,901,747.00 total in lapsed salaries referenced in the May 6, 2003 memorandum for the County portion, since the memorandum stated that there was no State lapsed salaries?
- Are these County dollars that were redirected from salaries to other things?

He referenced the Sales Tax memorandum from CMS, page 5.
- Is the remaining sales tax refunds available to offset next year’s budget cuts?

He referenced page 39 of CMS budget proposal, section 2a1, Increase in Salaries and A1 (2) Increase in Retirement Pay.
- Will there be a spike or in essence a return to your normal retirement level budget wise?
- Is the roughly $3 million increase in CMS budget, based on the belief that more teachers and employees are going to retire next year or is this a cost associated with the State, a match related to the State?
- Is this actual people retiring or actually an increase in cost because of possible State actions?
- Couldn’t CMS pay for growth by using the reserve balance of $4.1 million, the sales tax money that has not been spent ($1,673,000), and the non-teacher spent lapse salaries of $3,902,000, even if the County gave CMS the same dollar amount of $265 million?

He referenced page 240 of CMS budget proposal, Allotment Formulas for Schools.
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- Are these amounts and the amounts that are going to be provided to teachers still going to include sales tax or will the sales tax refund be driven down to the classroom level?
- Is it true that even though the sales tax refund will be applied to the function code, it may not make it down to the classroom level, meaning the students in the classroom may not get, for example, 4,625 per pupil in benefit; they may get something less than that because they are going to be paying 7.5 cents sales tax?
- Are you still going to charge the classroom sales tax even though the refund will be applied at the function code level?

Dr. Pughsley noted that the goal, through legislation, is to be exempt from sales tax.

**Commissioner Clarke**

- What would be CMS response if the County asked for a $16 million reduction?
- How many people would CMS estimate adding to the unemployment rolls in complying with that request?

Dr. Pughsley noted that last year CMS reduced its budget by some $30 million. Further, that with what has been proposed for 04 and a further reduction of $16 million, that this would mean reductions totaling $60 million in a two-year span. He said that a reduction of an additional $16 million from what has been proposed for FY04 would result in cutting staff.

Chairman Rembert stated that an additional reduction would put CMS at increased risk of not being able to comply with the “No Child Left Behind Act” and a possible lost of federal support.

**Commissioner Woodard** asked about equity, particularly for students in District Three.

Dr. Pughsley stated that it’s possible that a lot of the students in District Three may be E-Plus school students and that he would provide that information.

Dr. Pughsley stated further that in the proposed budget there was $1.4 million that would go toward fulfilling the equity template. He stated that about 2/3rd of the equity template has been put in place, but that there was still some $20 million that has to be dealt with. Further, that CMS was currently looking at how to spread that amount over a couple of years so that there would be full implementation. He noted one of the things the $1.4 million would do would be to provide mentoring and other support type services in E-Plus schools.

Chairman Rembert noted that the Board of Education has asked the Superintendent to bring forth what the additional cost would be to meet the equity requirements that have been set forth to fully fund the equity template, in order to provide and ensure that the children in District Three receive the resources that they need to be competitive with students across the district.

- Commissioner Woodard asked was there anyway to reduce the three-year span for full equity?

Chairman Rembert said the Board of Education would love to see the time reduced, but that it would require additional funding.

**Commissioner Puckett**

- Is there any projected increase in health cost and will there be any personal increase in cost to teachers?
Finance Officer Shirley stated that when the proposed budget was developed it was anticipated that there would be a 25%-30% increase in health cost at the state level, but it now appears to be 11% even though a State budget has not been adopted. It’s unknown what it may be for teachers. It was noted that what’s reflected in the budget is the employer contribution.

- Has the athletic supplement for middle schools and high schools always been the same? The response was yes.

**Commissioner Clarke** referenced page 15 of CMS budget proposal, proposed current expense budget by spending sources.

- Would the split that’s shown be the same looking back 5 years or would the County’s share have increased over that period of time?

The response was that the trend has been in the 32%-34% range.

**Commissioner Puckett** requested County staff provide information on what the County is mandated to fund for schools and County services.

- How do other counties in N. C. fund their schools?

**Commissioner James** addressed transportation cost.

- Will buses be purchased in FY04 and was that cost listed in the budget?

CMS officials said that it was not listed in the budget.

Commissioner James suggested that in the future CMS budgets be all inclusive and include everything that CMS plans to buy.

**Commissioner Mitchell** addressed overcrowding. He noted that although many schools are overcrowded, many are underutilized and that hopefully students could be moved to some of those schools rather than continuing to build schools.

**Other**

- **School Board Member Larry Gauvreau** noted that he was opposed to CMS budget request and feels the Schools have been adequately funded over the years. He said that what’s needed by CMS was not more money but more narrowly focused management control over its academic programs. Mr. Gauvreau said that this was not the year to increase school funding. He informed the Board that he had put together a facts sheet of past funding that he would share with Board Members.

- County Manager Jones noted that although the request for further reductions was made to CMS, along with others, none of his budget scenarios reflect such a reduction for CMS.

- Chairman Rembert thanked County Manager Jones for that assurance.

Vice-Chairman Ramirez thanked CMS officials for their presentation.

**CENTRAL PIEDMONT COMMUNITY COLLEGE BUDGET REQUEST**

Dr. Tony Zeiss, President of Central Piedmont Community College (CPCC), Bill Disher, Chair of the CPCC Board of Trustees, and Kathy Drumm, Vice-President presented CPCC’s FY04
budget request in the amount of $17,929,832. The breakdown of the $17,929,832 is as follows:
$16,871,632 operating budget and $1,058,200 salary supplement.

Following the presentation CPCC officials addressed questions.

**Below is a summary of Comments/Questions of Board Members per CPCC’s presentation:**

**Commissioner James**
- What is the percentage of students attending CPCC from outside of Mecklenburg County.
  
  Dr. Zeiss’ response was 12%. He said that the state average was 23%.

- Are there any out-of-county fees?
  
  Dr. Zeiss’ response was no.

Commissioner James suggested that perhaps consideration should be given to charging an out-of-county fee.

Dr. Zeiss’ stated that all fees require approval by the state legislature. Also, that the State’s response to this idea of out-of-county fees is that since the fees are the same it would be a wash and in light of the fact that the state average is 23% for students attending Community Colleges outside of their own county. He noted that most students attend a Community College outside of their own county because of the classes offered.

Commissioner James noted that perhaps this is an option that the County would have.

It was noted by Commissioner Samuelson in regards to this that what other counties would do then would be to charge Mecklenburg County for the number of students from Mecklenburg that attend their community college.

- Commissioner James asked what was the amount that the County Manager requested CPCC further reduce its budget request by?
  
  Dr. Zeiss said $1.2 million. He stated that if additional cuts were made it would result in 1200 cancelled classes impacting 21,000 students. Dr. Zeiss said cuts of this nature would be catastrophic.

**Commissioner Clarke**
- How many students are on the workforce track and how many are on the two-year transfer track?
  
  Dr. Zeiss said that 25% of their full-time students are on the two-year transfer track, wherein they attend CPCC for two-years and then transfer as a junior to a four-year college of their choice.

Commissioner Clarke inquired about the minority/ethnic breakdown of full-time students at CPCC.

Dr. Zeiss stated that CPCC runs about 32% - 33% ethnic/minority. 31% African American; Hispanic growing rapidly at about 1 ½ %; Asian and other makes up the rest.

- Commissioner Clarke asked what’s meant by capital reserve?
Dr. Zeiss said that this money is for maintenance and repairs, projects that fall between $10,000 - $100,000.

**Commissioner Samuelson**

- What’s the impact of being behind in their space requirements?

Dr. Zeiss said that it impacts students because they are unable to get the classes they want because of the lack of classrooms. Dr. Zeiss noted that as a partial remedy to this problem, they have began offering classes over the internet, however, many classes require labs and other things, therefore students go on a waiting list for certain classes.

- Commissioner Samuelson asked if there were cuts in the amount allocated to CPCC, are there other options of places to cut other than canceling classes?

Dr. Zeiss said there probably is, however, it would involve cutting staff. He stated that majority of their part-time staff are teachers and this is where additional cuts would have to be made rather than cutting full-time employees.

**Commissioner Puckett** asked if it was possible to trade space for training with businesses.

Dr. Zeiss stated that they were already at over 200 sites, including churches.

No action was taken.

Vice-Chairman Ramirez thanked CPCC officials for their presentation.

*A copy of CPCC’s budget request is on file with the Clerk to the Board.*

**ADJOURNMENT**

There being no further business to come before the Board the meeting was declared adjourned at 5:00 P.M.
INFORMAL SESSION

(1) STAFF BRIEFING - STATUS OF SENIORS REPORT

The Board received the first annual report on the Status of Seniors in Mecklenburg County.

The report addressed quality of life issues for older adults in Mecklenburg County in the areas of general health status, medical care, nutrition, safety, housing, transportation, independence, and other quality of life measures. The intent of the report is to focus attention on those issues with the potential to produce long-term cost savings or cost avoidance for the community by maintaining a healthier and more productive senior population.

The report was presented by Gainor Eisenlohr, chair of the Social Services Committee of the Human Services Council.

It was noted by Ms. Eisenlohr that the next recommended step would be for the Board to ask the Department of Social Services and the Human Services Council to develop a strategic planning process on the needs of seniors. It was noted also that the Social Services Committee was currently checking and seeking the support of various community leaders and businesses to participate in the planning process.

A copy of the report is on file with the Clerk to the Board.

After receiving the report Chairman Cox suggested referral to the Board’s Community Health and Safety Committee.

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive the Status of Seniors in Mecklenburg County report and refer it to the Board’s Community Health and Safety Committee for further discussion.
and direction on a strategic planning process and subsequent plan for dealing with social, economic, and physical needs of the growing population of seniors in Mecklenburg County.

(2) CLOSED SESSION LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunner with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

Property owned by Camilla Gail Russell Alexander, tax parcel 077-075-10 on Holland Avenue at Isenhour Street.

Property owned by Leila F. Helms and Cheri M. Fee; Tax Parcel #125-043-04 at 901 E. Fourth Street.

Motion was made by Commissioner James, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:50 p.m. and came back into Open Session at 6:10 p.m. Commissioner Clarke was absent when the Board came back into Open Session. He left the meeting during Closed Session.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 15 and 16.

- FORMAL SESSION -

Commissioner Clarke was present when the formal session was called to order.

Invocation was given by Commissioner Puckett, which was followed by the Pledge of Allegiance to the Flag.

(1A) EMS WEEK PROCLAMATION, 2003 STARS OF LIFE

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating the week of May 18-24, 2003 as EMS Week in Mecklenburg County in recognition of the efforts of Emergency Medical Services (EMS) professionals in our community.

The proclamation was read by Commissioner Samuelson and accepted by Joe Penner, Director of Medic.

A copy of the proclamation is on file with the Clerk to the Board.

The Board also recognized Paramedics Tim Hayes and Bobby Suarez, Communications Supervisor Steve McAuley and GIS/Mapping Coordinator Monroe Hicks as 2003 Stars of Life, a national recognition.

The American Ambulance Association (AAA) sponsors the Stars of Life program. It honors outstanding emergency medical service professionals from around the nation.
Paramedics Tim Hayes and Bobby Suarez were selected for their professionalism throughout their careers and their heroism on January 23, 2003. On that day, the pair responded to the scene of a minor car crash along I-77 north of Charlotte. A winter storm had just ripped through the area leaving icy road conditions in its wake. As Tim instructed the crash victims to the safe side of the guardrail, Bobby witnessed an out of control tractor-trailer heading right for them. It slammed into the Medic ambulance triggering a chain reaction crash that pinned Tim against the guardrail severing both of his legs. No one else was injured. Bobby quickly began caring for Tim. Many credit Bobby’s actions with saving his partner’s life.

Communications Supervisor Steve McAuley was chosen as a Star of Life for his longstanding commitment to EMS in Mecklenburg County – both at Medic and in the volunteer first responder community. Steve has been a team player and influential force in many of the significant enhancements to the system in the past two decades. He has served in a number of roles at Medic and is also Chief of North Mecklenburg Rescue Squad.

Monroe Hicks is Medic’s GIS/Mapping Coordinator. His colleagues chose to honor him this year as one of the Agency’s chief architects of a new mobile data system that is now on all Medic ambulances. Monroe, working with a team of colleagues from Medic and private industry, helped develop the computer based mapping system that provides real time locations and routing suggestions to emergency calls, hospitals and post locations. This new technology is saving precious response time, enhancing overall system performance, and improving employee satisfaction.

(4A) PUBLIC HEARING - CITY/COUNTY JOINT PUBLIC HEARING - STORM WATER FEE

Motion was made by Commissioner Woodard, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a joint public hearing with the Charlotte City Council to hear comments related to a proposed increase in the Storm Water fee for the minor system inside the City.

The hearing was also opened by Charlotte City Council.

Dave Canaan, Director of Storm Water Services and Tim Richards with the City of Charlotte addressed this issue.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on a proposed increase in the Storm Water fee for the minor system inside the City.

The hearing was also opened by Charlotte City Council. Members of City Council left the meeting at this time.

Commissioner Samuelson left the dais and was away until noted in the minutes.

(1B) OLDER AMERICANS MONTH

Motion was made by Commissioner Mitchell, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to adopt a proclamation designating the month of May, Older Americans Month in Mecklenburg County.

The proclamation was read by Commissioner Mitchell and accepted by Dr. Carol Baker of Social Services, Gainor Eisenlohr of the Human Services Council, Susan Bisani, director of MedAssist, and Gaylor Woody, director of the Area Agency on Aging.

A copy of the Proclamation is on file with the Clerk to the Board.

Commissioner Samuelson returned the dais.
The following persons appeared to speak during the Public Appearance portion of the meeting:

Howard McClure gave the Board an update on proposed state legislation concerning representation for indigent people in civil cases.

Commissioner Clarke suggested that the Chairman be asked to write a letter to the Chairman of the N. C. Senate and the Speaker of House regarding Senate Bill 575 that addresses representation for the indigent in civil matters as addressed by Mr. McClure.

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell, but was later withdrawn, to add an item to the agenda as it related to Mr. McClure’s comments regarding Senate Bill 575 and in order to ask the Chairman write a letter to the Chairman of the N. C. Senate and the Speaker of House asking favorable consideration of Senate Bill 575 that addresses representation for the indigent in civil matters.

Commissioners Clarke and Mitchell withdrew their motion in light of questions raised by Board Members. Commissioner Clarke stated that this matter would be brought back before the Board in two weeks.

Prior to the withdrawal the following comments were made:

Commissioner James noted that he would like additional information regarding Senate Bill 575 prior to taking any action. Commissioner James said he specifically wants to know where will the revenue come from to cover the cost of representation.

Commissioner Mitchell stated that the decision of where the revenue will come from to pay for the representation is a matter for the State. Commissioner Mitchell stated further that the Board had included this matter in its legislative package previously, therefore he supports sending a letter.

Commissioner Samuelson stated that she had questions also. Specifically, why is it that indigent representation is provided in criminal cases but not civil cases? Commissioner Samuelson also asked if Commissioner Mitchell was correct in his comment that the Board had included this matter in its legislative package?

Staff was unsure.

A copy of a handout from Mr. McClure is on file with the Clerk to the Board.

Karen Montaperto, Executive Director of Charlotte Emergency Housing spoke on behalf of the Homeless Services Network. She specifically addressed case management, which she noted is provided by many of the agencies within the network.

A copy of a handout from Ms. Montaperto is on file with the Clerk to the Board.

ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and failed 6-2 with Commissioners Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting no and Commissioners Clarke and Mitchell voting yes, to reappoint Frank Porter to the Alcoholic Beverage Control Board.

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Note: It takes a unanimous vote to reappoint someone at this point in the process.

The following persons were nominated for appointments to the Alcoholic Beverage Control Board:

John Chanon by Commissioner James
Ron Leeper by Commissioner Woodard
Don Reid by Commissioner James
William Seymour by Commissioner James
Elton Shoemaker by Commissioner Ramirez
Christine Walker by Commissioner James

Chairman Cox noted that per a conversation with Gerald G. Fox, former County Manager and ABC Board applicant, Mr. Fox has asked that he be removed from consideration for appointment to the ABC Board, in light of the fact that Chairman Cox plans to appoint him as his representative on the Citizens Transit Advisory Group.

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations.

Appointments will occur on June 3, 2003.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Roni-Marzetta Jones to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2007.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

The following persons were nominated by Commissioner Clarke for appointment to the Citizen’s Capital Budget Advisory Committee: Christopher Gegg and Heath Gilbert.

Appointments will occur on June 3, 2003.

CMUD ADVISORY COMMITTEE

The following persons were nominated by Commissioner James for appointment to the CMUD Advisory Committee: Patricia Harris, Kevin Hinde, and Charles Teal.

Appointments will occur on June 3, 2003.

JURY COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Gail Gibson to the Jury Commission for a two-year term expiring June 30, 2005.

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MINORITY AFFAIRS ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Mary Boyd to the Minority Affairs Advisory Committee for a three-year term expiring June 20, 2006.

The following persons were nominated for appointment to the Minority Affairs Advisory Committee:

Sue Fry by Commissioner Ramirez
Stephen Neal by Commissioner Woodard
Vivian Williams by Commissioner Mitchell

An appointment will occur on June 3, 2003.

PARK AND RECREATION COMMISSION

The following persons were nominated by Commissioner James for appointment to the Park and Recreation Commission: Karl Froelich and Patricia Redd.

Appointments will occur on June 3, 2003.

PLANNING COMMISSION

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and failed 7-1 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes and Commissioner Woodard voting no, to reappoint David Howard to the Planning Commission for a three-year term expiring June 30, 2006.

Note: It takes a unanimous vote to reappoint someone at this point in the process.

The following persons were nominated for appointment to the Planning Commission:

David Frazier by Commissioner Woodard
Kevin Gullette by Commissioner Clarke
David Howard by Commissioner Puckett
Thomas Incze by Commissioner Ramirez
Dorothy Presser by Commissioner James
George Sheild by Commissioner Samuelson

Appointments will occur on June 3, 2003.

PUBLIC BROADCASTING AUTHORITY

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Marilyn Bowler, Thomas Hodges, IV, and Jonathan Pullin for three-year terms expiring June 30, 2006.
WASTE MANAGEMENT

The following persons were nominated by Commissioner Puckett for appointments to the Waste Management Advisory Board: Mike Fox and Lisa Whitfield.

*Appointments will occur on June 3, 2003.*

*Commissioner Samuelson left the dais and was away until noted in the minutes.*

(4B) COMMUNITY BLOCK GRANT – SCATTERED SITE HOUSING

Motion was made by Commissioner Ramirez, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to open a public hearing on Scattered Site Housing Grant Community Development Block Grant (CDBG: 01-C-0803).

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to close the public hearing and amend the Mecklenburg County Scattered Site Housing Grant (CDBG: 01-C-0803) in order to amend/change the original grant by changing one (1) Rehabilitation to one (1) Relocation and substitute one (1) Rehabilitation in the original grant for one (1) Relocation.

(4C) STREET LIGHTING ASSESSMENT PROJECT – MOUNTAIN ISLE HARBOR SUBDIVISION

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to acknowledge receipt of certification that a copy of the Preliminary Assessment Resolution and notice of the public hearing were mailed by first class mail to each property owner in the Mountain Isle Harbor Subdivision and to open a public hearing on Mecklenburg County participation in installing and operating street lighting on the streets in this subdivision.

Bob Binford with Real Estate Services addressed this issue.

No one from the public appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to close the public hearing on Mecklenburg County’s participation in installing and operating street lighting on the streets in the Mountain Isle Harbor Subdivision and adopt the Final Assessment Resolution on this street lighting assessment project. Secondly, to appropriate $60,264 for the installation costs of these street light fixtures.

*Resolution recorded in full in Minute Book 42-A, Document #25.*

(5) ADVISORY COMMITTEE REPORTS - NONE

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CONSENT ITEMS

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez and Woodard voting yes, to approve the following item(s) with the exception of items 15 and 16 to be voted upon separately:

(7)  APPROVAL OF MINUTES

Approve minutes of Regular Meeting held May 6, 2003; Special Meeting held April 22, 2003; and Closed Session Minutes of April 15, 2003 and May 6, 2003.

(8)  INTEREST INCOME – SHERIFF’S OFFICE

Recognize and appropriate interest earned of approximately $11.3K from the 2001 Local Law Enforcement Block Grant and $1.7K from the Automated Sex Offender Management (ASOM) Grant.

(9)  SHERIFF’S SPECIAL REVENUE FUNDS

Recognize, receive and appropriate $46,575 and $14,017 for the Sheriff’s Special Revenue Funds for Sheriff’s Fees for Concealed Carry Permits and Seized Assets Revenue.

(10)  DESTRUCTION OF DOCUMENTS

Approve in accordance with North Carolina records retention policies, the disposal of LUESA Permitting and Inspections records (6 boxes) dated March and April, 2003 that have been imaged on optical disk and verified, and Plans of commercial projects (582) permitted in March and April of 2001, and Master plans for single-family residences (750) that no longer have administrative value since they were designed under the previous building code.

(11)  CONTRACT AWARD - NEW COURTHOUSE EXCAVATION AND FOOTING PACKAGE

Award a contract for the Excavation and Footing Package for the New Courthouse to Myers & Chapman, Inc. in the amount of $2,486,891.

(12)  GRANT APPLICATION - WOMEN’S COMMISSION

Approve submission of grant application to the North Carolina Council for Women & Domestic Violence Commission for tenth year funding of the New Choices...Strategies for Success Displaced Homemaker Program in the amount of $20,000 for the competitive grant and approximately $20,000 from Divorce Filing Fees and to recognize, receive and appropriate the grant funds, if awarded.

(13)  HOME AND COMMUNITY CARE BLOCK GRANT – FUNDING PLAN

Approve the Home and Community Care Block Grant funding plan for Fiscal Year 2004.

Annually, the Services for Adults Division of the Department of Social Services submits for Board approval the County Aging Funding Plan prior to submission to the Centralina Council of Governments, the local grant authority. The plan involves allocating $2,312,613 for aging services, MAY 20, 2003
which includes a County match of $231,263. Funding for the match is included in the Fiscal Year 2004 Services for Adults budget request. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Supplemental Meals and Adult Day Care/Day Health.

A copy of the Plan is on file with the Clerk to the Board.

(14) REVISED GRANT APPLICATION – COOPERATIVE EXTENSION

Authorize Cooperative Extension’s revised submission for the third year of grant funds for the AmeriCorps program and to recognize, receive, and appropriate the grant revenues when awarded.

The application by Cooperative Extension for the third year of grant funds from the North Carolina Commission on Volunteerism and AmeriCorps Project, a joint out-of-school youth development initiative of Cooperative Extension and Mecklenburg County Park and Recreation, serving over 300 inner-city youth. The grant application is requesting $147,000. The grant requires a local match. If the full request is funded the local match would be $157,904 to be funded from Cooperative Extension ($129,054) and Park and Recreation ($28,850).

(17) REVISIONS TO HOUSING CODE FOR MECKLENBURG COUNTY

Set a public hearing for June 3, 2003 at 6:30 p.m. on revisions to the Housing Code for Mecklenburg County and direct the Clerk to cause notice of the hearing to be published as required by law.

The Housing Code for Mecklenburg County needs to be amended to reflect changes recently made in the N.C. State Residential Building Code which have reduced or clarified certain standards. The purpose of these changes is so that older homes will not be required to meet standards not currently being required for new homes.

(18) REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Set a Public Hearing for June 3, 2003, for the purpose of receiving public comment on proposed amendments to the Building Development Ordinance.

The proposed amendment intends to align the Building-Development Ordinance with the requirements of NC GS 1-120.2 to file notices of lis pendens, and to clarify the circumstances under which civil actions may be brought to enforce the State Building Code.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Samuelson returned to the dais.

(15) CHARLOTTE-MECKLENBURG PLANNING COMMISSION ATTENDANCE POLICY

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to amend County Planning Commission appointee attendance policy to be consistent with City of Charlotte’s attendance policy as follows:
1. All members will be required to attend 65% of all regular, special and assigned subcommittee meetings during the calendar year. No excused absences. The 65% attendance requirement shall apply beginning with calendar year 2003.

2. In order for a member to be considered for reappointment, they will be required to attend 75% of regular, special and assigned subcommittee meetings during the course of their term. This will be retroactive to the beginning of each member’s term.

Members are still required to meet the following requirements:
1. Members must attend 50% of each meeting in order to be counted present.
2. If a member misses three consecutive regular meetings in a row, they will be automatically removed immediately from the committee.

Background: On April 14, 2003, the Charlotte City Council amended their attendance policy for their boards, committees and commissions, effective immediately. Since the City Council did not exclude the Planning Commission, the City appointees now come under a different attendance policy than that stated in the Interlocal Cooperative Agreement. The Agreement requires 75% attendance with no excused absences and attendance for at least 50% of each meeting.

Commissioner Woodard removed this item from consent to inquire about the attendance policy for other County boards. It was noted by staff that the attendance policy is an issue that is being reviewed.


(16) GRANT APPLICATION TO ADDRESS HOMELESSNESS

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the Health and Mental Health Departments to apply for federal funding to address homelessness. (This application includes three years of funding for the Health Department in the amount of $497,847 and five years of funding for Area Mental Health for $921,240.) Secondly, if the grant is approved, the Board will be asked to consider a required county match of $30,271 in year two, FY 05, and $58,825 in year 3, FY 06 in the Health Department. Area Mental Health will meet the required in-kind match with existing services.

Commissioner Woodard removed this item from consent for more public awareness.

(6) MANAGER'S REPORT- COUNTY MANAGER'S FY2004 RECOMMENDED BUDGET

County Manager Jones presented his FY2004 Recommended Budget to the Board.

Budget Highlights:

- The recommended operating budget totals $1,083,150,040, a 2.71 percent increase from the current FY03 Amended Budget. This budget requires $755 million in net county revenue, approximately $40 million more than the FY03 Amended Budget, a 5.6 percent increase. (Note: County revenue refers to revenue generated by local sources such as:
  - Debt Service at $71.3 million
  - County Services at $626.5 million

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Education Services at $385.4 million

• The County Manager’s FY04 Recommended Budget would reduce the property tax rate by 7.12 cents, to 76.85 cents per $100 valuation, which would be revenue neutral with regard to the recent revaluation of property within Mecklenburg County.

• Other Budget Options per the Board’s instructions:
  o One option would fund the level of service the County currently provides and also would fund the full budget request of CMS and CPCC. This current level service budget would result in a property tax decrease of 4.09 cents from the current tax rate but a 3.03-cent increase from the recommended budget. The current service level budget would restore the $21.9 million in reductions identified in the recommended budget.
  o Two other options would roll back the County budget even further than the recommended budget. Full Rollback would eliminate another 330 positions and would cut another $25 million from the recommended budget. The total impact of this budget would be a $46.9 million reduction from the current service level and the elimination of 450 positions (the net reduction from FY03 would be 416 positions: 156 full-time; 4 part-time; and 256 temporary).

County Manager Jones said “In making my recommendation, I am mindful of the commitments some Board members have made regarding support for a rollback of the property tax to offset the revenue generated by the half-cent sales tax levied beginning January 2003. I do not believe that this option assists the Board or this community in advancing toward the goals and vision the Board has set.”

• The following was noted:
  o The Board will hold two budget workshops on May 22 and 27 prior to the Budget Public Hearing. The Public Hearing will be held at 6 p.m. on Thursday, May 29 in the meeting chamber of the Charlotte-Mecklenburg Government Center. Those wishing to speak at the Hearing should call 704-336-2559 to sign up to speak, or they may sign up at the meeting. The Hearing will be televised live on The Government Channel, Time Warner Cable channel 16. The Board will hold additional budget workshops as needed starting at 5 p.m. on June 4, 5, 10, 11, and 12. The Board is scheduled to adopt the FY04 budget on June 17.

A copy of the proposed budget is on file with the Clerk to the Board.

Comments:

Commissioner James asked County Manager Jones if the difference in the revenue neutral plus growth amount of 76.85 cents and the previous revenue neutral plus growth amount of 74.56 cents, roughly 2.29 cents, due to the difference in the process by which revenue neutral was calculated? County Manager Jones response was yes.

Commissioner James referenced pages 38 and 39 and asked if the $7.2 million reduction to Social Services in the Manager’s recommended budget consisted of people, positions, or is it federal money that is being lost? County Manager Jones response was that most of it was County dollars and that staff would provide additional information on the make up of the $7.2 million.

Commissioner James noted that on page 39, Education Services under Current Expense that the amount for the schools should be $5 million and not $2 million.

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Commissioner James referenced reductions on pages 23-27 and asked that that information be formatted like the information on pages 38 and 39.
County Manager Jones noted that the Board, per its request, would be provided with a two-year forecast.

Commissioner Clarke requested detailed information on the increase in Medicaid spending and the administration of the program, as well as, the cost of Medicaid to the County on a per capita and on a year-to-year basis.

Commissioner Puckett requested information on what the County is legally required to fund for schools.

County Manager Jones asked Board Members to submit all of their questions to staff via e-mail or phone to Budget Director Matt Williams.

Commissioner Puckett asked was it not correct to assume that what’s listed as impacts of the “full roll back” budget means there is nothing of a lower priority included in the Manager’s recommended budget. County Manager Jones response was that the assumption was correct.

Commissioner Puckett requested information on the difference between projected state and federal funds, the budgeted versus the actual.

Chairman Cox requested a more summarized version of the County Manager’s remarks, noting that he was not sure if he knows where the money is going or coming from. Chairman Cox stated that he was having a difficult time reconciling FY02, 03 budgets and actuals of both against the projection of the Manager’s recommendation because the actual in 02 and 03 was different from what was budgeted. Chairman Cox stated that he would like to have a strategic vision of where the County has been and where it’s going rather than a lot of the “arithmetic.”

Commissioner Clarke requested information regarding the $10 million in cuts by CMS.

County Manager Jones noted that staff would provide the additional information that has been requested.

Deputy County Manager Russ Crider came to the dais at this time on behalf of County Manager Jones who left the dais and was away until noted in the minutes.

Chairman Cox and Commissioner Puckett left the dais at this time also and were away until noted in the minutes.

Vice-Chairman Ramirez chaired the meeting until such time as Chairman Cox returned.

(19) STATE SECONDARY ROAD PROGRAM – FY 2003-2004

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to receive a report from North Carolina Department of Transportation concerning the Secondary Road Program for Mecklenburg County for FY 2003-2004. Secondly, to approve the State Secondary Road Program for FY 2003-2004 for Mecklenburg County.

Bob Binford with Real Estate Services, Lewis Mitchell, District Engineer for the NC DOT, and his assistant, Doug Saucerman were present to address questions, however, there were none.

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A copy of the report is on file with the Clerk to the Board.
(20) ACQUISITION OF TROLLEY BARN SITE

Commissioner Puckett and Chairman Cox returned to the dais during this time.

Chairman Cox noted that Commissioner Helms, although absent, would be voting on the acquisition of the Trolley Barn site, via telephone.

Commissioner Helms’ vote was heard over the air and likewise noted in the motion below.

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and carried 6-3 with Commissioners Clarke, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes and Commissioners Cox, James, and Puckett voting no, to authorize the County Manager to 1) obtain an appraisal of the Trolley Barn site, necessary easements and parking rights to 25-27 parking spaces adjacent to the site, 2) to negotiate an agreement for acquisition at the appraised price not to exceed the asking price of $1,428,000, with Land Bonds to be used for the purchase, 3) to finalize the business terms of a long term lease with CATS, and 4) to bring all agreements back to the Board for its consideration.

Prior to the above vote Bryan Turner with Real Estate Services and Ron Tober Executive Director of the Charlotte Area Transit System addressed this matter.

Also, Commissioner Puckett noted that his vote in the negative was not because he doesn’t support the idea, but rather he feels it’s a matter of higher priorities with a very limited number of dollars. His preference would be to have the purchase occur through the Historic Landmarks Commission or that a deal could be worked with Charlotte Area Transit System (CATS) to purchase it.

(21) FY2004-FY2005 TRANSIT PROGRAM

County Manager Jones returned to the dais.

Motion was made by Commissioner Ramirez, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt the Charlotte Area Transit System’s (CATS) FY2004-FY2005 Operating Program and the FY2004-FY2008 Capital Program in accordance with the Transit governance Interlocal Agreement.

Ron Tober, Executive Director of the Charlotte Area Transit System presented the 04-05 Operating Program and 04-08 Capital Program.

A copy of the report is on file with the Clerk to the Board.

(22) HEALTHY WEIGHT IN CHILDREN AND YOUTH

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) receive the report on the Healthy Weight Initiative, 2) authorize the Health Department to lead community response, and 3) to endorse Fit City Challenge.

The February 2003 issue of "Men's Fitness" magazine named Charlotte among the 10 “fattest” cities in the country up from 21st in 2002. In response to this development, the Mecklenburg County Health Department and the Task Force for Healthy Weight in Children and Youth propose to launch a community-wide health and wellness initiative called the Fit City Challenge. The “challenge”: to increase our level of physical activity and consumption of fruits and vegetables, and remove Charlotte from the list of fattest cities.

MAY 20, 2003
Mecklenburg County Fit City Challenge participants will be provided a pedometer to track steps/mileage (or the equivalent) and have access to a dynamic, interactive Web site at fitcitychallenge.org in order to record progress in both physical activity and fruit and vegetable consumption. This Web component offers the unique capability to measure participation in the program and the progress of those taking the Fit City Challenge. The Fit City Challenge provides an opportunity to clearly document changes in health and behavior in those participating.

The report was given by Peter Safir, Health Director, D. C. Lucchesi of the Health Dept., and Dr. Donald Schumacher.

(23) NORTH CAROLINA CIGARETTE TAX - RESOLUTION

Motion was made by Commissioner Clarke, seconded by Commissioner Ramirez and carried 6-2 with Commissioners Clarke, Cox, Mitchell, Ramirez, Samuelson, and Woodard voting yes and Commissioners James and Puckett voting no, to support a Resolution Urging The State Of North Carolina To Increase The Tax On Cigarettes to Reduce Smoking And Related Disease.

Resolution recorded in full in Minute Book 42-A, Document #27.

AGENDA ITEM ADDED

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Samuelson, and Williams voting yes, to add an item to the agenda concerning Commissioner Samuelson’s sons interest in being interviewed by Park and Recreation as lifeguards.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Samuelson, and Williams voting yes, to allow Park and Recreation staff to interview Commissioner Samuelson’s sons for lifeguard positions.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Puckett, and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:30 P.M.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 20, 2003  12:00 NOON

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Tuesday, May 20, 2003 at 12:00 Noon.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
          Dumont Clarke, Norman A. Mitchell, Sr.
          Jim Puckett, Dan Ramirez and Ruth Samuelson
          Deputy County Manager Russ Crider
          Clerk to the Board Janice S. Paige

Absent:  Commissioners H. Parks Helms, Bill James and Valerie Woodard

Commissioners Mitchell and Puckett were absent when the meeting was called to order and until noted in the minutes.

The Board met with members of Charlotte City Council, the Charlotte-Mecklenburg Board of Education and Town Officials for the Quarterly Mecklenburg Elected Leaders Forum.

The meeting was called to order by Chairman Cox, since the County was the host.

The major topic of discussion was Water Quality - A Comprehensive Approach Based on Partnerships.

The report was given by Rusty Rozzelle with the County’s Land Use and Environmental Services Department, Barry Gullet with Charlotte-Mecklenburg Utilities (CMUD), and Jim Schumacher with the City of Charlotte Engineering & Property Management Department.

Commissioners Mitchell and Puckett entered the meeting during this time.

Highlights:

- The report addressed Charlotte-Mecklenburg’s surface water resources, initiatives currently underway to maintain and restore the quality and usability of these resources, and future challenges.

- Charlotte-Mecklenburg has abundant surface water resources including over 3000 miles of streams and over 190 miles of shoreline along Lake Norman, Mountain Island Lake and Lake Wylie, three of the eleven lakes that comprise the Catawba River system.

- These surface waters are our most valuable natural resource and are essential for maintaining a livable community, providing the primary source of our regions drinking water supply as well as providing recreational opportunities, a stimulus for economic growth and development, assimilative capabilities for the discharge of treated wastewater.

- Elevated bacteria levels from sewer discharges into our inner-city streams have been significantly reduced over the last 30 years, however, rapid growth and development throughout the County has increased other sources of water pollution and threatens overall water quality conditions.

- In order to maintain and restore the quality and usability of Charlotte-Mecklenburg’s surface water resources, requires close cooperation between a number of Charlotte and Mecklenburg...
County agencies involved in surface water management activities.

- Partnerships have been established for the development of a comprehensive approach to deal with important water quality issues including wastewater treatment, storm water pollution control, identification and elimination of pollution sources, and enhancement of water quality and usability through the purchase of open space and greenway development.

- Charlotte-Mecklenburg faces a variety of future challenges that will require its governing bodies to make important decisions regarding the establishment of specific goals for maintaining and restoring water quality conditions.

A copy of the report is on file with the Clerk to the Board.

Comments: (Note, this is not inclusive of every comment or question asked, but reflects key points or questions.)

Chairman Cox asked for elaboration on Best Management Practices, which was given Mr. Schumacher.

Commissioner Samuelson asked for elaboration on “greenway” efforts as it relates to water quality, which was given by Mr. Rozzelle. It was noted that the development of the “greenway” system is being done in a water quality friendly approach.

Board of Education Member Louise Woods asked if anything was being done in conjunction with the Schools to educate children on the subject of water quality. Mr. Rozzelle said that there have been occasions where staff has worked with schools to get into their curriculum. He said they would like to do more, if it could be included as part of the curriculum on a permanent basis.

Commissioner Clarke asked for elaboration on water conservation efforts, which was given by Barry Gullet.

Mr. Gullet also announced an upcoming Water Symposium on May 29th at the North Mecklenburg Wastewater Treatment Plant. He noted that students have been invited to learn hands-on about the environment. Mr. Gullet noted also that CMUD has discussed with the Schools, the possibility of incorporating CMUD’s educational efforts that are being developed, into the Schools curriculum on an on-going basis.

Chairman Cox thanked Mr. Rozzelle and the other presenters for their presentation.

Updates/Future Meetings

Mary Hopper, Chairman of the Planning Commission gave an update on the current issues and activities of the Planning Liaison Committee.

It was noted that the next Elected Leaders Forum meeting was September 16, 2003 (CMS Host). The last meeting of the year is scheduled for November 18, 2003 (Towns Host-Tentative).

Ms. Hopper encouraged Officials to continue to provide input regarding the new format for these meetings. She also noted that the subject of regionalism and connectivity in building continue to be discussed by Planning Liaison. Finally, she noted that the second Joint Planning Commission Summit was held and was a success.

There being no further business to come before the Board, Chairman Cox declared the meeting adjourned at 1:25 p.m.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

MAY 22, 2003  2:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Thursday, May 22, 2003 at 2:00 P.M.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
          Dumont Clarke, Bill James
          Norman A. Mitchell, Sr., Dan Ramirez
          Ruth Samuelson, and Valerie Woodard
          County Manager Harry L. Jones, Sr.
          Clerk to the Board Janice S. Paige

Absent:  Commissioners H. Parks Helms and Jim Puckett

Commissioners Clarke and Samuelson were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cox. The purpose of the meeting was to discuss FY04 budget issues.

Note: No formal action was taken by the Board.

FY04 STRATEGIC BUDGET OVERVIEW

County Manager Jones made opening remarks. He informed the Board that one of the goals of the meeting was to provide an update and clarify information that the Board might need relative to the County Manager’s recommended budget or other budget options. Secondly, to find out from the Board what additional information is needed as it relates to the various options.

County Manager Jones reviewed the following handouts: 1) Corrected pages for the budget book 2) Supplemental data on revenue sources 3) Summary of positions 4) Extract from the Charlotte-Mecklenburg Schools (CMS) budget request 5) Estimate of required County funding for CMS 6) Use of one-time revenues 7) Revenue neutral tax rate calculation 8) Comparison of budget models 9) County Manager comments from the May 20, 2003 meeting and 10) Response to questions posed by Commissioner Woodard.

DISCUSSION

General Discussion was held regarding needed clarifications and the budget deliberation process. Clarifications and questions were addressed by staff. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requests for follow-up.

Chairman Cox asked for clarification regarding the $40 million increase over the FY03 amended budget and the $33 million increase in appropriations referenced on page four of the County
Manager’s recommended budget. He asked why there was a $7 million difference? He said the incremental appropriation should equal the incremental revenue.

**Deputy County Manager Russ Crider** stated that staff would provide an answer by the next budget workshop.

**Chairman Cox** also asked if the County was paying for federal and state shortfalls in revenue with County dollars.

Budget Director Matt Williams responded no, but that there were isolated instances involving grant funds that were in the process of being reduced but staff is waiting to see if a renewal of the grant is awarded from the federal and/or state government. He stated that in these isolated instances there might be some “cover” until staff finds out what is going to happen with the grants.

Budget Director Williams then reviewed the revenues and appropriations page of the County Manager’s recommended budget.

**Commissioner Mitchell** stated that any tax rate under .76 cents would be detrimental.

Commissioner Mitchell asked the County Manager to restate his priorities addressed at the Board’s Strategic Planning Conference.

County Manager Jones noted the following:

- Investing in “human capital” (Returning to pay for performance in support of the Balanced Scorecard)
- Investing in the capital infrastructure of the organization (Investing in technology needs and other capital needs that exist for the organization)
- Recommitment from the Board of the Balanced Scorecard as a tool for moving forward

**Commissioner Samuelson entered the meeting.**

Chairman Cox noted that his intent was for the Board, over the next couple of weeks, to engage in full and rigorous public debate and discussion on the details of what might be added or cut from the County Manager’s recommended budget.

**Deputy County Manager Crider** reviewed the process used by staff to calculate the revenue neutral figure in the recommended budget.

It was the consensus of the Board to 1) not consider the Rollback 1 Option and 2) to accept the County Manager’s revenue neutral methodology used to prepare the budget.

**Deputy County Manager Crider and Budget Director Williams** continued a review of revenues and appropriations.

It was the consensus of the Board to direct staff to revise the revenues and appropriations page of the recommended budget by adding a County only revenues column and a County only appropriations column, thus excluding federal and state revenues.

**Commissioner James** stated that he would like the Summary of County Revenues Comparison of Amended FY03 and Recommended FY04 Budgets sheet to be all-inclusive for each budget option.

It was the consensus of the Board that the Summary of County Revenues chart be revised to reflect classified and unclassified revenues.

**Commissioner Clarke** asked about the status of U.S. Air.

**County Finance Director Harry Weatherly** stated that per the Bankruptcy Judge’s rule, the taxes
owed would be remitted over a six to seven year period, however, it’s unknown if that will start July 1, 2003 or January 1, 2004. He stated also that U. S. Air’s next tax year was not under bankruptcy and that they are expected to pay those taxes.

Chairman Cox conducted a review of the Budget Book, section by section and asked Board members to indicate any questions they had.

Commissioner Ramirez left the meeting during the review of the Budget Book and was absent for the remainder of the meeting.

Commissioner James asked staff to revise the supplemental information sheet entitled Budget Summary by Service Area Budget Options to show the differences for the various categories between the FY03-04 Rollback and the FY02-03 amended. He stated that in summary that he would like to know what the dollar changes were between what was budgeted last year and what theoretically the FY04 Rollback budget calls for.

County Manager Jones noted that there was some contention between the N. C. Blumenthal Performing Arts Center and the Arts and Science Council. He said the Performing Arts Center feels that the Arts and Science Council has been withholding funds from them, which they are entitled to. He noted also that per the County Attorney, the County is obligated to provide funds directly to the Performing Arts Center. Further, that the Performing Arts Center representatives have indicated that they would not be opposed to the County “splitting out” funds above what they are entitled to that would go to the Arts and Science Council for the Community Collaborative.

Chairman Cox asked members to give thought on how to proceed with the review of the County Manager’s recommended budget and other options and be prepared to discuss that topic at the next budget workshop.

Chairman Cox then addressed and reviewed the process that would be followed at the Budget Public Hearing scheduled for May 29, 2003.

This concluded the topics of discussion.

ADJOURNMENT

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 5:30 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Room CH-14 of the Charlotte-Mecklenburg Government Center on Tuesday, May 27, 2003 at 2:00 P.M.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioner H. Parks Helms

Chairman Cox and Commissioners Puckett and Woodard were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Vice-Chairman Ramirez. The purpose of the meeting was to discuss FY04 budget issues.

Note: No formal action was taken by the Board.

FY04 STRATEGIC BUDGET ISSUES

Chairman Cox and Commissioners Woodard and Puckett entered the meeting during this time.

(1) Budget Clarifications

County Manager Jones made opening remarks. He informed the Board that one of the goals of the meeting was to provide an update and clarify information that the Board might need relative to the County Manager’s recommended budget or other budget options. Secondly, to find out from the Board what additional information is needed as it relates to the various options.

County Manager Jones reviewed the following handouts: 1) Budget Clarifications Document 2) Departmental Budget Reductions List 3) A revised page 4 of the budget book 4) Redefined Revenue Summary 5) Redefined Allocation Summary 6) Analysis of County Revenue and 7) Revised budget summary by Service Area.

A copy of the handouts is on file with the Clerk to the Board.

(2) Revised Revenue/Appropriations

Deputy County Manager Russ Crider addressed revised revenue/appropriations information.
DISCUSSION

General Discussion was held regarding needed clarifications and the budget deliberation process. Clarifications and questions were addressed by staff. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requests for follow-up.

Chairman Cox requested information showing the amended budget FY03 versus recommended FY04 Comparison to show the changes from year-to-year in line items. He noted that his interest was in County dollars only.

Chairman Cox said he was interested in knowing whether the County as a part of this budget year had brought its fund balance up to eight percent from what it was last year, which he said was below eight percent.

Deputy County Manager Crider noted that it might be the middle of July before it’s known what the fund balance finally is.

Commissioner James requested information showing in general categories exactly what happen with fund balance during this fiscal year and what staff expects will happen next fiscal year.

Commissioner Puckett requested information showing how much money has been invested in the FY04 budget for economic development, for example, business investment grants.

Richard Jacobsen, director of Social Services addressed various reductions in the department’s budget.

Commissioner Samuelson inquired about the Women’s Commission, per questions that have come up regarding the Women’s Commission being placed under Social Services.

It was clarified by Staff that this was not the case under any of the budget scenarios.

Pat Grigg, director of the Women’s Commission addressed departmental reductions.

Chip Bailey from the Sheriff’s Office addressed departmental reductions, specifically, Gatling.

Commissioner James requested additional information on the Charlotte Area Fund.

(3) Process for Budget Deliberations

Chairman Cox asked members to comment on how to proceed with the review of the County Manager’s recommended budget.

Chairman Cox noted that he felt it was important for those agencies/organizations that may be cut, to appear before the Board and provide additional information and to state their “value proposition."

It was the consensus of the Board that the workshops next Wednesday, June 4th and Thursday, June 5th be used as an opportunity for Board members to place on the table any propositions or ideas they may have regarding changes to the County Manager’s recommended budget. Also, that the following week, June 10th and 11th the Board would hear from affected organizations by invitation only in order to give them an opportunity to respond any questions Board members may have; and finally on June 12th the Board would take straw votes to build the budget.

Prior to closing, Budget Director Matt Williams noted, in response to a question raised earlier concerning the amount in the County Manager’s recommended budget for economic development, that the Business Investment Program budget for FY04 totaled $222,825.00, which is for Time Warner Cable and existing grants that the County has for Morrison, Woonsocket, Rooms to Go, and Media Evolved. He stated that in addition to these specific grants the Board has the aforementioned
$500,000.00 that the Board would direct as the year goes on.

He then addressed the Charlotte Area Fund and the services they provide.

This concluded the topics of discussion.

ADJOURNMENT

There being no further business to come before the Board, Chairman Cox declared the meeting adjourned at 4:37 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

May 29, 2003 6:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Scheduled Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center on Thursday, May 29, 2003 at 6:00 P.M.

ATTENDANCE

Present: Chairman Tom Cox and Commissioners Dumont Clarke, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard
County Manager Harry L. Jones, Sr.
Deputy Clerk to the Board Tonette F. Spears

Absent: Commissioner H. Parks Helms

Chairman Cox called the meeting to order and stated that the purpose of the meeting was to receive citizen’s comments on the County Manager’s recommended budget for FY04.

Invocation was given by Commissioner Puckett, which was followed by the Pledge of Allegiance to the Flag.

The following persons appeared to speak:

Supporters of Charlotte-Mecklenburg Schools’ Request for funding:
Margaret Carnes representing Charlotte Advocates for Education; Kit Cramer representing Charlotte Chamber of Commerce; Dee Merrill and Delores Lee representing principals; Joella Farrel, Principal, Garinger High School; Kim Lowery, Tammy Seigel, Sabrina Davis, Cynthia Jones, Andrea McRae, Judy Kidd, and Tom Booker representing the Classroom Teacher’s Association; Jim Henderlight, Larry Bumgarner, Dr. Daisy Walker, and Laura Johnson representing Greater Charlotte Alliance of Black School Educators; Mary Klenz representing League of Women Voters; Claire Tate representing P.O.S.T.; Suzanne Newsome, Sheila (no last name given), Paul Armstrong, and Odette Valder representing Charlotte-Mecklenburg Association of Educators.

Supporters of Public Libraries to continue existing operation schedule:
Student, Rachel McFadden for Myers Park Library; student, Precious Barnes for Steele Creek Library; Simone Acque, Betty Millsaph, Dr. Leland Park, and Chuck Schultz, representing Lake Norman Chamber of Commerce; Rosa Anderson representing the Belmont Center; Mayor Carson Cato, Carl Whitesail, Laura John, Tim Brown, and C.M. Archibald for the Town of Cornelius’ Library.

The following persons asked the Board to continue funding their respective agency:
Bradley (no last name given), Carlos Garcia and Alex Walgaman, NCCJ.

Chairman of the Board Evelyn Newman; Advisory Committee Chairperson, Mark Diehl; Executive Director, Aaron McKeithan, and Kate Satchwill for Charlotte-Mecklenburg Council on Aging.
President Dr. Tony Zeiss; Board of Trustees President Bill Disher; Bishop George Battle and Billy Acosta, for Central Piedmont Community College.

Executive Director Susan Basini, for Med Assist of Mecklenburg.

Hal Bouton, Lou Fuller and Beverly Dorn-Steele, WTVI.

Dr. Vernon Herron, Comprehensive Genealogical Services.

President of the Board Charlie Lucas; UNCC student, Lisa Oakley, Communities in Schools.

Nick Leonas, Jeff Aten, Virginia Boyton, and Myra Hayngs, Charlotte-Mecklenburg Senior Center.

Tony Marciano and Dearsley Vernon, Homeless Services Network.

Board President Keith Wilson; Director Karen Montaperto and client Turquanda McRae, Charlotte Emergency Housing.

Pender McElroy, Mental Health Association.

Robert Ward and Samantha Zeigler, Child Care Resources.


Anne McQuiston, Judy Lewis, Laura Hall and Lorie Deon, Mecklenburg Disabilities Network.

Rev. Claude Alexander and Denise Leach, Community Building Initiative.

Mike McLaurin and Chip Shaw, Marine Commissions.

Pete Anderson, United Family Services.

Michael Rizer, United Way of the Central Carolinas.

Frank Mansfield, Aaron Nash and George (no last name given), Uptown Men’s Shelter.

Carl Gullick and Kate Clark, Voices and Choices.

Kenneth Schorr, Legal Services of Southern Piedmont.

Domestic Violence board members, Sherri Barnes, Lindsay Lawyer and June Kimmell, Women’s Commission.

Chairperson Jeff Bradsher, Historic Landmarks Commission.

Harley Cook and James Killian, Volunteer Fire Departments.

Executive Director Gloria Peters, Court Clubhouse.

Emily Zimmerman and Vermelle Ely, Arts & Science Council.

Les Kooymen and Lorraine Mitchell, Metrolina AIDS Project.

Robert Martin and Johnny Taylor, Area Drug & Alcohol Program Administration Association.
Dwayne Collins spoke in support of the Manager’s recommended budget.

Anna Hood spoke in support of continued funding of human services departments, Park & Recreation, schools and programs for senior citizens.

Yvonne Pettis spoke in support of continued funding for programs for senior citizens.

Bobby Cobb spoke in support of giving market pay increases to employees.

Reginald Drakeford, **Brothers Helping Brothers**.

Angeles Ortega and Gina Esquivel, **Latin American Coalition**.

Kathy McIlwaine, Evelena Thompson, Vernetta Mitchell and Winona Chestnut, **Greater Enrichment Program**.

Chairperson Harvey Boyd spoke in support of the **Community Development Office**.

Kaye McGarry, **CPCC**.

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**ADJOURNMENT**

Motion was made by Commissioner Puckett, seconded by Commissioner James, and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:10 P.M.

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Tonette F. Spears, Deputy Clerk  Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 3, 2003.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
          Dumont Clarke, Bill James
          Norman A. Mitchell, Sr., Jim Puckett
          Dan Ramirez, Ruth Samuelson, and
          Valerie Woodard
          County Manager Harry L. Jones, Sr.
          County Attorney Marvin A. Bethune
          Clerk to the Board Janice S. Paige

Absent:  Commissioner H. Parks Helms

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Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(1)  STAFF BRIEFINGS - NONE

(2)  CLOSED SESSION - LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunemier with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

Tax Parcels 077-075-11 at 936 Rodey Avenue, 077-076-11 at 1432 Norris Avenue, and 077-076-12 at 1428 Norris Avenue owned by Bertha E. Lee

Tax Parcel 145-081-20 at 3000/3018 Barringer Drive from Joo Hee Kim and wife Bock Soon Kim

Tax Parcel #207-041-05 at 2100 Sharon Road West from Betty P. Schachner and Tax Parcel #207-041-08 at 2210 Sharon Road West from Joe and Elizabeth Turner

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 7-0 with Commissioners Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 5:35 p.m.

Commissioner Clarke was present when the Board came back into Open Session. He entered the meeting during Closed Session.

(3)  REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it
was necessary for them to remain at the meeting. The items identified were Items 14, 20, 21, 22, and 26.

-FORMAL SESSION-

Invocation was given by Commissioner Ramirez, which was followed by the Pledge of Allegiance to the Flag.

(1A) PROCLAMATIONS AND AWARDS

The Board recognized the Park and Recreation Department for receiving National Association of County Park and Recreation Officials Awards (NACPRO). The awards were addressed by Department representative Peggy Brown and received in the following categories:

Outstanding Support Organization: This award recognizes an organization that has responded in an exceptional manner by making a major contribution to benefit park and recreation programs and facilities. The winning organization was Ramblewood Soccer Incorporated, a non-profit organization that formed a partnership with the Mecklenburg County Park and Recreation Department. This partnership allowed for the total development and operation of a ten (10) field soccer complex in Ramblewood Park. This is the County’s largest soccer complex and operates with minimum impact on the Park and Recreation Department’s budget. The award was accepted by Alan Beaver, General Manager of Ramblewood Soccer Incorporated.

Environmental: This award recognizes a county park and recreation agency, which has made an exceptional effort to reclaim, restore, preserve or develop a natural area. The Department’s Division of Natural Resources restored a rare natural community: a Piedmont grassland within the McDowell Nature Preserve. The award was accepted by Steve Law of Park and Recreation.

Maintenance Facility Award: This award recognizes a maintenance facility of unique design. The winning facility was Park & Recreation’s Central Maintenance Yard. The award was accepted by Vic Reese of Park and Recreation.

Class IV Park and Recreation Facility Award Large County: This award was created to recognize and honor excellence in recreation and park facilities; to focus national attention on the very best of facility design; to encourage outstanding efforts in planning. The winning facility was Ray’s Splash Planet, a 29,000 square foot facility, and joint venture between Park and Recreation and Charlotte-Mecklenburg Schools. It includes a one-of-a-kind indoor water park, state-of-the-art fitness center, a conference room and party rooms. A gymnasium acts as an umbilicus between the school and Ray’s and allows for more traditional park and recreation programs for the community. The award was accepted by Sophia Hollingsworth of Park and Recreation.

Park and Recreation Program: This award recognizes a county park and recreation agency that has provided a unique or exceptional program, activity or event, which provides an outstanding example that other agencies could adopt or emulate. The winning program: Leadership Ubiquity Weekend. This process provides increased staffing during defined peak times (weekends and holidays) and peak park season (March – October). The award was accepted by Peggy Brown of Park and Recreation.

Friends of Parks and Recreation Outstanding Volunteer: This award is presented to an individual who has made a significant contribution of personal time and talent to county parks and recreation. Recipient: B. Douglas Youngblood.

(1B) RECOGNITION OF VETERANS FOR OUTSTANDING CIVILIAN SERVICE

The Board recognized and presented the Outstanding Civilian Service Medal to Lieutenant Colonel Hugh Prather, U.S. Army Retired and Master Sergeant Henry G. Jennings, U.S. Army retired. (Note: Mr. Jennings was unable to be present, however, Mr. Cliff Deal stood in for Mr. Jennings.)

Bob Weeks, Director of Veteran Services introduced the recipients.

The Outstanding Civilian Service Medal was awarded to both individuals for exceptional meritorious service as co-chairman of the Southern Piedmont Area (Region III) North Carolina Army Retiree Council. It was noted that their leadership and selfless service to the Army retiree community were instrumental in the successful execution of this important program. Also, that
their dedication and loyalty have set an outstanding example and their many accomplishments epitomize the slogan “Still Serving, U.S. Army Retired”. Both individuals served as co-chairman of the Retiree Council for 14 years. The award is presented by Zannie O. Smith, Major General, U.S. Army, Acting Commander of the 82d Airborne Division at Fort Bragg, NC.

(1C) 100TH ANNIVERSARY OF PUBLIC LIBRARY OF CHARLOTTE & MECKLENBURG COUNTY

The Board was scheduled to recognize the 100th Anniversary of the Public Library of Charlotte & Mecklenburg County, however, this matter was removed at the request of the Chairman of the Library Board of Trustee because of a conflict in scheduling. It will be rescheduled to a later date.

Note: There were two persons present on behalf of this matter that came to the podium and addressed the 100th Anniversary and upcoming events, Dr. Susan Hardin, an employee of the Public Library and Patty Norman, member of the Library Board of Trustees.

(2) PUBLIC APPEARANCE

Public Appearance Speakers

The following persons addressed the proposed Mallard Creek greenway that runs through the Brookstone Subdivision:

Wendy Guice, Sam Frantz, and Bruce Stroncek spoke in opposition, not necessarily to the greenway itself, but the planned access points/pathways and the proximity of them to their homes. Ms. Guice stated that the greenway is 7 feet from her home and because of this she is concerned about the safety of her children and privacy of her home. She stated that there were more than 15 entrances to the greenway and asked that consideration be given to eliminating the access points on Amaranthus and Stream Ridge. Ms. Guice resides at 3500 Amaranthus Court.

Mr. Stroncek expressed the same concerns for safety and privacy as Ms. Guice. Mr. Stroncek stated that the planned pathway starts 4 feet from his driveway and will follow his property line coming within 15 feet of his home. He too, wants this pathway removed from the plan.

A copy Ms. Guice’s and Mr. Stroncek’s remarks, as well as pictures, are on file with the Clerk to the Board.

Mr. Frantz stated that his main concern was that he would like clarification on the route of the greenway, which he said has often changed.

Sarah Lane, Eric Stevens, Maureen Thomas, Pat McHenry, Marriah Barnett, and Bill Brawley spoke in support of plans for the greenway, noting that it has been in the works for a number of years.

County Manager Jones noted that per information received from staff, a communication has gone out to representatives of residents in this area inviting them to attend a meeting with the North District Park Advisory Committee to discuss this matter further.

Chairman Cox and Commissioner Puckett encouraged residents to attend this meeting.

Commissioner Puckett announced that the meeting would be held on June 24th, 6:30 p.m. at Reedy Creek Park.

Terri Andrews, Executive Director of St. Peter’s Homes and representing the Homeless Services Network addressed services provided and needed for the homeless population.
JUNE 3, 2003

A copy of Ms. Andrews remarks is on file with the Clerk to the Board.

(2A2) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel 145-081-20 at 3000/3018 Barringer Drive from Joo Hee Kim and wife Bock Soon Kim for $250,000 for expansion of Clanton Park.

(2A3) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel #207-041-05 at 2100 Sharon Road West from Betty P. Schachner and Tax Parcel #207-041-08 at 2210 Sharon Road West from Joe and Elizabeth Turner for a total of $1,065,000 for the Little Sugar Creek Greenway.

(3A) APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

The vote was taken on the following nominees for appointment to the Alcoholic Beverage Control Board:

Round One
John Chanon Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Samuelson
Ron Leeper Commissioner Woodard
Don Reid Commissioners James and Puckett
William Seymour Commissioners Clarke, Cox, Mitchell, and Ramirez
Elton Shoemaker Commissioners Puckett and Ramirez
Christine Walker Commissioner Woodard

Round Two
Ron Leeper None
Don Reid None
William Seymour Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Samuelson
Elton Shoemaker Commissioner Puckett
Christine Walker None

Chairman Cox announced that John Chanon and William Seymour were appointed to the Alcoholic Beverage Control Board for three-year terms expiring June 30, 2006.

Mr. Chanon and Mr. Seymour will replace Edward High and W. Frank Porter whose terms expire June 30, 2003.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Citizen’s Capital Budget Advisory Committee:
Chairman Cox announced that Christopher Gegg was appointed to the Citizen’s Capital Budget Advisory Committee to fill an unexpired term expiring July 7, 2004.

Mr. Gegg is replacing Judson Russell who resigned.

CMUD ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the CMUD Advisory Committee:

- Patricia Harris (Commissioner Woodard)
- Kevin Hinde (None)
- Charles Teal (Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Samuelson)

Chairman Cox announced that Charles Teal was appointed to the CMUD Advisory Committee for a three-year term expiring June 30, 2006 as the real estate developer representative.

Mr. Teal replaces Arthur Fields whose term expires June 30, 2003.

MINORITY AFFAIRS ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Minority Affairs Advisory Committee:

- Sue Fry (Commissioners Ramirez and Samuelson)
- Stephen Neal (None)
- Vivian Williams (Commissioners Clarke, Cox, James, Mitchell, Puckett, and Woodard)

Chairman Cox announced that Vivian Williams was appointed to the Minority Affairs Advisory Committee to fill an unexpired term expiring January 17, 2006.

Ms. Williams is replacing Ismael Paris who resigned.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

**Round One**

- Karl Froelich (Commissioners Cox, Puckett, Ramirez, and Samuelson)
- Patricia Redd (Commissioners Clarke, James, Mitchell, and Woodard)

**Round Two**

- Karl Froelich (Commissioners Cox, James, Puckett, Ramirez, and Samuelson)
Chairman Cox announced that Karl Froelich was appointed to the Park and Recreation Commission to fill an unexpired term expiring June 30, 2004, as the Southwest Park District representative.

Mr. Froelich replaces Chris Jackson who resigned.

**PLANNING COMMISSION**

The vote was taken on the following nominees for appointment to the Planning Commission:

- David Frazier (None)
- Kevin Gullette (Commissioners Woodard and Puckett)
- David Howard (Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Samuelson)
- Thomas Incze (None)
- Dorothy Presser (Commissioner Puckett)
- George Sheild (Commissioners Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard)

Chairman Cox announced that David Howard and George Sheild were appointed to the Planning Commission for three-year terms expiring June 30, 2006.

Mr. Sheild is replacing Thomas Gates. Mr. Howard was already serving an unexpired term.

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Roberta Farman to the Planning Commission as the Board of Education’s representative for a three-year term expiring June 30, 2006.

Ms. Farman replaces Michael Bruno, whose term is scheduled to expire June 30, 2003.

**WASTE MANAGEMENT**

The vote was taken on the following nominees for appointment to the Waste Management Advisory Committee:

- Mike Fox (Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard)
- Lisa Whitfield (Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard)

Chairman Cox announced that Mike Fox and Lisa Whitfield were appointed to the Waste Management Advisory Committee for three-year terms expiring June 3, 2006.

They are replacing Richard Swartzel and Hans Plotseneder who resigned.

**APPOINTMENT TO THE MINT HILL BOARD OF ADJUSTMENT**

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Thomas N. Gatz to the Mint Hill Board of Adjustment as the ETJ alternate. Mr. Gatz was appointed to fill an unexpired term expiring December 31, 2004 vacated by Mr. Marvin Wilson.
JUNE 3, 2003

(3C) UPCOMING APPOINTMENTS FOR JUNE 2003.

Commissioner Samuelson noted the following regarding upcoming appointments:

June (application deadline 6/6/03; Nominations 6/17/03; Appointments 7/8/03)

Adult Care Home Advisory Committee
Area Client Rights Committee
Board of Motor Vehicle Review
Building Development Commission
Historic Landmarks Commission
Housing and Development Committee
Information Services & Technology Advisory Board
Lake Norman Marine Commission
Nursing Home Community Advisory Committee
Park & Recreation Commission
Region F Aging Advisory Committee
Register of Deeds Advisory Committee (Attorney)

Chairman Cox and Commissioner Puckett left the dais and were away until noted in the minutes.

Vice-Chairman Ramirez chaired the meeting during Chairman Cox’s absence from the dais.

(4A) PUBLIC HEARING STREET LIGHTING ASSESSMENT – NORTHPARK BUSINESS PARK AND RIDGEWOOD SUBDIVISION

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all the property owners on the streets in the NorthPark Business Park and the Ridgewood Subdivision and to open a public hearing on Street Lighting Preliminary Assessment Rolls for NorthPark Business Park and the Ridgewood Subdivision.

Bob Binford with Real Estate Services addressed this matter.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Cox, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on the Street Lighting Preliminary Assessment Rolls for NorthPark Business Park and the Ridgewood Subdivision and adopt Final Assessment Roll Resolution for each.


(4B) REVISIONS TO HOUSING CODE FOR MECKLENBURG

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to receive public comment on revisions to the Housing Code for Mecklenburg County.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried
JUNE 3, 2003

6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on revisions to the Housing Code for Mecklenburg County and approve revisions to the Housing Code for Mecklenburg County to reflect changes recently made in the N.C. State Residential Building Code which have reduced or clarified certain standards.

Note: The purpose of these changes is so that older homes will not be required to meet standards not currently being required for new homes.

Revised Code recorded in full in Minute Book 42-A, Document #30.

(4C) REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on revisions to the Housing Code for Mecklenburg County and approve revisions to the Housing Code for Mecklenburg County to reflect changes recently made in the N.C. State Residential Building Code which have reduced or clarified certain standards.

Revised Code recorded in full in Minute Book 42-A, Document #30.

(4C) REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on revisions to the Housing Code for Mecklenburg County and approve revisions to the Housing Code for Mecklenburg County to reflect changes recently made in the N.C. State Residential Building Code which have reduced or clarified certain standards.

Revised Code recorded in full in Minute Book 42-A, Document #30.

(4C) REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on proposed amendments to the Building Development Ordinance.

No one from the public appeared to speak.

Chairman Cox returned to the dais.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 7-0 with Commissioners Clarke, Cox, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on proposed amendments to the Building Development Ordinance and approved amendments to the Building Development Ordinance to align the Building-Development Ordinance with the requirements of NC GS 1-120.2 to file notices of lis pendens, and to clarify the circumstances under which civil actions may be brought to enforce the State Building Code.

Ordinance recorded in full in Minute Book 42-A, Document #31.

(5A) HUMAN SERVICES COUNCIL BUDGET RECOMMENDATIONS

The Board received a verbal report from the Human Services Council regarding the County Manager's proposed FY03-FY04 budget and its impact on the County's health and human services programs. The recommendation of the Council was to support the County Manager’s recommended budget.

The report was given by Ann Maxwell and Wil Butler.

Commissioner Puckett returned to the dais during this time.

(5B) CITIZENS’ CAPITAL BUDGET ADVISORY COMMITTEE REPORT

The Board received a report from the Citizens’ Capital Budget Advisory Committee.

The report was given by Lewis Guignard.

The Committee’s recommendations were:

1) Continued support of CPCC facilities.

It was noted that Central Piedmont Community College is planning an enlargement of those facilities which provide seats for students in the medical support field. This is a $12 million expansion. While a postponement of one year is not critical, the CCBAC voted unanimously in
favor of pointing out the need of our community for these type services. Further that in postponing this portion of their request, $2.4 million in state bond money for renovations will likely be lost which Mecklenburg County will later be asked to replace. They stated that the County should continue to invest taxpayer dollars in CPCC facilities.

2) Charlotte-Mecklenburg Schools can easily postpone all of their request except for two new high schools.

It was noted that growth in CMS student population continues near 3,000 students per year and they believe it is critical to find funding for the two high schools. Their location is already determined and money for planning was included in last years’ bond referendum.

3) A reexamination of the designation of schools, which would receive money from existing authorized and unissued bonds is in order as a result of the recent lawsuit, the end result of which is the Choice Plan. It was noted that the parameters, which were used to decide where bond money would be used have changed because of shifting growth and attendance patterns. “We realize this would be politically difficult but believe it is fiscally prudent considering the amount of taxpayer money involved.”

4) That the CMS Building Services budget should be separated out entirely from the other parts of the yearly CMS county appropriation.

It was noted that this recommendation was made because of the way CMS has been dependent upon bond money to help in their maintenance programs and because it is necessary for the taxpayers of Mecklenburg County to be assured their investments in capital assets are well taken care of. Also, that the separation that is being recommended is beyond the current line item and would be an entirely different appropriation, which should, as an end result, no longer show up in the normal CMS budget request.

A copy of the report is on file with the Clerk to the Board.

(6) RECEIVE MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 14, 20, 21, 22, and 26 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held May 20, 2003; Special Meeting held May 13, 2003; and Closed Session Minutes of May 20, 2003.

(8) TAX REFUNDS

Approve refunds to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments in the amount of $ 20,221.34.

(9) DESTRUCTION OF DOCUMENTS

Approve the disposal of LUESA records and plans in accordance with North Carolina records retention policies comprised of 1248 Dead Bond Files that have been imaged and verified between April 2001 and July 2002.
(10) FOUR-MILE CREEK GREENWAY PROJECT

Authorize the County Manager to negotiate a fee and execute a contract with Wirth & Associates for landscape architectural services for the Four-Mile Creek Greenway project.

(11) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate funds in the amount of $494.00 for Land Use & Environmental Services and $15,969.00 for Park & Recreation to provide necessary budgetary recognition of insurance funds to cover cost of replacements.

(12) LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE REVISIONS

1) Approve an 8 percent fee increase in building permit fees for Code Enforcement.

Note: This 8 percent increase in building permit fees is needed to offset the 9 percent decrease in permit revenue that has been experienced since FY02, and the anticipated 6 to 10 percent drop in revenues projected by the development industry for FY04.

2) Revise Credit/Refund Policy for Permits in order to clarify the timeframes for requesting/receiving a credit or refund for a permit.

3) Approve OnSchedule Cancellation Policy that would charge those customers who don’t show up or who cancel with less than five working days notification.

Note: In March 2003, Code Enforcement implemented On Schedule, a new commercial scheduled plan review program that allows customers to schedule their commercial plan reviews in advance with a designated appointment time. This program was implemented to provide better customer service. Problems are being experienced with customers canceling at the last minute or not showing up at all. This charge is intended to decrease the number of times that people cancel with short notice or just don’t show up.

Policies recorded in Minute Book 42-A, Document #'s 32 & 33.

(13) MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE AMENDMENT

Approve an Amendment to the Mecklenburg County Solid Waste Fee Ordinance, which will raise the tipping fee at the Charlotte Motor Speedway Landfill by 2 percent, from $24.00 per ton to $24.50 per ton, to offset the automatic Consumer Price Index (CPI) adjustment in the contract rate with BFI. This amendment will also increase the fee charged for tires co-mingled in waste delivered to the 521 Landfill from $2.00 per tire to $4.00 per tire.

Amendment recorded in Minute Book 42-A, Document #34.

(15) METROLINA RECOVERY FACILITY ROOF REPLACEMENT

Award a contract to replace the roof at the Metrolina Recovery Facility to R. Wayne Cooke & Associates in the amount of $527,800.
(16) INTER-LOCAL AGREEMENTS FOR TAX COLLECTION WITH THE TOWNS OF DAVIDSON AND HUNTERSVILLE

Adopt resolutions authorizing Mecklenburg County to enter into an inter-local agreement for the County to collect real estate and personal property taxes for the Town of Davidson and the Town of Huntersville.

Resolutions recorded in full in Minute Book 42-A, Document #35 & 36.

(17) APPLICATION FOR KABOOM! PLAYGROUND GRANT

Approve the submission of a playground grant application for playground equipment valued at $90,000 donated by KaBOOM; and to recognize, receive and appropriate grant award, when received.

Note: This grant has a $10,000 local match requirement. The grant will be used for playground equipment at the Anita Stroud Park and Sugaw Creek Park. The equipment will be installed by community members, corporate volunteers and KaBOOM!, a non-profit organization. The source of Mecklenburg County’s share of the installation cost for the equipment, which will not exceed $10,000, will be 1999 voter approved bonds appropriated for Anita Stroud Park.

(18) PARK & RECREATION BUDGET AMENDMENT

Recognize, receive and appropriate $4,350 from the NC Department of Agriculture for the McDowell Nature Preserve grassland expansion project; and authorize the carry forward of funds remaining on June 30, 2003 to Fiscal Year 04.

(19) AREA MENTAL HEALTH BUDGET AMENDMENT

Recognize, receive, and appropriate one-time State allocation in the amount of $37,692 to support the cost associated with conversion to the Integrated Payment and Reporting System (IPRS) and local activities for implementation of the new State MH/DD/SAS Plan.

(23) RADIO SERVICES FUNDS TRANSFER

Transfer $426,712 from Radio Services funds to the capital reserve fund.

(24) HAZARD MITIGATION PROGRAM - FLOODPLAIN ACQUISITIONS

- Accept the “Offer Of Sale Of Land” for the following properties:
  a. Donald Nelson Young at 3201 Cullman Ave for $155,000.00
  b. Coin Operated Amusements Inc. at 3154 Cullman Ave for $285,000.00

This action is necessary for the purchase of floodplain property under the Hazard Mitigation Grant Program.

- Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition of structures purchased by Mecklenburg County.

Resolution recorded in full in minute book 42-A, Document #37.

- Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.
(25) DEMOLITION OF BUILDINGS ON WEST MOREHEAD STREET AND PENCE ROAD

Approve use of land bond funds for demolition of buildings at 1625-1637 West Morehead Street and 6709 Pence Road.

Above properties were acquired with 1999 Land Bonds during the past year. Demolition is necessary to utilize the land for open space purposes and for safety reasons. Estimated cost to remove these vacant structures is $230,000.

(27) LAND EXCHANGE - REID PARK NEIGHBORHOOD

Adopt a resolution of intent to exchange +/- 15.62-acre portion of Amay James Park for seven nearby parcels and instruct the Clerk to Board to publish notice of the Board’s intent to exchange the properties.

Resolution recorded in full in minute book 42-A, Document #38.

(28) FY 03-04 REVENUE & PRICING POLICY - PARK & RECREATION

Approve new fees, changes to existing fees and amendments to the Park & Recreation Department Revenue & Pricing Policy for FY 03-04.

Revenue & Pricing Policy recorded in full in Minute Book 42-A, Document #39.

(29) DEPARTMENT OF JUVENILE JUSTICE & DELINQUENCY PREVENTION FUNDING

Approve the revised FY03 allocation of the Department of Juvenile Justice and Delinquency Prevention (DJJDP) state funds, which reduced the Mecklenburg County Juvenile Crime Prevention Council (JCPC) funding allocation by $16,779.

<table>
<thead>
<tr>
<th>Program Name</th>
<th>Department/ Sponsoring Agency</th>
<th>Original Allocation</th>
<th>Revised Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Youth Homes, Inc</td>
<td>DSS/Youth Homes, Inc.</td>
<td>$310,400</td>
<td>$310,400</td>
</tr>
<tr>
<td>FACET</td>
<td>DSS/ Youths &amp; Family Svc</td>
<td>$225,000</td>
<td>$225,000</td>
</tr>
<tr>
<td>Transition House</td>
<td>DSS/ Youth Network, Inc.</td>
<td>$255,400</td>
<td>$255,400</td>
</tr>
<tr>
<td>Choices</td>
<td>DSS/ Youth Network, Inc.</td>
<td>$87,300</td>
<td>$87,300</td>
</tr>
<tr>
<td>Present Day Restitution</td>
<td>DSS/ Present Day Cares</td>
<td>$150,000</td>
<td>$163,165</td>
</tr>
<tr>
<td>RISE</td>
<td>Sheriff’s Office</td>
<td>$403,240</td>
<td>$360,796</td>
</tr>
<tr>
<td>JCPC</td>
<td>Court Services</td>
<td>$3,000</td>
<td>$15,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1,434,340</td>
<td>1,417,561</td>
</tr>
</tbody>
</table>

Note: The new allocation of $1,417,561 has been revised to reflect the difference. The JCPC allocation of $1,434,340 was approved by the Board of Commissioners on December 17, 2002.

(30) CARRY FORWARD FUNDS - AT&T FAMILY CARE DEVELOPMENT GRANT

Approve the carry forward by Mecklenburg County Cooperative Extension into FY 04 of revenues in excess of expenditures at June 30, 2003 for AT&T grant funds received in a prior year.

The grant funds support the AT&T Teen Incentive programs.

JUNE 3, 2003

(31) CARRY FORWARD FUNDS - AMERICORPS GRANT
To approve the carry forward by Mecklenburg County Cooperative Extension into FY 04 the unobligated grantee match balance at June 30, 2003 to support the AmeriCorps grant program which ends July 31, 2003.

(32) **CARRY FORWARD FUNDS: SURFACE WATER IMPROVEMENT GRANT**

Authorize the carry forward of up to $358,000 in Surface Water Improvement (SWIM) Grant funds to FY 2004.

(33) **CARRY FORWARD FUNDS - CHILD DEVELOPMENT-COMMUNITY POLICING PARTNERS PROGRAM GRANT**

Authorize the carry forward to FY04 of revenues in excess of expenditures at June 30, 2003, for the Duke Endowment grant for the Area Mental Health Child Development-Community Policing Partners Program.

(34) **CARRY FORWARD FUNDS - DEPARTMENT OF SOCIAL SERVICES**

Authorize carry forward of DSS funds from FY03 to FY04 as follows:

<table>
<thead>
<tr>
<th>Total Dollars</th>
<th>County Dollars</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISSI Computer-Based Training</td>
<td>175,000</td>
</tr>
<tr>
<td>Planning &amp; Evaluation - GIS Health Dept.</td>
<td>7,500</td>
</tr>
<tr>
<td>Administration - Customer Service Initiative</td>
<td>96,100</td>
</tr>
<tr>
<td>Special Child Adoption Funds/Foster Care</td>
<td>90,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 368,600</strong></td>
</tr>
</tbody>
</table>

2. Carry forward DSS Good Friends/Volunteers donated funds in excess of expenditures. These revenues are estimated to total approximately $140,000 at this time, with no County dollars attached.

3. Carry forward the U.S. Administration on Aging Funds for the Save Our Seniors (SOS) Grant in an amount not to exceed 132,431, with no County dollars attached.

(35) **CARRY FORWARD FUNDS - OFFENDER MANAGEMENT SYSTEM (OMS)**

Approve appropriation of $600,000 from FY2003 unexpended professional fees to fund the Offender Management System (OMS) in the Sheriff’s Office.

(36) **CARRY FORWARD FUNDS - WOMEN’S COMMISSION**

Approve carry forward by the Women’s Commission into FY04 donated funds in excess of expenditures at June 30, 2003, in Org 4320.

*Each year the Women’s Commission receives donated monies for the Displaced Homemaker and Outreach Programs.*

**JUNE 3, 2003**

(37) **CARRY FORWARD FUNDS - WOMEN’S COMMISSION**

Approve carry forward by the Women’s Commission in to FY04 donated funds in excess of expenditures at June 30, 2003, in Org 4325 - Child Observer’s.
(38) **CARRY FORWARD FUNDS - FIGHTING BACK PROGRAM**
Approve carry-forward of the Health Department unspent Fighting Back Program funds.

(39) **CARRY FORWARD FUNDS: HEALTH DEPARTMENT**
Approve carry-forward $10,000 for GIS project supporting Healthy Communities.

(40) **CAPITAL RESERVE BUDGET AMENDMENT**
Recognize, receive and appropriate funds from the Mecklenburg County/Charlotte-Mecklenburg Hospital Authority land swap (CMHA) in the amount of $154,272. Revenue to be recognized in Capital Reserve Account 5802.

*Note: On November 6, 2002, Park and Recreation swapped 1.85 acres on Baxter Street for 3.923 Acres of land on Remount Road from CMHA. As part of this agreement, CMHA paid $154,272. This money will be used for improvements to Revolution Golf Course.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

(14) **EASTWAY SPECIALTY PARK PROJECT**
Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to negotiate a fee and execute a contract with Site Solutions for landscape architectural services for the Eastway Specialty Park project.

*Commissioner Woodard removed this item from consent for more public awareness.*

*Commissioner Mitchell left the dais and was away until noted in the minutes.*

(20) **GRANT APPLICATION - NORTH CAROLINA CLEAN WATER MANAGEMENT TRUST FUND**
Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and carried 7-0 with Commissioners Clarke, Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to submit a grant request in the amount of $1,500,000 to the North Carolina Clean Water Management Trust Fund for the environmental restoration of various project sites in the McDowell Creek Watershed, which directly impacts Mountain Island Lake and is the area’s primary drinking water supply.

*Commissioner Samuelson removed this item from consent for more public awareness.*

*Commissioner Clarke left the dais and was away until noted in the minutes.*

(21) **GREENWAY DONATIONS**
Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept the donation of +/- 8.89 acres (Tax Parcel #201-013-35) on Coffey Creek off Brahman Meadows Lane in the Ayshire Glen subdivision from Eastwood Development Corporation; and +/- 8.5 acres on Four Mile Creek (Tax Parcels #227-302-09, 227-302-16 and 227-302-17) off
Retana Drive in Providence Plantation from Providence Plantation Limited Partnership.

Commissioner Puckett removed this item from consent for more public awareness.

(22) BARRINGTON OAKS APARTMENTS MULTIFAMILY HOUSING REVENUE BONDS

Motion was made by Commissioner Woodard, seconded by Commissioner James and carried 6-0 with Commissioners Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt Resolution entitled: Resolution Calling For Public Hearing With Respect To The Issuance Of Multifamily Housing Revenue Bonds –Barrington Oaks Apartments.

Commissioner Woodard removed this item from consent for more public awareness.

Resolution recorded in full in minute book 42-A, Document #40.

(26) LAND DONATION - LATTA PLANTATION NATURE PRESERVE

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and carried 6-0 with Commissioners Cox, James, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept the donation of 2.70-acre tract (Tax Parcel #023-022-99) adjoining the Latta Plantation Nature Preserve from Ridgeline Development Corporation.

Commissioner Puckett removed this item from consent for more public awareness.

(41) THIRD WARD VISION PLAN / WEST PARK

The Board received an update on the progress of the Third Ward Vision Plan and New West Park Project.

Commissioners Clarke and Mitchell returned to the dais during this time.

The report was given by Mark Hahn, Director of Real Estate Services and Mark Johnson with Civitas.

The report addressed the fifth public workshop for the Third Ward Vision Plan held on June 2, 2003; the current findings of the Urban Design Consultant; preliminary economic assessments of each urban design/neighborhood configuration option; and the final concept designs for each park option.

Michael Carson, Vice-President of the Third Ward Neighborhood Association addressed this issue and spoke in support of the park. He asked the Board to move forward as quickly as possible with this project.

A copy of the report is on file with the Clerk to the Board.

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JUNE 3, 2003

ADJOURNMENT

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board
that the meeting be adjourned at 8:20 P.M.

______________________________  ____________________________
Janice S. Paige, Clerk        Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Room CH-14 of the Charlotte-Mecklenburg Government Center on Wednesday, June 4, 2003 at 5:00 P.M.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners Dumont Clarke, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent:  Commissioners H. Parks Helms and Bill James

Commissioners Puckett and Woodard were absent when the meeting was called to order and until noted in the minutes.

FY04 BUDGET DELIBERATIONS

The meeting was called to order by Chairman Cox. Chairman Cox stated that the purpose of the meeting was to begin FY04 budget deliberations.

Prior to the start of the presentations, County Manager Jones and Budget Director Matt Williams reviewed handouts regarding 1) Budget Summary by Service Area Comparison of FY04 Budget Options to FY03 Amended Budget (County Dollars Only) 2) Quick Facts on Medicaid 3) Follow-up Budget Information per the request of Commissioner James 4) Follow-up Information on Longevity per the request of Commissioner Samuelson 5) FY04-05 Extended Forecast information, and 6) Choice Matrix Department/Program and Focus Area information.

Commissioner Puckett entered the meeting during this time.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Budget Information Request

Commissioner Clarke asked staff to amend the handout distributed which outlined budget information in a different format based on a request from Commissioner James, and to prepare a version that includes the .78 cents tax rate proposal.
Commissioner Samuelson addressed longevity pay. In summary, she stated that she would like to see longevity pay frozen for employees currently receiving it, eliminated for new employees, and that the County go strictly to merit based pay which would be tied to the Balanced Scorecard. She said that part of the rationale for not including salary increases in the rollback budget proposal was because the Balanced Scorecard had not been taken down far enough in the organization in order to base merit increases on; but that perhaps in another year everything would be in place to fully implement the Balanced Scorecard. The other reason was based on information received per her research, which indicated private sector raises were averaging one percent to three percent. She noted that County employees received three percent in the FY03 budget, which would be equivalent to receiving 1.5 percent in FY03 and 1.5 percent in FY04. She noted also that in the private sector employees contribute to their medical insurance and that County employees do not.

County Manager Jones in response to a question raised by Commissioner Samuelson on whether it was legally possible to eliminate longevity pay, noted that per an opinion from County Attorney Marvin Bethune, it would be possible for newly hired employees, but for employees with fewer than 10 years of service and those receiving it, it would pose some legal questions.

Manager Jones also noted that the City of Charlotte eliminated its longevity pay in the 80’s and came back in the 90’s and froze the amount for those that had been grandfathered.

Commissioners Clarke, Mitchell, and Woodard expressed their support for salary increases in the FY04 budget.

Commissioner Clarke asked that it be included in the record that although statements were made indicating that employers were not providing pay increases, that this was not true, employers were providing increases in pay to their employees. He stated also that it should be kept in mind that County employees pay for dependent coverage, which will be increasing because of rising health costs. He stated that if the Board used the new half-cent sales tax, that’s now available, for the purpose which it was intended then there would be funds available for salary increases.

Commissioner Woodard stated that it was not fair to place more work on existing staff due to reductions and not provide for salary increases. She said that this would cause morale problems.

Chairman Cox stated that perhaps consideration needed to be given to having the County’s benefits more like market so that salaries can be more like market, with the expectation of receiving market performance.

Commissioner Clarke said he would like to see a study done of the County’s benefits in comparison to other comparable employers.

Commissioner Puckett said he would like to see a market analysis on compensation.

County Manager Jones noted that the City of Charlotte and other counties and cities within the region were looked at by staff when conducting its analysis of benefits and compensation. He noted further that County employees received a 3% salary increase this FY, however, it was applied on employees’ anniversary dates, unlike City of Charlotte employees who received their 3% on July 1st.

County Manager Jones said that because of this, many employees found themselves in the hole because of increases in health care insurance effective January 1, 2003, however, they did not receive their three percent until after this date.

He noted that employees were mandated by the State to participate in the State retirement system and that 6% is deducted out their pay.

County Manager Jones said his recommendation for salary increases was not done in a vacuum that he checked with his colleagues around the State.
County Manager Jones said an analysis could be done of compensation, benefits, and productivity, however, the Board would need to set aside somewhere between $300-$500,000 to get it done.

Chairman Cox noted that he would want the analysis to include the public and private sector.

Commissioner Puckett suggested that perhaps this was something that needed to go to the Effective and Efficient Government Committee.

Chairman Cox asked for a breakdown of the County Manager’s recommended budget for employee compensation, specifically the 401K/457 amount and reimplement of merit pay; also the amount for health insurance cost.

County Manager Jones responded and said the 401K and 457 costs was about $567,000, merit pay cost about $5.8 million, and the increase cost in health care about $5.8 million.

**Outside Agencies**

The Board then discussed how to proceed as it related to the review of Outside Agencies.

Chairman Cox noted that the “value proposition” of these agencies needed to be visible to the Board.

County Manager Jones noted that in his recommended budget there were only three Outside Agencies that received funding in FY03 but were not being recommended for funding in FY04, HOPE Worldwide, Stop the Killing Crusade, and Alternative To Drug via Empowerment (ADE). He said there were only four outside agencies that he recommended reduced funding for. All of the other Outside Agencies were being recommended for continuation funding.

County Manager Jones reminded the Board that he had previously informed them that this would be a tough budget year and that there would be no “sacred cows;” that everyone, including Outside Agencies, would have to share the pain of balancing the budget. He said this was necessary for the additional $25 million that was needed in order to get to the tax rate the Board requested.

Chairman Cox said the Board had to decide whether it wanted to fund Outside Agencies at the County Manager’s recommended level or at a different level, which meant choices would have to be made.

*It was the consensus of the Board to allow the Chairman and the County Manager to meet and develop a process and starting point for dealing with the outside agencies.*

**The Board took a break at 7:40 p.m. and reconvened at 7:50 p.m.**

Chairman Cox announced that the Board would review Outside Agencies next Wednesday night.

Commissioner Ramirez asked the Chairman and the County Manager to also take into consideration the proposed rollback budget proposal as a starting point for further deliberations.

The Board then reviewed the following departments:

**District Attorney’s Office**

**Courts**

**Historic Landmarks**

**Library**

District Attorney Peter Gilchrist addressed the needs of the courts. He, specifically, addressed four attorneys out of the Police department that were paid through federal grant funds. Attorney Gilchrist noted that the funding for these four attorneys was scheduled to end in January 2004. He said that $115,888 was needed to fund these attorneys for the remaining of the year. He said that the work of these attorneys along with eight others involves the processing of domestic violence cases, DWI
cases, motor vehicle cases, and misdemeanor larcenies, etc. The full year funding would be about $278,131.

Peter Cook, Director of Court Services addressed the benefits of the Criminal Justice Information System (CJIS). He also addressed the Court Clubhouse.

Chairman Cox noted during the discussion of CJIS that he had spoken with Congressional Representative Sue Myrick who indicated her support of the CJIS project.

Dan Morrill, Director of Historic Landmarks addressed their request.

Carol Myers, Interim Library Director addressed Library budget reductions.

- **Public Library - $1,293,339** This reduction closes the following branch libraries:
  - Myers Park ($233,915, 5 filled positions)
  - Cornelius ($202,986, 4 filled positions)
  - Belmont Center ($106,630, 2 filled positions)
  - Carmel ($324,216, 7 filled positions)
  - North Park ($203,383, 4 filled positions)
  - Hickory Grove ($222,209, 6 filled positions).

Chairman Cox proposed having a joint meeting with the Library Board of Trustees later in the year perhaps some time after Labor Day. The purpose of the meeting would be to talk strategically about the Library and its three-year future and 10-year planning horizon.

Commissioner Clarke suggested that the meeting be held once a permanent director was hired.

Commissioner Ramirez asked Ms. Myers to consider placing computers in Senior Centers to allow seniors to check-out books via the internet.

**Tax Collection**

The Board discussed briefly the tax collection rate.

Chairman Cox asked about land foreclosures as a method of tax collection.

County Finance Director Harry Weatherly stated that the larger counties, to his knowledge, do not do much in the area of foreclosures. He said one of the reasons the County doesn’t do a lot of foreclosures was because upon doing this the County then becomes responsible for the maintenance of the property. He stated that what the County tries to do is find a buyer for the property and sell directly to the buyer with the taxes coming off the top. He stated that the County has increased its efforts in this area over the past few years.

He also noted that the percentage of collection for this year was very similar to where the County was last year.

Chairman Cox asked about the $2 million difference.

Deputy County Manager Russ Crider noted that the tax rate the County uses is the full year back. He said that in the full year back U.S. Airways went into bankruptcy and did not pay their taxes. He noted that the taxes were still owed and would be collected in what was going to be a “prior year” collection.

Chairman Cox asked was it correct then that the tax collection rate for FY04 was based on the tax collection rate for FY02? The response was yes.

County Finance Director Weatherly stated that there had been an increase in the percentage through May in the taxes collected on vehicles and that it was in the 80-83% range.
Finance Department

Per a question raised by Commissioner Samuelson, Finance Director Weatherly addressed elimination of a Systems Administrator position in the Finance department. He noted that the person in this position has primarily been working on the implementation of the Human Resources Payroll System. Also, that the person in this position would be retiring and tasks shifted to other positions. Director Weatherly stated that he would like to keep the position but because of budget circumstances, he has chosen to eliminate it versus others in the department.

This concluded the agenda.

Chairman Cox announced that at the next budget workshop, June 5, 2003, the Board would review those departments that reported directly to the County Manager.

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Mitchell, Puckett, Samuelson, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be recessed until June 5, 2003 at 5:00 p.m. The meeting was recessed at 9:20 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Thursday, June 5, 2003 at 5:00 P.M.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioner H. Parks Helms

Commissioner Puckett was absent when the meeting was called to order and until noted in the Minutes.

FY04 BUDGET DELIBERATIONS

The meeting was called to order by Chairman Cox. The purpose of the meeting was to continue FY04 budget deliberations with the focus being on departments impacted by the proposed “full rollback” budget.

Note: FULL ROLLBACK (Revenue Neutral + Growth – Half-Cent Sales Tax)
This budget option would reduce the property tax rate to a level that would reduce revenue equivalent to the amount of anticipated revenue received in FY04 from the half-cent sales tax levied in January 2003. It is estimated this half-cent sales tax will generate $25 million in FY04 revenue for Mecklenburg County. Reducing the Recommended Budget by $25 million would require a $25 million reduction in appropriations and services from the Recommended Budget.

This budget option would be funded by $730,502,886 million in county dollars and requires a property tax rate of 73.74 cents per $100 valuation, a 10.23-cents reduction from the FY03 tax rate and a 3.11-cents reduction from the Recommended Budget.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Prior to the start of the presentations, Chairman Cox stated that per his meeting with County Manager Jones and his staff, the decision was made to use the County Manager’s recommended budget as the starting point for the decision making deliberations. Also, that the Board may take preliminary votes on Tuesday, June 10, 2003 with the final votes being taken on Thursday, June 12, 2003.
The Board heard from the following departments regarding reductions that would occur under the “full rollback” option:

*It was noted that with the exception of the elimination of entire departments, these reductions represent the lowest funding priorities identified by the respective County department when considering the department’s mission and the County’s core responsibilities. The elimination of departments was based on its priority and consistency with the County’s core responsibilities.*

**County Services:** Total reductions = $14.4 million

It was noted by County Manager Jones that in his recommended budget the Veterans Services Department is not eliminated, it’s only being recommended for elimination in the “full rollback” budget option. He noted that this was a hard decision, especially being the son of a 30-year military man, however, when he reviewed what the County’s core services were or mandated responsibilities the provision of this service, although worthy, did not meet the criteria.

- **Veterans Services** – $409,837   The Veterans Services Department is eliminated, with 8 filled full-time positions cut.

The reduction and questions were addressed by Robert Weeks, Director of Veteran Services. He also addressed the department’s service value to the community.

**Commissioner Puckett entered the meeting during this time.**

**Questions:**

**Commissioner Samuelson** asked the following:

1. Do other counties have a Department of Veteran Services? Response: Yes, about 86-87 other N. C. counties.
2. Does the Department serve Mecklenburg County residents only? Response: No. All veterans are served regardless of where they reside.
3. Are the positions within the Department specialized? Response: Everyone is basically cross-trained.

**Chairman Cox** asked the following:

1. Where would veterans in Mecklenburg County go to receive services if the County’s Office was eliminated? Response: Veterans would have to go to another County or do without services.

**Commissioner Clarke** asked if the federal government provided the types of services to veterans that the County does? Are there offices throughout the states and if not, why not? Response: The answer as to why access to these types services is not provided more readily is unknown. It is known, however, that services of this nature are not provided at the level that the County provides.

**Commissioner James** asked the following:

1. How many veterans were there in Mecklenburg County? Response: There are 57,571 veterans in Mecklenburg County.
2. How many contacts or requests for services were received last year? Response: There were over 100,000 phone calls, 860 medical claims, 2,772 other claims, 124 educational claims, 134 home loans, and 36 insurance claims.
3. How many of the clients seen were from outside of Mecklenburg County? Response: This information would be provided at a later date.
4. Can non-county residents be charged a fee for utilizing the services provided by Mecklenburg County? Response: It’s believed charging a fee of this nature is prohibited by law.

Commissioner James asked that the fee issue be verified, as well as the percentage of those
clients seen that were not residents of Mecklenburg County.

Commissioner Mitchell inquired about the Regional Veterans Services office in Winston-Salem. Response: The office in Winston-Salem does not assist with claim preparation in the same manner as Mecklenburg County.

Commissioner Mitchell stated his support of keeping the Veteran Services Department open.

Commissioner Woodard asked how many veterans were going to Social Services for assistance? Response: The Department does not track that type of data.

Chairman Cox noted that perhaps at some point in time consideration should be given to forming an association comprising of offices from other counties for the purpose of creating a regional office in Mecklenburg County.

Commissioner Puckett stated his support of the Veteran Services Department. He noted that he would not be supportive of a regional office. He feels residents of a county should not have to go outside of their county for services.

- **Park & Recreation - $165,676**  Reduction:
  - $165,676 to eliminate 32 Rayfest events, the summer jazz series, and the Asian and Latin-Caribbean cultural festivals

Reductions and questions were addressed by Wayne Weston, Director of Park and Recreation.

Questions:

Chairman Cox asked for the number of events provided and the County’s funding percentage?

Response: There are 32 Rayfest events, six ethnic festivals, and ten jazz series concerts. Most of the events are sponsored jointly by Park and Recreation and some other group with the County paying 50% of the cost.

Commissioner Mitchell said the events sponsored by Park and Recreation add to the quality of life.

Commissioner James said he felt the County should not be in the entertainment business because it was not a core business of the County.

Commissioner Ramirez asked about RAYFEST. Response: It was explained that RAYFEST were neighborhood festivals, provided to benefit those families that don’t have the ability to go to for example Carowinds or major events at the Coliseum.

- **Social Services - $1,352,084**  Reductions:
  - $168,991 to eliminate all overtime for the department
  - $75,000 to eliminate all funding for YMCA Strengthening Families Grant
  - $448,659 increase in non-County revenues
  - $139,640 close the Senior Nutrition kitchens and outsource all food preparation (5 filled full-time positions)
  - $30,000 reduction in veteran’s transportation
  - $76,407 reduction in General Assistance offered through Crisis Assistance Ministries
  - $105,000 reduction in the In-Home Aide program
  - $208,785 to eliminate the Charlotte East office community site
  - $29,846 to outsource one vacant In-Home Aide position
  - $39,977 to eliminate a vacant ESD Associate Director position
$29,779 to eliminate a vacant Applications Specialist position. Reductions and questions were addressed by Richard “Jake” Jacobsen, Director of Social Services.

Questions:

Commissioner Samuelson asked for clarification regarding the $448,659 increase in non-County revenues, which was given.

Commissioner James asked for clarification regarding United Way 2-1-1, which was given.

Commissioner Ramirez left the meeting at this time and was absent for the remainder of the meeting.

Commissioner Clarke asked how would not receiving a salary increase affect employee morale? Response: This would not go over well with employees at all. It was noted that the County needs to be competitive.

- **Area Mental Health – $1,515,819**  Full Rollback would cut the following:
  - $1,000,000 reduction for residential placement of children or adolescents
  - $400,000 cut to eliminate an emergency, after-hours call center
  - $65,000 contract reduction for adult client housing
  - $50,819 reduction for adult substance abuse services.

  Reductions and questions were addressed by Grayce Crockett, Director of Area Mental Health.

Commissioner Mitchell asked about the elimination of the emergency after-hours call center. Response: It was clarified that this was not an elimination, but rather the $400,000 were funds that staff was able to identify in its target budget in order to develop that service.

- **County Manager’s Office – $92,858**  Eliminate federal legislative contract.

  The reduction and questions were addressed by County Manager Jones.

Questions:

Commissioner Samuelson asked if $25,000 was enough for a legislative contract? Response: Yes. It was noted also that this was a good starting point and that staff would be going through an evaluation process.

Commissioner Mitchell asked how much revenue had been received in the County as a result of the efforts of the Ferguson Group? Response: This information would be provided.

- **Sheriff’s Office - $1,074,888**  Reductions:
  - $369,272 to close the Gatling Juvenile Detention Facility (27 filled full-time positions, 4 vacant full-time positions)
  - $613,382 to close the Work Release & Restitution Center Unit 2 (13 filled full-time positions)
  - $42,234 to eliminate the Think First program
  - $50,000 reduction for employee education reimbursements.

  Reductions and questions were addressed by Sheriff Jim Pendergraph and Rachael Vanhoy of the Sheriff’s Office. Sheriff Pendergraph also addressed salaries and support for salary increases. He stated that the County needs to remain competitive.
Questions:

Commissioner Clarke requested cost vs. benefits information as it relates to the possible closing of the Gatling Center and the increase in population over time.

- **Court Services - $118,416**  
  $100,000 cut to eliminate the Court Clubhouse, and a $18,416 contract reduction for a bond forfeiture attorney.
  
  Peter Cook, Director of Court Services addressed the contract reduction for a bond forfeiture attorney. It was noted that the Court Clubhouse was addressed at the June 4th budget workshop.
  
  Commissioner Puckett asked if Charlotte-Mecklenburg Schools could fund the Bond Forfeiture Attorney since the Schools receive the forfeitures? Response: This is unknown and has never been considered.

- **Elections - $140,000**  
  Does not allow the expansion of Early Voting to additional locations.
  
  Reduction and questions were addressed by Michael Dickerson, Director of Elections. It was clarified that in order to continue “early voting” at the various locations that currently exist, the $140,000, which would be eliminated in the “full roll back” budget would need to be kept.

- **Emergency Medical Services - $100,000**  
  Reduced County subsidy of Emergency Medical Services Agency.
  
  The Reduction and questions were addressed by Joe Penner, Director of Medic.

- **Finance - $64,208**  
 Eliminates a Systems Administrator position effective October 2003.
  
  This reduction was addressed by Finance Director Harry Weatherly at the June 4th budget workshop.

- **General Services - $164,603**  
  Reductions:
  
  o $60,000 for building maintenance  
  o $29,950 in contract reductions for major vehicle maintenance and security monitoring  
  o $23,000 for uniforms and safety equipment  
  o $10,570 for radio and equipment replacement  
  o $41,083 reductions in various operational accounts.
  
  Reductions and questions were addressed by Leon Miller, Director of General Services.

*Chairman Cox left the meeting during Mr. Miller’s presentation and was away until noted in the minutes. The gavel was passed to Commissioner Samuelson, who presided until noted in the minutes.*

Questions:

Commissioner Puckett asked what was the total budget for maintenance and the total square footage? Response: Total budget $5,449,474 / Total square footage 1,200,000
• Historic Landmarks Commission – $1,554,000 All funding for Historic Landmarks is eliminated, saving $54,000. In addition, ceasing this activity frees $1,500,000 in bond proceeds that can be applied toward general debt service.

This reduction was addressed by Dan Morrill, Director of the Historic Landmarks Commission at the June 4th budget workshop.

Commissioner Samuelson, however, did ask if the $1.5 million bond money that had been sold was it land banking bond money or historic landmarks bond money? Response: It was Historic Landmarks bond money.

Commissioner Samuelson also asked was it possible to restore Historic Landmarks at $54,000 and hold out the $1.5 million and use it for debt service? Response: The $54,000 pays the contractual salary for the Director and $1.5 million would be a reduction in their revolving fund.

Commissioner Puckett asked if the $1.5 million had been earmarked for specific projects? Response: It has been earmarked, however, firm commitments have not been received for all of the projects.

• Human Resources - $140,000 Reduces compensation and benefit consulting contracts by $125,000, and recruitment investigations by $5,000. The change also increases by $10,000 the fees paid by outside agencies for the County to administer benefit plans on their behalf.

Reductions and questions were addressed by Susan Hutchins, Director of Human Resources.

• Women’s Commission - $352,968 Reductions:
  o $16,782 in contracted services
  o $29,150 in operational budget reductions
  o $32,814 for a vacant full-time Administrative Secretary position
  o $42,032 for a filled full-time Case Coordinator position
  o $46,672 for a filled full-time Social Worker position
  o $22,624 for a filled part-time Social Worker position
  o $29,846 for a filled full-time Social Work Assistant position
  o $50,478 for a filled full-time Information/Education Coordinator position
  o $38,416 for a filled full-time Domestic Violence Specialist position
  o $44,154 for two filled part-time Social Work Assistant positions

Reductions and questions were addressed by Pat Grigg, Director of the Women’s Commission.

• Information Services & Technology - $145,720 The Full Rollback budget eliminates $108,000 for system intrusion detection, and $37,720 for contracted database assistance.

Reductions and questions were addressed by Jerry Pinkard, Director of Information Services and Technology.

Commissioner Mitchell asked if hackers had attacked or attempted to attack the County’s information system? Response: Yes, but nothing that has been terribly damaging. It has occurred internally and externally. It was noted that overall the County’s system was pretty secure, however, the County doesn’t have an easy way of detecting hackers in advance.

In response to questions and comments made regarding how important these two IST matters were, County Manager Jones stated that he was dismayed because it was the department that decided which items it would put up for reduction.
Land Use & Environmental Services - $376,400
- $45,000 to eliminate future updates to the building footprint layer of the GIS database
- $19,025 to restructure an administrative position
- $312,375 reduction in Volunteer Fire Departments funding (subsidy amount per department falls to $50,145 from the current $67,500).

Reductions and questions were addressed by Cary Saul, Director of Land Use and Environmental Services. Don Willard, Deputy Director of Environmental Protection addressed the Air Quality division, per questions raised by Commissioner Clarke.

Chairman Cox returned to the meeting and resumed chairing the meeting.

Non-Departmental - $563,925
- $500,000 in funding for the economic development
- $17,924 in salary equity adjustments

These reductions were addressed at the at the June 4th budget workshop.

Park & Recreation - $693,032
- $491,988 to eliminate all general summer day camp programs, special needs summer day camps programs, and the Greenville Pool (223 temporary positions)
- $59,386 for 2 full-time customer service and reservations positions (1 filled full-time position)
- $141,658 to eliminate summer seasonal inner city neighborhood service contracts

Reductions and questions were addressed by Wayne Weston, Director of Park and Recreation.

Commissioner Woodard asked how important were the summer camps? Response: A lot of churches and neighborhood groups are now sponsoring camps.

Commissioner Puckett left the meeting at this time and was absent for the remainder of the meeting.

Public Health - $206,381
Eliminates Project HOPE program, an abstinence-based pregnancy prevention program for at-risk teens.

The reduction and questions were addressed by Peter Safir, Health Director. Mr. Safir also distributed a handout regarding Fighting Back.

Public Library - $1,293,339
This reduction closes the following branch libraries:
- Myers Park ($233,915, 5 filled positions)
- Cornelius ($202,986, 4 filled positions)
- Belmont Center ($106,630, 2 filled positions)
- Carmel ($324,216, 7 filled positions)
- North Park ($203,383, 4 filled positions)
- Hickory Grove ($222,209, 6 filled positions).

These reductions were addressed by Carol Myers, Interim Library Director at the at the June 4th budget workshop.

Public Service & Information - $51,851
- $40,000 for the Mecklenburg Matters monthly water bill inserts newsletters
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- $8,000 for the A-to-Z County Services brochure
- $3,851 for various public awareness projects

Reductions and questions were addressed by Danny Diehl, Director of Public Service and Information.

- **Register of Deeds - $100,000** Reduction in staff overtime as a result of reducing operating hours for the Register of Deeds Office.

The reduction and questions were addressed by Judy Gibson, Register of Deeds.

- **Tax Collection - $63,684** Reductions:
  - $27,778 for a filled Customer Service Specialist.
  - $35,906 for a filled Office Assistant IV.

Reductions and questions were addressed by Neal Dixon, Director of Collections.

This concluded the agenda.

Prior to the close of the meeting, County Manager Jones noted that Community Development was not included in any of the budget scenarios. He stated that his reason for eliminating the County’s Community Development Program was because he was concerned about the effectiveness of the management of the program. He feels that the County will still have the capacity to provide some community development and housing related programs through contractual arrangements through the City and the Housing Consortium, which is already in place.

Also prior to the close, County Manager Jones, General Manager John McGillicuddy, and Budget Director Matt Williams then reviewed handouts that were distributed to the Board concerning: 1) Employee Compensation, Benefits and Performance 2) Bond-Funded Positions 3) Follow-up Budget Information per Commissioner Clarke’s request and 4) a revised Outside Agency Funding Comparison of Recommended and Rollback Budget Funding.

There being no further business to come before the Board, Chairman Cox declared the meeting recessed until June 10, 2003 at 3:00 p.m. The meeting was recessed at 8:37 P.M.

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Janice S. Paige, Clerk   Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special/Budget/Public Policy Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center at 3:00 p.m. on Tuesday, June 10, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioner H. Parks Helms

Commissioners Clarke and Woodard were absent when the meeting was called to order and until noted in the minutes.

FY04 BUDGET DELIBERATIONS

The meeting was called to order by Chairman Cox. Chairman Cox stated that the purpose of the meeting was to continue FY04 budget deliberations.

Prior to the start of the meeting, Chairman Cox noted that Charlotte-Mecklenburg Schools (CMS) requested to appear before the Board at the June 11th budget workshop. There was no objection to the request. Chairman Cox stated that CMS would be allowed 10 minutes to make their presentation.

Commissioner Clarke entered the meeting.

(1) CHARLOTTE-MECKLENBURG SCHOOLS PLANNED MAINTENANCE

Commissioner James addressed placing a portion of Charlotte-Mecklenburg Schools’ (CMS) funding into a restricted contingency for maintenance expenses. He stated that the Board’s Effective and Efficient Government Committee voted to recommend to the Board that it discuss options for setting aside funding provided to CMS for facility maintenance to ensure it is used solely for this purpose. He said that what the Board would be doing is asking CMS to separate maintenance cost from its operating cost and place it into a separate account. He concluded by saying the question before the Board was, does the Board want to ask this question of CMS?

Commissioner Woodard entered the meeting.

Commissioner James acknowledged the fact that the County could not mandate that the Schools do this. He suggested that perhaps this matter should be discussed by the School Liaison Committee.

Comments

Commissioner Samuelson asked about the possibility of the County setting its facility maintenance funds aside. Commissioner James responded and said that it should not be a problem for the County to do this, if this was the will of the Board.
Chairman Cox asked what alternatives were available to the County if the Schools refuse to agree with this proposal? Commissioner James said the County would have to provide some type of incentive to the Schools.

Chairman Cox concurred with Commissioner James’ earlier comment that the matter be referred to the School Liaison Committee for further discussion.

Commissioner Puckett suggested reducing School funding by 10% if they refuse to accept this proposal.

Attorney Bethune addressed statutes pertaining to school funding and what Boards of County Commissioners can and cannot do as it relates to the allocation of funds to schools. It was noted that the Board cannot restrict the use of funds allocated to Schools.

Attorney Bethune noted, however, that the Board could seek legislative authority in order to control certain school appropriations. He used as an example, that the Board could obtain authority requiring that the schools break out their maintenance cost in order to make sure that maintenance funds are not decreased and that any decrease would require County Commission approval.

Attorney Bethune suggested that this may be something the Board would want to discuss with the North Carolina Association, to see if other counties are experiencing similar problems when it comes to school maintenance.

(Supplemental Audit)

Commissioner James noted that the County and CMS have the same auditors, Deloitte & Touche. He stated further that he would like to have an audit of CMS’s function and/or sub function codes statement. He said the cost would be somewhere between $20,000 - $50,000. He stated that this would be a supplemental audit and would allow the County to have a record of CMS spending. He suggested that perhaps this matter should also be discussed by the School Liaison Committee and/or the County’s Audit Review Committee.

It was the consensus of the Board that these matters be referred to the School Liaison Committee.

(2) SWAPS/REFUNDING DEBT SERVICE SAVINGS

Finance Director Harry Weatherly discussed techniques which staff feels will result in some lessening on the County’s budget of debt service, not just for next year but future years.

The following are his remarks:

Staff has attempted over time in issuing debt, to lessen the cost to the County by using variable rate and also, when appropriate, refund debt, meaning to refinance the County’s debt through advance refunding and other refundings. Those techniques normally work very well; however, currently most of the investment markets are very, very low and as a result someone could make the issue that now is the time to refinance some of the County’s debt.

To make refundings in the municipal market work, requires the County to put any bond issue in escrow and earn interest on that bond issue to pay off the old debt. Per most of the projections and analysis seen from bankers recently in using advanced refunding, the County can’t earn enough interest to pay off the old debt. It’s not economically feasible to do that. There are other options in the municipal market place or making its way into the municipal market place that at least initially provides or could provide some benefit to the County. They are called “SWAPS” and “Future Refundings.”
Using “SWAPS,” the County would take some of its variable rate and “swap” it out through a transaction with a bank to a low fixed rate; then in January when the County is scheduled to sell again, it would not sell that portion of fixed but sell a larger portion of variable. The “Swap” market place a month ago, had a rate that the County could have sold 3.26. An e-mail was received from a bank today (June 10th) that it’s down to 2.06.

The “SWAP” market is a different market then whenever the County sells its municipal bonds. The “SWAP” market, in most situations, over the last several years in particularly, carries a lesser interest rate. So, the County would pay a higher interest from now until January on that “SWAP” but then pay lower in the future on its fixed rate.

Director Weatherly said it does work and that the state of N. C. is using this instrument, and most of the larger cities and counties have either used or are considering using this sort of transaction. It’s a proven technique. It has potential for saving over time.

“Forward Refunding” – using this the County would enter into an agreement today with a bank to refund some of its debt, when we can refund it, and at a call date three years from now. The arrangement is such that County would receive an upfront check from the bank, as much as $4 - $6 million. It would be the County’s money, today. The Local Government Commission requirement is that the money be used for capital, either debt service or out-of-pocket pay-as-you-go capital.

There are some risks involved and that risk is that three years from now, the effectiveness of that refunding and the cost of that refunding.

It was noted that these transaction were very, very complicated.

Director Weatherly said that the Local Government Commission requires counties to have a “SWAP” advisor and that Public Resource Advisory Group (PRAG), the County’s current financial advisor would qualify to be a “SWAP” advisor.

Director Weatherly said a complete economic analysis of all of these type transactions would have to be done in order to see what is the best interest economically for the County.

He stated that where the market is today in the “SWAP” market, the County needs to move to take advantage of that and over time even in next year’s budget, particularly, to take advantage of some cost savings in its debt service.

Comments

Commissioner Samuelson

Is “SWAP” and “forward refunding” two separate transactions and can both be done?

Response: Yes. They are two separate transactions. It’s felt that both could be done but advice would have to be sought from our financial advisor.

Is the only risk with the “SWAP” transaction is if the market rates go down on fixed bonds; as long as they go up or stay the same the county is fine?

Response: Yes, that’s correct.

Requested clarification on “forward refunding.”

Response: The County would enter into an agreement today with a bank to refund some of its debt, when the County can refund it and at a call date three years from now. The arrangement is such that the County would get an upfront check from the bank, as much as $4 - $6 million. The bank in three years has the right not to refund. If they don’t refund it’s advantageous for the
County to hold on to the bonds at that rate because the market has gone away from where the bank thought it was going to be. The County doesn’t lose anything. The County still keeps its money.

What’s the biggest risk?

Response: The biggest risk is that the bank decides yes, it’s advantageous for the bank to do the refunding in three years and there’s an added cost to the county. The County has to estimate what the cost of the refunding will be three years from now.

The County has to narrow down the cost and get as many of those costs settled the day when the transaction is done. It may be ranges or parameters. So that there are no surprises in three years when the bank goes with the refunding.

Is it not true that the risk with the “SWAP” is a little more known than with the “forward refunding”?

Response: Yes because “SWAP” nails down the interest rate for the term but does not give us that much cash up front.

How much would it cost the county the next six months above our current budget?

Response: The numbers have not been run yet, however, it would probably be in the budget numbers already because the County has to budget its variable.

Commissioner Clarke

Does the local government commission have final approval?

Response: Yes.

*It was the consensus of the Board that staff proceed with further analysis of this matter and report back to the Board, along with the financial advisor at a later date.*

### (3) OUTSIDE AGENCIES

Chairman Cox asked on each of the following Outside Agencies for a show of hands to 1) determine which agencies the Board would like to invite to appear at the June 11th budget workshop. 2) To affirm, at a minimum, the County Manager’s recommended funding for a particular agency. He stated that if a majority of the Board supports the County Manager’s recommendation, then that particular agency would not be asked to attend, only those that receive less than a majority.

**ADE-ALTERNATIVE TO DRUG VIA EMPOWERMENT**

The Board voted unanimously to affirm the Manager's funding recommendation of zero for Alternative To Drug Via Empowerment. It was noted that this agency did not request funding.

**ENERGY COMMITTED TO OFFENDERS**

There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for Energy Committed to Offenders, Commissioners Clarke, Mitchell, and Woodard.

**HOPE WORLDWIDE-NORTH CAROLINA**
The Board voted unanimously to affirm the Manager’s recommended funding of zero for Hope WorldWide-North Carolina. It was noted that this agency did not request funding.

**LEGAL SERVICES OF SOUTHERN PIEDMONT**

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Legal Services of Southern Piedmont, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

**MECKLENBURG COUNCIL ON ADOLESCENT PREGNANCY**

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Mecklenburg Council On Adolescent Pregnancy, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

**MECKLENBURG SENTENCING SERVICES**

There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for Mecklenburg Sentencing Services, Commissioners Clarke, Mitchell, and Woodard.

**MEDASSIST OF MECKLENBURG**

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for MedAssist.

**METROLINA AIDS PROJECT, INC.**

There were 5 votes to affirm at a minimum, the Manager’s recommended funding for Metrolina Aids Project, Inc., Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

**ROOM AT THE INN**

This matter was not voted upon. It was noted by Commissioner James that this was a new request, for which he would be requesting $15,000.

**STOP THE KILLING (THE CRUSADE)**

The Board voted unanimously to affirm the Manager’s funding recommendation of zero for Stop The Killing.

**THE HOUSE OF GRACE, INC.**

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for The House of Grace, Commissioners Clarke, Cox, Mitchell, and Woodard.

**UFS-SHELTER FOR BATTERED WOMEN**

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for the Shelter for Battered Women, Commissioners Clarke, Cox, Mitchell, and Woodard.

**CHARLOTTE AREA FUND**
There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for the Charlotte Area Fund, Commissioners Clarke, Mitchell, and Woodard.

**CHARLOTTE EMERGENCY HOUSING, INC**

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for Charlotte Emergency Housing, Inc.

**CHARLOTTE MECKLENBURG WORKFORCE DEVELOPMENT**

The Board voted unanimously to affirm the Manager’s funding recommendation of zero for Charlotte Mecklenburg Workforce Development.

**CHARLOTTE REGIONAL PARTNERSHIP**

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Charlotte Regional Partnership, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

**CHARLOTTE-MECKLENBURG COUNCIL ON AGING**

There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for the Charlotte-Mecklenburg Council On Aging, Commissioners Clarke, Mitchell, and Woodard.

**CHARLOTTE-MECKLENBURG DEVELOPMENT CORP.**

The Board voted unanimously to affirm the Manager's funding recommendation of zero for the Charlotte-Mecklenburg Development Corp.

**CHARLOTTE-MECKLENBURG HOUSING PARTNER, INC.**

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for Charlotte-Mecklenburg Housing Partner, Inc., Commissioners Clarke, Mitchell, Ramirez, and Woodard.

**CHARLOTTE-MECKLENBURG SENIOR CENTERS**

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for Charlotte-Mecklenburg Senior Centers, Commissioners Clarke, Mitchell, Ramirez, and Woodard.

**COMMUNITIES IN SCHOOLS**

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for Communities In Schools.

**COMMUNITY BUILDING INITIATIVE**

There were 6 votes to affirm, at a minimum, the Manager’s recommended funding for the Community Building Initiative, Commissioners Clarke, Cox, Mitchell, Ramirez, Samuelsen, and Woodard.
There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for Comprehensive Genealogical Services, Commissioners Clarke, Mitchell, and Woodard.

GREATER ENRICHMENT (FORMERLY GETHSEMANE)

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for Greater Enrichment (Formerly Gethsemane).

HOPE (HELPING OTHERS PRODUCE & EXCEL) No Action Taken.

LATIN AMERICAN COALITION

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for The Latin American Coalition, Commissioners Clarke, Mitchell, Ramirez, and Woodard.

NCCJ-ANYTOWN YOUTH PROGRAM

There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for NCCJ-Anytown Youth Program, Commissioners Clarke, Mitchell, and Woodard.

PARTNERS IN OUT OF SCHOOL TIME (POST)

The Board voted unanimously to affirm the Manager's funding recommendation of zero for Partners in Out of School Time.

PROGRAMMA ESPERANZA

There were 7 votes to affirm, at a minimum, the Manager’s recommended funding for Programma Esperanza, Commissioners Clarke, Cox, James, Mitchell, Ramirez, Samuelson, and Woodard.

SALVATION ARMY-WOMEN'S, CHILDREN'S FAMILY SHELTER

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for the Salvation Army-Women's, Children's Family Shelter.

UNITED WAY 2-1-1 (FORMERLY INFORMATION & REFERRAL)

There were 3 votes to affirm, at a minimum, the Manager’s recommended funding for UNITED WAY 2-1-1, Commissioners Clarke, Mitchell, and Woodard.

UPTOWN SHELTER-GEORGE SHINN

There were 7 votes to affirm, at a minimum, the Manager’s recommended funding for Uptown Shelter, Commissioners Clarke, Cox, Mitchell, James, Ramirez, Samuelson, and Woodard.
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YMCA OF GREATER CHARLOTTE (FRMRLY SUCCESS BY SIX)

There were 7 votes to affirm, at a minimum, the Manager’s recommended funding for Uptown Shelter, Commissioners Clarke, Cox, Mitchell, Puckett, Ramirez, Samuelson, and Woodard.

CATAWBA LANDS CONSERVANCY

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for the Catawba Lands Conservancy, Commissioners Clarke, Cox, Mitchell, Puckett, and Woodard.

CATAWBA VALLEY SCOTTISH SOCIETY

There were 7 votes to affirm, at a minimum, the Manager’s recommended funding for the Catawba Valley Scottish Society, Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard.

DISCOVERY PLACE

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Discovery Place, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

LATTA PLACE

There were 4 votes to affirm, at a minimum, the Manager’s recommended funding for Latta Place, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

VOICES & CHOICES OF THE CENTRAL CAROLINAS

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Voices & Choices, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

ADVANTAGE CAROLINA

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for Advantage Carolina, Commissioners Clarke, Cox, Mitchell, Samuelson, and Woodard.

ARTS & SCIENCE COUNCIL

There were 5 votes to affirm, at a minimum, the Manager’s recommended funding for the Arts and Science Council, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

PERFORMING ARTS CENTER

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for the Performing Arts Center.

LAKE NORMAN MARINE COMMISSION

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for the
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Lake Norman Marine Commission.

LAKE WYLIE MARINE COMMISSION

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for the Lake Wylie Marine Commission.

MOUNTAIN ISLAND LAKE MARINE COMMISSION–

The Board voted unanimously to affirm, at a minimum, the Manager’s recommended funding for the Mountain Island Lake Marine Commission.

WTVI

There were 5 votes to affirm, at a minimum, the Manager’s recommended fund for WTVI, Commissioners Clarke, Cox, Mitchell, Ramirez, and Woodard.

The consensus of the Board was that if an agency received 7 or 8 votes (which meant it was unanimous) that it was not necessary for that agency to appear at the Wednesday, June 11, 2003 Budget Workshop. Agencies that received 4 or 5 votes would be invited to appear at the Wednesday, June 11, 2003 Budget Workshop. Agencies that received less than 4 votes would not be asked to appear and any questions regarding those agencies would be addressed by the County Manager, if necessary.

The Board took a dinner break at 5:09 p.m. and returned at 5:35 p.m.

Commissioners Clarke, Mitchell, Ramirez, Samueison, and Woodard were absent when the meeting was called back to order and for the remainder of the meeting.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 3-0 with Commissioners Cox, James, and Puckett voting yes, to recess the meeting at 5:35 p.m. until Wednesday June 11, 2003 at 5:00 p.m. in Conference Room CH-14 of the Charlotte-Mecklenburg Government Center.

Although the other Commissioners were not present, Chairman Cox did declare the meeting recessed as indicated in the motion.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center at 5:00 p.m. on Wednesday, June 11, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioner H. Parks Helms

Commissioner Mitchell was absent when the meeting was called to order and until noted in the minutes.

FY04 BUDGET DELIBERATIONS

The meeting was called to order by Chairman Cox. Chairman Cox stated that the purpose of the meeting was to continue FY04 budget deliberations with the focus being on Outside Agencies. It was noted, however, that the Board of Education would make a brief presentation at 6:00 p.m.

OUTSIDE AGENCIES

County Manager Jones addressed the following Outside Agencies, highlighting the FY04 recommended funding amount, the agency’s total budget, their total budget request, and services provided. Questions were also, in some instances, addressed by agency representatives.

LEGAL SERVICES OF SOUTHERN PIEDMONT

Commissioner Clarke spoke in support of the services provided by Legal Services of Southern Piedmont.

Chairman Cox asked if there were other agencies providing the same types of services as Legal Services of Southern Piedmont?

Ken Shorr, Director of Legal Services addressed the services provided. He informed the Board that County funds would be used for the Immigrant Justice Project, Consumer Protection work, and the Disability Assistance Project. He noted also that currently there were no other legal services agencies with bi-lingual attorneys to serve non-English speaking immigrants, particularly Hispanics, nor was anyone providing the type of consumer protection work as Legal Services of Southern Piedmont.

Commissioner Mitchell entered the meeting.
MECKLENBURG COUNCIL ON ADOLESCENT PREGNANCY – No additional questions raised.

METROLINA AIDS PROJECT, INC.

Chairman Cox asked were services provided by Metrolina Aids Project provided throughout the region or just for Mecklenburg County residents?

Chairman Cox also asked for information regarding their caseload.

Leslie Kooyman, Director of Metrolina Aids Project, Inc. addressed services provided. He stated that some of their services were provided throughout the region, however, County dollars are only used for services within Mecklenburg County. They also receive some federal funding, which is used for services regionally.

Mr. Kooyman noted that 85% of their clients are at poverty level or below; some have no insurance and are struggling to obtain Medicaid; 70% of their clients are African American and 5% are Latino.

Commissioner Ramirez inquired about fund raising activities.

Mr. Kooyman stated that they do have fundraisers.

Mr. Kooyman said Metrolina Aids Project, Inc. was the lead agency for the provision of their types of services, but there were a few others, however, all are at capacity.

THE HOUSE OF GRACE, INC.

Commissioner Samuelson asked about the length of stay for residents and whether The House of Grace was affiliated with a church.

Manager Jones stated that the length of stay was two years. It was noted by a representative from The House of Grace that it was not affiliated with any churches.

UFS-SHELTER FOR BATTERED WOMEN

Commissioner Samuelson inquired about the maximum number of residents housed at one time.

Mark Perryman addressed services provided. He stated that their capacity was about 30 women and children at any one time and that last year 417 women and children stayed at the Shelter.

Commissioner Cox asked if there were other agencies providing the types of services as the Shelter for Battered Women?

Mr. Perryman stated that he was not aware of any other agencies and that if their services were not available persons needing this type of assistance would have to leave Mecklenburg County.

Commissioner Samuelson noted that a similar facility was being built in Matthews.

Commissioner Ramirez asked if they have had to turn people away for capacity reasons?

Mr. Perryman said very rarely do they have to turn people away because of capacity.
CHARLOTTE-MECKLENBURG SCHOOLS

Board of Education Chairman Wilhelmenia Rembert, School Superintendent James Pughsley, and Assistant Superintendent for Instructional Accountability Dr. Agruso addressed End of Grade test scores, accomplishments and growth needs. Sheila Shirley, the Schools’ Chief Financial Officer was also present.

They thanked the Board for allowing them the opportunity to speak and solicited the Board’s continued support of their efforts.

Commissioner Puckett asked about programs for measuring teacher performance. It was noted that a system was in place.

CHARLOTTE REGIONAL PARTNERSHIP

Chairman Cox noted for the record that he was a member of the Charlotte Regional Partnership Board of Directors as a result of his Chairmanship of the County Commission.

Commissioner Puckett asked how much does the City fund the Partnership?

A representative from Charlotte Regional Partnership stated that the funding formula for all counties is .30 cents per capita, which has been in place for about 12 years. It was stated that the City of Charlotte funds half of its population. They also contribute to the film industry component.

CHARLOTTE-MECKLENBURG COUNCIL ON AGING

Commissioner Clarke noted that the County provides 68% of the Council on Aging’s budget and if funding were reduced, they would have to close its doors.

Richard Jacobsen, Director of Social Services addressed services provided by the Council on Aging.

Commissioner Samuelson asked how long has the County funded the Council on Aging?

Charles Page, a representative for the Council on Aging stated that the County has funded the agency since 1979. He stated that originally this was a joint effort between the County, the City of Charlotte, and United Way but over the years the City of Charlotte and the County transferred some responsibilities, which left funding being provided by the County and United Way. It was noted that the agency does receive some minor funding from personal contributions and private donations.

CHARLOTTE-MECKLENBURG HOUSING PARTNER, INC.

Commissioner Mitchell spoke in support of Housing Partner, Inc. and noted that he was the Board’s liaison to Housing Partner, Inc.

Commissioner Puckett asked where does Housing Partner, Inc. receive its funding?

Ms. Garrett, a representative from Housing Partner, Inc. stated that most of the funding for counseling comes from fees earned for development or from a number of national partnerships that they are involved in. It was noted also that they do not receive funds from the City for counseling services.

Commissioner James also spoke in support of Housing Partner, Inc.
LATIN AMERICAN COALITION

Commissioner Samuelson asked what was difference between services provided by the Latin American Coalition and those provided by International House?

The response was that the Latin American Coalition serves those that International House cannot because of capacity.

CATAWBA LANDS CONSERVANCY

Commissioner Samuelson requested additional information on what services were provided by the Catawba Lands Conservancy that otherwise County Park and Recreation would have to provide; and where those services were being provided.

A representative from the Catawba Lands Conservancy stated that the Catawba Lands Conservancy has worked with Park and Recreation on six projects mostly in the Gar Creek area and one on Rocky River. She also addressed the specifics of the services provided, such as, securing the options to purchase properties, conservation easements, long term monitoring, etc.

Wayne Weston, Director of Park and Recreation also addressed questions concerning the Catawba Lands Conservancy.

DISCOVERY PLACE

Wayne Weston, Director of Park and Recreation noted that as a part of the 1992 Parks merger, Discovery Place was a contractual arrangement per the Interlocal Agreement that came from the City that the County was to keep whole.

LATTA PLACE – No additional questions were raised.

VOICES & CHOICES OF THE CENTRAL CAROLINAS

Commissioner Samuelson noted for the record that she was a Board Member of Voices and Choices.

Commissioner Puckett asked if there was a funding formula involved? The response was no.

Commissioner Samuelson asked if there were any monies like this from the City, other municipalities, or counties?

A representative of Voices and Choices stated that there were no City of Charlotte funds, however, other counties contribute, such as, York, Chester, Lancaster, and Rowan.

Commissioner Ramirez asked if Voices and Choices only dealt with environmental issues? The response was no, for example, they deal with educational issues.

Commissioner Puckett asked if their services were similar to that of Centralina Council of Governments (COG)? The response was that their services were complimentary but very much different in how they operate.
Commissioner Puckett also asked about additional sources of funding. It was noted that funding was also received from corporations and foundations.

Commissioner Clarke stated that Voices and Choices was not a duplicate of COG and that it was a bi-state organization.

**ADVANTAGE CAROLINA**

Commissioner Clarke spoke in support of Advantage Carolina.

**ARTS & SCIENCE COUNCIL**

County Manager Jones noted that included in the current year funding for the Arts & Science Council (ASC) was funding that the County was obligated by contract to provide to the Blumenthal Performing Arts Center. He noted also that he was recommending that the funding be broken out in two levels, as a result of which, funding would be provided directly to the Blumenthal Performing Arts Center for facility operations and rental subsidies for the affiliates and directly to the ASC for the Cultural Education Collaborative. He noted that this would require an amendment to the existing agreement.

Commissioner James raised a concern regarding previous discussions involving the Performing Arts Center and whether or not the ASC owed them money, which they never received via the County’s allocation to the Arts and Science Council.

County Manager Jones said that he had gotten the issue resolved. He noted that as long as the County honors the Performing Arts Center contract and provides them their funds directly, then there would not be a request of the County to provide them with money they feel they were entitled to in the past that they did not receive.

Commissioner Clarke requested that the Board be provided a memorandum summarizing the ASC and Performing Arts Center issue and also something that indicates that the ASC and Performing Arts Center were in agreement with what was being recommended.

County Manager Jones clarified that he could not say that the ASC and the Performing Arts Center were in agreement, but rather that he knew the Performing Arts Center representatives were okay with the amount for the Cultural Education Collaborative. He continued by stating that there was some confusion and misunderstanding regarding how the County got into the current funding process. He stated that the County is contractually obligated to provide funding directly to the Performing Arts Center. Also, that staff has been unable to locate any records indicating any formal agreement that existed between the County, the Performing Arts Center and the ASC that prompted direct payment to the ASC.

County Manager Jones concluded by saying that he felt the County should provide direct funding to the Performing Arts Center because of the contractual agreement.

Commissioner Clarke requested that all of this information be summarized in the memorandum.

Commissioner Ramirez requested information on the number and names of organizations the ASC supports and the level of that support.

**WTVI**

General Manager John McGillicuddy addressed WTVI programming and “high definition TV” (HDTV).
Commissioner Clarke left the meeting and was absent until noted in the minutes.

Chairman Cox noted that his interest in the subject of HDTV stems from his wanting to know whether or not in the future, the community would be asked again to make a similar investment in HDTV per the City, the Schools and Central Piedmont Community College (CPCC).

General Manager McGillicuddy’s response was no, from a transmission standpoint, but from a production standpoint, eventually, yes. He noted also that an investment might have to be made no matter what’s done, in order to produce that programming.

Chairman Cox noted also that consideration needs to be given to whether or not all those involved or wanting to transmit over the airways and produce, should perhaps share this equipment.

The Board took a break at 7:50 p.m. and reconvened at 7:55 p.m. Commissioners Clarke and Woodard were absent when the Board reconvened and until noted in the minutes.

ROOM AT THE INN

Commissioner James addressed funding for Room at the Inn. He asked the Board to consider allocating $15,000 to Room at the Inn. He noted that this would be new funding. No action was taken at this time.

Commissioners Clarke and Woodard returned to the meeting.

HISTORIC CHARLOTTE

Commissioner Puckett addressed funding Historic Charlotte in the amount of $38,500 for two projects. The first project is the African American Survey, there are 21 sites eligible for the National Registry of Historic Places. The second project is at Rural Hill.

Wayne Weston, Director of Park and Recreation addressed the Rural Hill project.

It was noted that Historic Charlotte would need to complete an application.

MATTHEWS HELP CENTER

Commissioner James addressed the Matthews Help Center and a partnership with Crisis Assistance Ministry. He asked the Board to consider allocating $30,000 to Crisis Assistance Ministry, which would be for the provision of services to the Matthews Help Center. He noted that this would be new funding, an addition to DSS’s budget.

Richard Jacobsen, Director of Social Services addressed this matter.

HEALTH DEPARTMENT RAPID TESTING

Commissioner Samuelson addressed diverting AIDS funds from where the County is currently spending it to the Health Department for implementation of the Rapid AIDS Test, $30,000.

Peter Safir, Director of the Health Department addressed Rapid AIDS Testing.
MECKLENBURG SENTENCING SERVICES

Matthew Williams, Budget Director and Peter Cook, Director of Court Services addressed Mecklenburg Sentencing Services at the request of Commissioner Samuelson.

CHARLOTTE AREA FUND

Matthew Williams, Budget Director addressed the Charlotte Area Fund at the request of Commissioner Samuelson.

PROGRAMMA ESPERANZA

Matthew Williams, Budget Director and Richard Jacobsen, Director of Social Services addressed Programma Esperanza at the request of Commissioner Samuelson.

This concluded the discussion of Outside Agencies.

No action was taken by the Board regarding any of these agencies. It was noted by Chairman Cox that the Board would take “straw votes” at its June 12, 2003 budget workshop.

Prior to the close of the meeting, County Manager Jones noted he discovered that the Red Cross provided similar services to those of Veteran Services but he was not aware if they had the capacity to handle the caseload of the County Veteran Services Office.

Commissioner Mitchell expressed opposition to the possible idea of privatizing Veteran Services via the Red Cross.

County Manager Jones stated that he was not recommending privatizing Veteran Services and that his recommendation for funding Veteran Services still stood.

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board, that the meeting be recessed at 8:45 p.m. until 5:00 p.m. Thursday, June 12, 2003 in Conference Center Room 267.
The meeting was called to order by Chairman Cox. The purpose of the meeting was to continue FY04 budget deliberations.

Chairman Cox explained the process that would be followed for the purpose of taking straw votes. It was noted that the votes taken were not binding and subject to change. It was noted also that for straw vote purposes, a second to a motion was not required and that the Chairman is allowed to make motions.

The starting point for voting was the Manager’s recommended budget in comparison to the “full rollback” budget option.

Prior to the start of the straw votes, Commissioner Clarke read the following statement:

“As you know we (Commissioners Clarke, Helms, Mitchell, and Woodard) have offered an alternative budget proposal that represents a responsible, reasonable commitment to a reasonable tax rate and sound government. It would allow for $10 million in additional funding for our public schools in recognition, not only of the remarkable, across the board gains in academic achievement that CMS achieved this year and the growth they must accommodate next year, 3,204 students and four new schools. It would also give County employees an increase in compensation under a pay-for-performance plan that is close to the Manager’s recommendation, and allows for additional funding for CPCC, Area Mental Health, the Sheriff’s department and the District Attorney’s office. It would allow the County to maintain public/private partnerships for all 39 outside agencies at current funding levels. Our proposal would reduce the county’s property tax rate by six cents or eight percent from its current level. As compared with the “full rollback” budget proposal, annual property taxes under our proposal on a $150,000 home would be $63.90 higher or about $1.22 per week. We think our proposal is fiscally sound even as this nation, state, and county enter our third year of difficult economic times with the longest period of no job growth since WWII in this country. Under our proposal this rapidly growing and prosperous county with an increasing demand for
capital facilities and services would use the new half cents sales tax revenue for its intended purpose, to replace the lost and gone forever state reimbursements. Because the five other Commissioners on this Board, appear to be prepared to carry their pledge to hold down taxes in circumstances that no one could foresee when those promises were made, our straw votes tonight will be cast in this room under protest.”

STRAW VOTES

TAX RATE OF 73.74 CENTS

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the revenue side of the recommended budget by $25 million, which results in a property tax rate of 73.74 cents per $100 valuation.

Note: FULL ROLLBACK (Revenue Neutral + Growth – Half-Cent Sales Tax)
This budget option would reduce the property tax rate to a level that would reduce revenue equivalent to the amount of anticipated revenue received in FY04 from the half-cent sales tax levied in January 2003. It is estimated this half-cent sales tax will generate $25 million in FY04 revenue for Mecklenburg County. Reducing the Recommended Budget by $25 million would require a $25 million reduction in appropriations and services from the Recommended Budget.

This budget option would be funded by $730,502,886 million in county dollars and requires a property tax rate of 73.74 cents per $100 valuation, a 10.23-cents reduction from the FY03 tax rate and a 3.11-cents reduction from the Recommended Budget.

CHARLOTTE-MECKLENBURG SCHOOLS

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for CMS by $5 million.

Charlotte-Mecklenburg Schools Debt Service

No action taken because this is a mandated expense.

CENTRAL PIEDMONT COMMUNITY COLLEGE (CPCC)

No action taken

Central Piedmont Community College Debt Service

No action taken because this is a mandated expense.

AREA MENTAL HEALTH

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Area Mental Health by $1,000,000, which is a reduction for residential placement of children or adolescents.

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Area Mental Health by $400,000,
which eliminates an emergency, after-hours call center.

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Area Mental Health by $65,000, a contract reduction for adult client housing.

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Clarke, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Mitchell, and Woodard voting no, to leave in the recommended budget for Area Mental Health $50,819 for adult substance abuse services.

COUNTY MANAGER OFFICE

Motion was made by Commissioner Samuelson, however, no action was taken to reduce the County Manager’s Office recommended budget amount for the federal legislative contract from $92,858 to 60,000.

*The Board recessed for a break at 5:45 p.m. and reconvened at 6:13 p.m.*

CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

Motion was made by Commissioner Puckett and unanimously carried with Commissioners Cox, Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to leave in the recommended budget $2 million for the Criminal Justice Information System.

CAPITAL RESERVE FACILITY MAINTENANCE AND INFORMATION SYSTEMS PROJECTS

Motion was made by Commissioner James and carried 5-3 with Commissioners Clarke, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Mitchell, and Woodard voting no, to reduce the recommended Capital Reserve budget for Facility Maintenance and Information Systems Projects by $1,685,606.

REPLACE PC’S

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the replacement of PC’s by $1,641,539.

SOFTWARE UPGRADES

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for software upgrades by $480,000.

ADVANTAGE FINANCIAL SYSTEM UPGRADE

Motion was made by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to leave in the recommended budget $500,000 for upgrades to the Advantage Financial System.
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VEHICLE REPLACEMENT

Motion was made by Commissioner Puckett and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for vehicle replacement by $2,229,242.

SERVERS & OTHER COMPUTER HARDWARE REPLACEMENT

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for servers and other computer hardware replacement by $500,000.

FURNITURE REPLACEMENT

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for furniture replacement by $222,500.

EQUIPMENT REPLACEMENT

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Clarke, Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Mitchell and Woodard voting no, to reduce the recommended budget for equipment replacement by $477,787.

MARKET ADJUSTMENT

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for market adjustment by $1,200,000, leaving in $300,000.

PAY –FOR-PERFORMANCE

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for pay-for-performance by $2,133,354.

EMPLOYER MATCH

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for employer match by $567,894.

LONGEVITY – No action taken

CHARLOTTE-MECKLENBURG SCHOOLS

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for CMS by $5 million.
CENTRAL PIEDMONT COMMUNITY COLLEGE (CPCC)

Motion was made by Commissioner Cox and failed 7-1 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting no and Commissioner Cox voting yes, to reduce the recommended budget increase for Central Piedmont Community College to zero.

AREA MENTAL HEALTH

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Area Mental Health as follows:

- by $1,000,000, a reduction for residential placement of children or adolescents
- by $400,000, elimination of an emergency, after-hours call center
- by $65,000, a contract reduction for adult client housing.

Motion was made by Commissioner Cox and failed 7-1 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting no and Commissioner Cox voting yes, to reduce the recommended budget for Area Mental Health by $50,819, a reduction in adult substance abuse services.

COUNTY MANAGER’S OFFICE

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Clarke, Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Mitchell, and Woodard voting no, to reduce the County Manager’s Office recommended budget amount for the federal legislative contract by $21,858.

COURT SERVICES - No action taken.

ELECTIONS

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Elections by $140,000, which would not allow Early Voting at additional locations, only at the Elections Office.

EMERGENCY MEDICAL SERVICES

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce Emergency Medical Services recommended budget by $100,000, a reduction in County subsidy of Emergency Medical Services Agency.

FINANCE

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and
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Woodard voting no, to reduce the Finance department recommended budget by $64,208, which eliminates a Systems Administrator position effective October 2003.

GENERAL SERVICES

Motion was made by Commissioner Ramirez and carried 6-2 with Commissioners Clarke, Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Mitchell, and Woodard voting no, to reduce the General Services department recommended budget by $164,603, which results in the following reductions:

- $60,000 for building maintenance
- $29,950 in contract reductions for major vehicle maintenance and security monitoring
- $23,000 for uniforms and safety equipment
- $10,570 for radio and equipment replacement
- $41,083 reductions in various operational accounts.

HISTORIC LANDMARKS COMMISSION

No action taken was taken regarding eliminating all funding for Historic Landmarks, a savings of $54,000.

Motion was made by Commissioner Puckett and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Historic Landmarks Commission by reducing the $1,500,000 in bond proceeds by $849,638, which would leave enough for the Pineville project.

HUMAN RESOURCES

Motion was made by Commissioner Puckett and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Human Resources department recommended budget by $140,000, which reduces compensation and benefit consulting contracts by $125,000, and recruitment investigations by $5,000. The change also increases by $10,000 the fees paid by outside agencies for the County to administer benefit plans on their behalf.

INFORMATION SERVICES & TECHNOLOGY

Motion was made by Commissioner Puckett and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Information Services Technology department recommended budget by $145,720, which eliminates $108,000 for system intrusion detection, and $37,720 for contracted database assistance.

LAND USE & ENVIRONMENTAL SERVICES

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Land Use & Environmental Services department recommended budget by $64,025, which results in the following reductions:
$45,000 to eliminate future updates to the building footprint layer of the GIS database
$19,025 to restructure an administrative position

VOLUNTEER FIRE DEPARTMENTS

No action taken.

NON-DEPARTMENTAL

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Non-Departmental budget recommended budget by $500,000, which eliminates funding for economic development.

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Non-Departmental recommended budget, by $17,924 which eliminates the amount for salary equity adjustments.

PARK & RECREATION

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Park and Recreation department recommended budget by $858,708, which results in the following reductions:

- $491,988 to eliminate all general summer day camp programs, special needs summer day camps programs, and the Greenville Pool (223 temporary positions)
- $59,386 for 2 full-time customer service and reservations positions (1 filled full-time position)
- $141,658 to eliminate summer seasonal inner city neighborhood service contracts
- $165,676 to eliminate 32 Rayfest events, the summer jazz series, and the Asian and Latin-Caribbean cultural festivals.

PUBLIC HEALTH

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the Health Department recommended budget by $206,381, which eliminates the Project HOPE program, an abstinence-based pregnancy prevention program for at-risk teens.

PUBLIC LIBRARY

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Public Library by $493,339, which will give the Public Library $800,000 with the decision regarding the closing of branch libraries being left up to the Library Board of Trustees.
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PUBLIC SERVICE & INFORMATION

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce recommended budget for Public Service and Information by $51,851, which results in the following reductions:

- $40,000 for the Mecklenburg Matters monthly water bill inserts newsletters
- $8,000 for the A-to-Z County Services brochure
- $3,851 for various public awareness projects

REGISTER OF DEEDS

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for the Register of Deeds by $100,000, which would result in a reduction in staff overtime as a result of reducing operating hours for the Register of Deeds Office.

SHERIFF’S OFFICE

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce recommended budget for the Sheriff’s Office by $1,074,888, which results in the following reductions:

- $369,272 to close the Gatling Juvenile Detention Facility (27 filled full-time positions, 4 vacant full-time positions)
- $613,382 to close the Work Release & Restitution Center Unit 2 (13 filled full-time positions)
- $42,234 to eliminate the Think First program
- $50,000 reduction for employee education reimbursements

SOCIAL SERVICES

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce recommended budget for Social Services by $1,352,084, which results in the following reductions:

- $168,991 to eliminate all overtime for the department
- $75,000 to eliminate all funding for YMCA Strengthening Families Grant
- $448,659 increase in non-County revenues
- $139,640 to close the Senior Nutrition kitchens and outsource all food preparation (5 filled full-time positions)
- $30,000 reduction in veteran’s transportation
- $76,407 reduction in General Assistance offered through Crisis Assistance Ministries
- $105,000 reduction in the In-Home Aide program
- $208,785 to eliminate the Charlotte East office community site
- $29,846 to outsource one vacant In-Home Aide position
- $39,977 to eliminate a vacant ESD Associate Director position
- $29,779 to eliminate a vacant Applications Specialist position

It was noted that the County’s cost for Medicaid will probably be reduced by $1 million.
TAX COLLECTION

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce recommended budget for Tax Collection by $63,684, which results in the following reductions:

- $27,778 for a filled Customer Service Specialist.
- $35,906 for a filled Office Assistant IV.

Motion was made by Commissioner Samuelson and carried 7-1 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner Cox voting no, to add $62,000 to the Tax Collection recommended budget for the purpose of establishing two Deputy Field Collectors.

VETERANS SERVICES - No action was taken.

County Manager Jones noted that per communication with the Red Cross, he was informed that they do not have the capacity to accommodate those served by the Veterans Services Department, nor is there a desire to do so.

WOMEN’S COMMISSION

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce recommended budget for the Women’s Commission by $132,968.

The Board recessed at 6:55 p.m. for a break and reconvened at 7:07 p.m.

OUTSIDE AGENCIES

ADE-ALTERNATIVE TO DRUG VIA EMPOWERMENT – No Action Taken.

ENERGY COMMITTED TO OFFENDERS

Motion was made by Commissioner Puckett and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Energy Committed To Offenders by $5,407.

HOPE WORLDWIDE-NORTH CAROLINA – No Action Taken.

LEGAL SERVICES OF SOUTHERN PIEDMONT

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Legal Services of Southern Piedmont by $54,591.

MECKLENBURG COUNCIL ON ADOLESCENT PREGNANCY

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard
voting no, to reduce the recommended budget for Mecklenburg Council On Adolescent Pregnancy to zero.

**MECKLENBURG SENTENCING SERVICES**

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Mecklenburg Sentencing Services by $6,222.

**MEDASSIST OF MECKLENBURG** – No Action Taken.

**METROLINA AIDS PROJECT, INC.**

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Metrolina Aids Project, Inc. by $53,299.

**ROOM AT THE INN**

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to add to the recommended budget $15,000 for Room at the Inn.

**STOP THE KILLING (THE CRUSADE)** – No Action Taken.

**THE HOUSE OF GRACE, INC.**

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for The House of Grace, Inc. by $6,908.

**UFS-SHELTER FOR BATTERED WOMEN**

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Shelter for Battered Women by $108,490.

**CHARLOTTE AREA FUND**

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Charlotte Area Fund by $104,989.

**CHARLOTTE EMERGENCY HOUSING, INC.** – No Action Taken.

**CHARLOTTE MECKLENBURG WORKFORCE DEVELOPMENT**– No Action Taken.

**CHARLOTTE REGIONAL PARTNERSHIP**

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Charlotte Regional Partnership by $56,349.
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CHARLOTTE-MECKLENBURG COUNCIL ON AGING

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Charlotte-Mecklenburg Council On Aging by $35,973.

CHARLOTTE-MECKLENBURG DEVELOPMENT CORP. – No Action Taken.

CHARLOTTE-MECKLENBURG HOUSING PARTNER, INC.

Motion was made by Commissioner Puckett and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Charlotte-Mecklenburg Housing Partnership, Inc. by $44,592.

CHARLOTTE-MECKLENBURG SENIOR CENTERS

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Charlotte-Mecklenburg Senior Centers by $42,983.

COMMUNITIES IN SCHOOLS – No Action Taken.

COMMUNITY BUILDING INITIATIVE – No Action Taken.

COMPREHENSIVE GENEALOGICAL SERVICES

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Comprehensive Genealogical Services by $17,271.

GREATER ENRICHMENT (FORMERLY GETHSEMANE) – No Action Taken.

HOPE (HELPING OTHERS PRODUCE & EXCEL) – No Action Taken.

LATIN AMERICAN COALITION

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Latin American Coalition by $83,993.

NCCJ-ANYTOWN YOUTH PROGRAM

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for NCCJ-AnyTown Youth Program by $57,606.

PARTNERS IN OUT OF SCHOOL TIME (POST) – No Action Taken.
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PROGRAMMA ESPERANZA

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Programma Esperanza by $26,356.

SAVATION ARMY-WOMEN'S, CHILDREN'S FAM. SHELTER – No Action Taken.

UNITED WAY 2-1-1 (FORMERLY INFORMATION&REFERRAL)

Motion was made by Commissioner Puckett and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for United Way 2-1-1 by $205,675.

UPTOWN SHELTER-GEORGE SHINN – No Action Taken.

YMCA OF GREATER CHARLOTTE (FRMRLY SUCCESS BY SIX)

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for YMCA of Greater Charlotte (Formerly Success by Six) by $75,000.

CATAWBA LANDS CONSERVANCY

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Catawba Lands Conservancy by $16,860.

CATAWBA VALLEY SCOTTISH SOCIETY

Motion was made by Commissioner Samuelson and carried 7-1 with Commissioners Cox, Clarke, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes and Commissioner Woodard voting no, to add to the recommended budget for the Catawba Valley Scottish Society $1,106.

DISCOVERY PLACE

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Discovery Place by $6,639.

LATTA PLACE

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Latta Place by $6,441.

VOICES & CHOICES OF THE CENTRAL CAROLINAS

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Voices & Choices by $40,140.

ADVANTAGE CAROLINA – No Action Taken.
ARTS & SCIENCE COUNCIL

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Arts & Science Council by $221,565.

PERFORMING ARTS CENTER – No Action Taken.

LAKE NORMAN MARINE COMMISSION– No Action Taken.

LAKE WYLIE MARINE COMMISSION – No Action Taken.

MOUNTAIN ISLAND LAKE MARINE COMMISSION– No Action Taken

WTVI

Motion was made by Commissioner James and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for WTVI by $105,764.

Commissioner Samuelson stated that if she could get someone to change their vote regarding reducing CMS funding by $5 million, then she would be willing to reconsider her votes on some of the Outside Agencies and support the Manager’s recommendation for them.

COUNTY MANAGER’S RECOMMENDED BUDGET

Motion was made by Commissioner Mitchell and failed 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting no and Commissioners Clarke, Mitchell, and Woodard voting yes, to place back into the Manager’s recommended budget $25,000,000 in revenues and not roll back the property tax rate to 73.74, but at the County Manager’s recommendation.

The Board recessed at 7:30 p.m. for a break and reconvened at 7:57 p.m.

CAPITAL RESERVE FACILITY MAINTENANCE AND INFORMATION SYSTEMS PROJECTS

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended Capital Reserve budget for Facility Maintenance and Information Systems Projects by $1,628,000.

MARKET ADJUSTMENT

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for market adjustment by $1,200,000, leaving in $300,000.
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CHARLOTTE-MECKLENBURG SCHOOLS

Motion was made by Commissioner Samuelson, however not action was taken, to reduce the recommended budget for CMS by $5 million.

CENTRAL PIEDMONT COMMUNITY COLLEGE (CPCC)

Motion was made by Commissioner Cox, however, no action was taken, to reduce the recommended budget for CPCC by $250,000.

COURT SERVICES

Motion was made by Commissioner Puckett and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes, and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Court Services by $118,416, which eliminates the Court Clubhouse and a contract reduction for a bond forfeiture attorney.

Motion was made by Commissioner Puckett and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes, and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to add to the recommended budget for Court Services $115,888 for additional District Attorney’s.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Historic Landmarks Commission by $849,638, which would leave enough for the Pineville project.

ELECTIONS

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, Mitchell, and Woodard voting no, to reduce the recommended budget for Elections by $140,000, which would not allow Early Voting at additional locations only at the Elections Office.

LIBRARIES

Motion was made by Commissioner James, however, no action was taken, to reduce the recommended budget for Public Libraries by $493,339, a general operation reduction and give them $800,000 and leave the decision regarding the closing of branches to the Library Board of Trustees.

Chairman Cox noted at this point that it was clear to him that he was not going to receive five votes to keep the $5 million increase to the CMS budget. Also, that he would ask that his colleagues not vote to cut outside agency funding in half. He stated that he doesn’t feel you can cut outside agency funding by 50% and notify each agency to prepare for strategic review in September with half of the money. He stated that he wanted to preserve as many of the outside agencies as possible, whose relationships he values.

CHARLOTTE-MECKLENBURG SCHOOLS

Motion was made by Commissioner Samuelson, and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes, to reduce the recommended budget for CMS by $5 million to restore it to the current funding level.
JUNE 12, 2003

OUTSIDE AGENCIES

ENERGY COMMITTED TO OFFENDERS

Motion was made by Commissioner Puckett and failed 5-3 with Commissioners James, Puckett, and Ramirez voting yes and Commissioners Clarke, Cox, Mitchell, Samuelson, and Woodard voting no, to reduce the recommended budget for Energy Committed to Offenders by $5,408.

Motion was made by Chairman Cox and carried 5-3 with Commissioners Cox, Clarke, Mitchell, Ramirez, and Woodard voting yes, and Commissioners James, Puckett, and Samuelson voting no, to affirm the funding for Energy Committed to Offenders as indicated in the recommended budget.

HOPE WORLDWIDE - No Action Taken.

LEGAL SERVICES OF SOUTHERN PIEDMONT

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Legal Services Of Southern Piedmont as indicated in the recommended budget.

COUNCIL ON ADOLESCENT PREGNANCY - No Further Action Taken.

MECKLENBURG SENTENCING SERVICES

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Mecklenburg Sentencing Services as indicated in the recommended budget.

MEDASSIST

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for MedAssist as indicated in the recommended budget.

METROLINA AIDS PROJECT, INC.

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended funding for the Metrolina AIDS Project by $30,000 leaving them $23,299 and allocate $30,000 to the Health Department budget for Rapid Testing.

Motion was made by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, James, Ramirez, Samuelson, and Woodard voting yes to add to the recommended budget for the Health Department $30,000 for Rapid Testing Program.

THE HOUSE OF GRACE, INC.

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for The House of Grace as indicated in the recommended budget.
JUNE 12, 2003

SHELTER FOR BATTERED WOMEN

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Shelter for Battered Women as indicated in the recommended budget.

CHARLOTTE AREA FUND

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Charlotte Area Fund as indicated in the recommended budget.

CHARLOTTE EMERGENCY HOUSING

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Charlotte Emergency Housing as indicated in the recommended budget.

CHARLOTTE REGIONAL PARTNERSHIP

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Charlotte Regional Partnership as indicated in the recommended budget.

COUNCIL ON AGING

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Council on Aging as indicated in the recommended budget.

CHARLOTTE-MECKLENBURG HOUSING PARTNERSHIP

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Charlotte-Mecklenburg Housing Partnership as indicated in the recommended budget.

CHARLOTTE-MECKLENBURG SENIOR CENTERS

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Charlotte-Mecklenburg Senior Centers as indicated in the recommended budget.

COMMUNITIES AND SCHOOLS

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Communities and Schools as indicated in the recommended budget.

COMMUNITY BUILDING INITIATIVE

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Community Building Initiative as indicated in the recommended budget.
JUNE 12, 2003

GREATER ENRICHMENT (FORMERLY GETHSEMANE)

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Greater Enrichment (Formerly Gethsemane) as indicated in the recommended budget.

LATIN AMERICAN COALITION

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Latin American Coalition as indicated in the recommended budget.

NCCJ-ANYTOWN YOUTH PROGRAM

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the NCCJ-Anytown Youth Program as indicated in the recommended budget.

PROGRAMMA ESPERANZA

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Programma Esperanza as indicated in the recommended budget.

SALVATION ARMY –WOMEN’S, CHILDREN

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Salvation Army –Women’s, Children as indicated in the recommended budget.

UPTOWN SHELTER

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Uptown Shelter as indicated in the recommended budget.

YMCA OF GREATER CHARLOTTE (FORMERLY SUCCESS BY SIX)

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the YMCA of Greater Charlotte (Formerly Success By Six) as indicated in the recommended budget.

CATAWBA LANDS CONSERVANCY

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for the Catawba Lands Conservancy as indicated in the recommended budget.
JUNE 12, 2003

DISCOVERY PLACE

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Discovery Place as indicated in the recommended budget.

LATTA PLACE

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Latta Place as indicated in the recommended budget.

VOICES AND CHOICES

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Voices and Choices as indicated in the recommended budget.

MARINE COMMISSIONS - LAKE NORMAN, LAKE WYLIE, AND MOUNTAIN ISLAND LAKE

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Marine Commissions - Lake Norman, Lake Wylie, and Mountain Island Lake as indicated in the recommended budget.

ADVANTAGE CAROLINA

Motion was made by Chairman Cox and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes, and Commissioners James and Puckett voting no, to affirm the funding for Advantage Carolina as indicated in the recommended budget.

WTVI

Motion was made by Commissioner Samuelson and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the funding for WTVI by $176,754.

ARTS AND SCIENCE COUNCIL

Motion was made by Commissioner Samuelson and carried 6-2 with Commissioners Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voting yes and Commissioners James and Puckett voting no, to affirm the funding for the Arts and Science Council as indicated in the recommended budget.

PUBLIC LIBRARIES

Motion was made by Commissioner Ramirez and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Public Libraries by $493,339, with the decision being left up to the Library Board of Trustees regarding the closing of branch libraries.

REGISTER OF DEEDS

Motion was made by Commissioner James and carried 5-3 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes, and Commissioners Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for the Register of Deeds by $100,000, which would result in a reduction in staff overtime as a result of reducing operating hours for the
MATTHEWS HELP CENTER

Motion was made by Commissioner James, however no action was taken, to add to the DSS budget $30,000 for the Matthews Help Center.

COURT SERVICES

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes, and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended budget for Court Services by $118,416, which would eliminate the Court Clubhouse and a contract reduction for a bond forfeiture attorney.

ELECTIONS

Motion was made by Commissioner Samuelson, however no action was taken, to reduce the recommended budget for Elections by $140,000, which would not allow Early Voting at additional locations only at the Elections Office.

COURT SERVICES

Motion was made by Commissioner James and unanimously carried with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add to the recommended budget for Court Services $115,888 for additional District Attorney’s.

DSS ADJUSTMENT

Staff was authorized to make a $75,000 adjustment in the DSS budget in connection to the funding provided to the YMCA of Greater Charlotte in the amount of $150,000.

UNITED WAY 2-1-1

Motion was made by Commissioner Clarke and unanimously carried with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add to the recommended budget $205,675 for United Way 2-1-1.

MATTHEWS HELP CENTER

Motion was made by Commissioner James and carried 6-2 with Commissioners Cox, James, Puckett, Samuelson and Woodard voting yes and Commissioners Clarke and Mitchell voting no to, add to the Social Services recommended budget $30,000 for the Matthews Help Center, with the understanding that the tax rate at will remain at 73.74 cents. Also, that this funding is not to be perceived as a continued funding concept but rather the program has a year in which to prove itself.

PAY-FOR-PERFORMANCE

County Manager Jones asked the Board if they would consent to $500,000 being added to the budget for the implementation of Pay-for-Performance for a total of $3 million, if funds could be found without increasing the tax rate of 73.74 cents. The pay-for-performance range would be from 0%-4%.

Chairman Cox stated that he would be agreeable to this if the Board is provided a copy of the pay-for-performance plan that staff constructs.

Board Members Cox, Clarke, Mitchell, Ramirez, Samuelson, and Woodard voted in support of this. Commissioners James and Puckett did not vote.
DSS – CRISIS ASSISTANCE

Motion was made by Commissioner James to add to the recommended budget for DSS $76,000 in order to correct the budget pertaining to Crisis Assistance Ministry.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:57 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, June 17, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, Bill James
Norman A. Mitchell, Sr., Jim Puckett
Dan Ramirez, Ruth Samuelson, and Valerie Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner H. Parks Helms (Commissioner Helms was present, via telephone, for Item 24 - Operating Budget and Work Program for FY03-04 only).

- INFORMAL SESSION -

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION

Prior to going into Closed Session, Nancy Brunner with Real Estate Services announced the following land acquisition matter to be discussed in Closed Session:

Tax Parcel 125-043-04 owned by Ms. Cheri M. Fee and Ms. Leila F. Helms.

Commissioners Woodard and Mitchell left the meeting and were away until noted in the Minutes.

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, James, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259, (G.S. 143-318.11(a)(1) and to discuss Land Acquisition.

Commissioners Woodard and Mitchell returned to the meeting immediately following the vote.

The Board went into Closed Session at 5:35 p.m. and came back into Open Session at 5:57 p.m.

(3) REMOVAL OF ITEMS FROM CONSENT

No items were identified for removal from consent.
Invocation was given by Rabbi Murray Ezring as requested by Commissioner Ramirez, which was followed by the Pledge of Allegiance to the Flag.

**<b>(1A) PROCLAMATION NATIONAL HIV/SYPHILIS COUNSELING AND TESTING DAY</b>**

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating June 27, 2003, as "National HIV/Syphilis Counseling and Testing Day."

The proclamation was read by Commissioner Woodard and accepted by Peyton Savage and Leslie Kooyman with Metrolina Aids Project.

* A copy of the proclamation is on file with the Clerk to the Board. *

**<b>(2) PUBLIC APPEARANCE</b>**

No one appeared to speak during the Public Appearance portion of the meeting.

**<b>(3A) APPOINTMENTS</b>**

**ADULT CARE HOME ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Jeanne Lyons to the Adult Care Home Advisory Committee for a three-year term, expiring May 5, 2006.

**AREA CLIENT RIGHTS COMMITTEE**

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Judith Timms to the Area Clients Rights Committee for a three-year term expiring June 20, 2006.

**BOARD OF MOTOR VEHICLE REVIEW**

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint James Bowers, Shirley Floyd, Brenda Jackson, Eric Little, and Charles Roberts to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2004.
JUNE 17, 2003

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Charles Watts to the Building Development Commission as the Charlotte Apartment Association representative for a three-year term expiring July 11, 2006.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Ross Richardson to the Historic Landmarks Commission for a three-year term expiring July 31, 2006.

HOUSING AND DEVELOPMENT COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint John Nelson to the Housing and Development Committee for a three-year term expiring July 11, 2006.

The following persons were nominated for appointment to the Housing and Development Committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Nominees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sabrina Brown</td>
<td>by Commissioner Woodard</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>by Commissioner Samuelson</td>
</tr>
<tr>
<td>Donald Howard</td>
<td>by Commissioner Samuelson</td>
</tr>
<tr>
<td>Larry Ross</td>
<td>by Commissioner Samuelson</td>
</tr>
</tbody>
</table>

An appointment will occur on July 8, 2003.

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to waive the Board’s policy regarding term limitations and reappoint Louie Davis to the Housing and Development Committee for a three-year term expiring July 11, 2006.

It was noted that there were no eligible applicants for the slot currently filled by Mr. Davis, who is a “target area” representative. It was noted also that Mr. Davis was willing to continue to serve.

INFORMATION SERVICES & TECHNOLOGY ADVISORY COMMITTEE

The following persons were nominated for appointment to the Information Services and Technology Advisory Committee:

<table>
<thead>
<tr>
<th>Name</th>
<th>Nominees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sue Fry</td>
<td>by Commissioner Ramirez</td>
</tr>
<tr>
<td>John Greenwood</td>
<td>by Commissioner Clarke</td>
</tr>
<tr>
<td>Scot McMillian</td>
<td>by Commissioner Woodard</td>
</tr>
</tbody>
</table>

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Information Services and Technology Advisory Committee.

An appointment will occur on July 8, 2003.
The following persons were nominated for appointment to the Lake Norman Marine Commission:

Terry Davis, Jr.   by Commissioner Puckett
Gregory Greer    by Commissioner Clarke
Henry Kahn        by Commissioner James

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Lake Norman Marine Commission.

An appointment will occur on July 8, 2003.

The following person was nominated for appointment to the Nursing Home Community Advisory Committee by Commissioner Samuelson: Deidrea Childs.

An appointment will occur on July 8, 2003.

The following persons were nominated for appointment to the Park and Recreation Commission:

John Culbertson    by Commissioner James
Robert Patterson   by Chairman Cox
Janet Woodson      by Commissioner Clarke

An appointment will occur on July 8, 2003.

The following persons were nominated for appointment to the Region F Aging Advisory Committee:

Susan Basini, Clarissy Knox, and Albert Lyles to the Region F Aging Advisory Committee for two-year terms expiring June 30, 2005.
(3B) APPOINTMENT OF CHAIRMAN OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Mary Howerton as Chairman of the Alcoholic Beverage Control Board effective July 1, 2003 through the duration of her term.

(3C) APPOINTMENT TO THE MECKLENBURG COUNTY EMERGENCY MEDICAL SERVICES AGENCY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Edward B. Case to the Mecklenburg County Emergency Medical Services Agency Board of Commissioners as recommended.

Mr. Case replaces Sandra Williams.

(4A) PUBLIC HEARING – REAL ESTATE EXCISE TAX REFUND

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open the public hearing on a request by the Law Offices of Barry S. Burke for reimbursement of North Carolina excise tax in the amount of $150.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on a request by the Law Offices of Barry S. Burke for reimbursement of North Carolina excise tax in the amount of $150 and authorize the refund.

(5A) ADVISORY COMMITTEE REPORT PARK AND RECREATION COMMISSION

The Board received a report from representatives of the Park and Recreation Commission regarding leisure marketing entitled, “Branding for Improved Leisure Marketing & Economic Impact for Charlotte-Mecklenburg and Surrounding Region.”

The report was given by Tom Sykes and Larry Huelsman.

It was noted that the report provides a response to Chairman Cox’s challenge to reduce dependence on county dollars. The report addressed:

- Joint use of P&R &CMS facilities to create venue for youth athletic tournaments
- That families and athletes will add over $40 million to the regions economic base.

No action was taken, however, the Board did indicate its support of the concept outlined in the report.

A copy of the report is on file with the Clerk to the Board.

(5B) AIR QUALITY COMMISSION – OZONE BOUNDARY RECOMMENDATION

The Board received a report from Steve Webber, with the Air Quality Commission regarding an Ozone Boundary Recommendation.
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Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve requesting that the governor of North Carolina recommend to USEPA that the eight hour ozone non-attainment boundary for the Charlotte/Mecklenburg region include all of the North Carolina counties of Mecklenburg, Gaston, Lincoln, Rowan, Cabarrus and Union and the southern half of Iredell at I-40 including Statesville and a development buffer on the northern side of I-40; and that the governor of North Carolina request that USEPA include all of York County, South Carolina in our ozone non-attainment area. Secondly, that if the Governor does not make the recommendation that has been suggested by Mecklenburg County then that those comments be sent directly to the USEPA by the County.

A copy of the report is on file with the Clerk to the Board.

(6) MANAGER'S REPORT - None

CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Item 11 – Compass Group Donation/DSS, to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held June 3, 2003; Special Meeting held April 15, 2003; Closed Session Minutes of June 3, 2003; and Special Meeting held June 12, 2003.

Approve amending minutes of May 20, 2003 to correct an error in Item 21 and Item 23 as follows: Item 21 (FY2004-2005 Transit Program) incorrectly showed Commissioner Helms as being present. Item 23 (North Carolina Cigarette Tax Resolution) incorrectly showed the vote as being 7-2, rather than 6-2.

(8) MONTHLY SEWER REPORT

Receive as information the Monthly Sewer Overflow Report, April 15 through May 15, 2003.

A copy of the report is on file with the Clerk to the Board.

(9) AREA MENTAL HEALTH BUDGET AMENDMENT

Recognize, receive and appropriate prorated State continuation funds in the amount of $3,000 for FY02-03 (increased to $12,000 for FY03-04) to fund interpreting services for deaf/hard of hearing staff.

(10) AREA MENTAL HEALTH BUDGET AMENDMENT

Recognize, receive and appropriate one-time funds in the amount of $20,000 from the NC Mental Health, DD & SA Authority for the continued implementation of First-In-Families of Mecklenburg County.

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(12) CLEAN AIR ACT SECTION 105 GRANT AMENDMENT
Recognize, receive, and appropriate $32,914 in additional Clean Air Act Section 105 Grant revenue.

(13) LITTLE SUGAR CREEK ENVIRONMENTAL RESTORATION INITIATIVE - PHASE 1 HIDDEN VALLEY ECOLOGICAL GARDEN
1. Authorize the County Manager to execute a Funding Agreement for the Little Sugar Creek Environmental Restoration Initiative - Phase 1 Hidden Valley Ecological Garden with the City of Charlotte for construction of environmental and storm water components of the project in the amount of $504,000.
2. Authorize the County Manager to execute a Funding Agreement for the Little Sugar Creek Environmental Restoration Initiative - Phase 1 Hidden Valley Ecological Garden with the City of Charlotte for construction of sanitary sewer components of the project in the amount of $193,016.
3. Authorize the County Manager to negotiate and execute a 5-year Professional Services Agreement for the Little Sugar Creek Environmental Restoration Initiative - Phase 1 Hidden Valley Ecological Garden with the Duke University Wetlands Center / Nicholas School of the Environment, for monitoring of the project in an amount not to exceed $200,000.
4. Authorize the County Manager to execute a Construction Contract for the Little Sugar Creek Environmental Restoration Initiative – Phase 1 Hidden Valley Ecological Garden with Blythe Development Company for construction of the project in the amount of $1,808,100.

(14) PARKLAND ANNEXATION BY TOWN OF CORNELIUS
Approve annexation of a 101.698-acre County-owned tract (all of Tax Parcel 005-071-12) on West Catawba Avenue by the Town of Cornelius.

The subject property was acquired in 2001 through the Trust for Public Land. McDowell Creek crosses the rear portion of the property and a small branch flows along its northern edge. Approximately one half of the tract, including all acreage abutting creek areas, is to be preserved for watershed protection/nature preserve purposes. The southern portion of the property is leased to the Town of Cornelius for park development. A major benefit of annexation will be that the Cornelius Police Department would then be responsible for safety concerns within the park/preserve site.

(15) LAND ACQUISITION – BACK CREEK DISTRICT PARK SITE ACCESS
Approve the purchases of Tax Parcel #051-191-07 with 1.76 acres from Charles R. Sossamon and Cynthia L. Sossamon for $77,800 and Tax Parcel #051-191-28 with .80-acre from Cynthia L. Sossamon for $33,000 for Back Creek District Park site access.

(16) LAND EXCHANGE – REID PARK NEIGHBORHOOD
Adopt a resolution entitled: Mecklenburg County Board of Commissioners Resolution Authorizing Exchange of Portions of Amay James Park for Seven Nearby Parcels (Parcels: 145-172-04; 145-172-10 (except for Lot 45 in Block 13 of Reid Park Subdivision); 145-173-11; 145-173-08; 145-174-08; 145-186-06; and 145-186-04).

Resolution recorded in full in Minute Book 42-A, Document #41.
(17) LEASE AMENDMENT – 5800 EXECUTIVE CENTER DRIVE

(1) Approve amendment to existing lease of space at 5800 Executive Center Drive to add approximately 1,255 rentable square feet in the building for an existing Social Services Department Program.

(2) Authorize the County Manager to negotiate and execute lease amendment.

County Department of Social Services staff currently leases and occupies approximately 12,700 square feet in the building. The Economic Service Division of the Social Services Department has had to leave their offices in the Alexander Street Center since the building will be demolished. The additional 1,255 square feet will provide a location for the division to continue their operation and continue holding the orientation for Work First customers.

(18) STORM WATER SERVICES – CITY’S MINOR SYSTEM FEE

Adopt The Resolution Authorizing Increasing The Minor System Cost Component Of The Storm Water Service Charges To Be Levied Within The City Of Charlotte.

Resolution recorded in full in Minute Book 42-A, Document #42.

(19) DIGITAL FLOOD INSURANCE RATE MAPPING GRANT FUNDS

Recognize, receive and appropriate $100,000 in grant funds received from FEMA to provide a flood risk assessment initiative.

(20) PERMITTING AND INSPECTION (P&I) SYSTEM CONTRACT

Recognize and receive $875,570 in second year projected funding from the 5% surcharge on Building Permit fees approved by the Board on June 4, 2002.

Appropriate $325,000 of the surcharge to fund remainder of Permitting & Inspection System project.

(21) SNO-WHITE CLEANERS CONDEMNATION

Adopt Mecklenburg County Board Of Commissioners Resolution Authorizing The Institution Of Condemnation Proceedings For The Acquisition Of Tax Parcel 125-043-04 Belonging To Ms. Cheri M. Fee And Ms. Leila F. Helms And Any Persons, Firms Or Corporations With Interests Therein For A Public Parking Deck To Be Constructed In Conjunction With New Courthouse For Mecklenburg County.

Resolution recorded in full in Minute Book 42-A, Document #43.

(22) BUDGET AMENDMENT – DEPARTMENT OF SOCIAL SERVICES CHILD CARE SUBSIDY FUNDS

Amend the Department of Social Services’ FY03 budget to recognize, receive and appropriate additional Federal and State revenues for the childcare subsidy program.

The State Division of Child Development has allocated an additional $300,000 to the Mecklenburg County Department of Social Services for child care subsidy slots. The funding is to be used to serve children who are in need of childcare. Mecklenburg County Department of Social Services contracts child care eligibility services with Child Care Resources, Inc. (CCRI). The additional allocation will serve approximately 541 children during the months of May and June 2003.
(23) SAM BILLINGS CENTER GENERATOR REPLACEMENT

Approve transfer of funds from Area Mental Health Budget to Capital Reserve Fund.

The Sam Billings Center houses a 76 bed 24-hour, 7-day a week substance abuse treatment center. The existing back-up generator capability is insufficient to power the HVAC systems. During the past winter’s ice storms, the Area Mental Health campus lost power and consumers were taken to the public shelters. This did not serve the best interests of the consumers or the general public. Replacement of the generator project will be approximately $173,000. Real Estate Services will manage the project.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(11) COMPASS GROUP DONATION – DEPARTMENT OF SOCIAL SERVICES

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate a $10,000 donation from the Compass Group of North America's Proposal Development Center; and carry forward any unspent funds remaining at June 30, 2003.

Commissioner Samuelson removed this item from consent for more public awareness.

Richard Jacobsen, Director of Social Services addressed the donation.

The Compass Group of North America's Proposal Development Center won national and international awards for its community support program, "Compass in the Community." The awards carried monetary amounts to be donated to charitable organizations selected by the staff of the Compass Group. The Department of Social Services' Community Resources Office was selected to receive $10,000 to be utilized to purchase medications for client’s aged 55 and over that meet eligibility requirements.

(24) OPERATING BUDGET AND WORK PROGRAM FOR FY03-04

The following persons addressed the Operating Budget and Work Program for FY04, specifically the closing of the Gatling Center:

Gene Gibson, Johnathan Small, and Junie Davis each addressed the importance of the Gatling Center and expressed opposition to closing it.

Rachael Vanhoy of the Sheriff’s Office addressed the Gatling Center and the impact of closing it.

County Manager Jones informed the Board that they could move forward as it had planned based on action taken at the June 12th budget workshop as it relates to Gatling. He stated that Sheriff Pendergraph has indicated that Gatling is a high priority for him and that he would like to keep it open. Manager Jones noted also that the Sheriff’s Office has 149 vacant Detention Officer positions, which the Sheriff is willing to take a look at utilizing some of those vacant positions in an effort to put together a proposal that would be brought back to the Board relative to maintaining the operation of Gatling.
It was noted at this time that Commissioner Helms, absent because of illness, was on the
telephone and would be voting on Item 24-Operating Budget and Work Program for FY04,
but that he would not engage in the discussion.

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and
unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett,
Ramirez, Samuelson, and Woodard voting yes, to amend the proposed FY03-04 budget by
moving $551,773 from a line item appropriation in Non Departmental to Debt Service.

Motion was made by Commissioner Ramirez, seconded by Commissioner Puckett and
unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett,
Ramirez, Samuelson, and Woodard voting yes, to amend the Straw Vote Budget as follows:

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<th>Reductions:</th>
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<tr>
<td>CPCC</td>
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<td>BOCC Travel (eliminate increase)</td>
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<tr>
<td>Latin American Coalition</td>
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<tr>
<td>Programma Esperanza</td>
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<td><strong>Subtotal Reductions</strong></td>
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<th>Additions</th>
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<td>Mi Casa, Su Casa</td>
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<td>Programma Confianza</td>
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<td>Latin Health Fair</td>
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<td>WTVI</td>
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<tr>
<td>Historic Charlotte</td>
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<tr>
<td>Park and Recreation – Summer Camps Disabled</td>
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<tr>
<td><strong>Subtotal Additions</strong></td>
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Motion was made by Commissioner Ramirez, seconded by Commissioner James and
unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett,
Ramirez, Samuelson, and Woodard voting yes, to amend Section XIV of the FY 03-04 Budget
Ordinance by deleting the amount of $849,738 and substituting the amount of $297,965.

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson, to adopt
the FY03-04 budget ordinance for Mecklenburg County as amended.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and
failed 5-4 with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting no and
Commissioners Clarke, Helms, Mitchell, and Woodard voting yes, to:

**Part (A)** Amend the proposed budget ordinance to adjust the property tax rate by 3.21 cents to
the Manager’s recommended, revenue neutral rate of 76.85 cents, thereby increasing the
estimated amount of property tax revenue by $25,038,000, **Part (B)** put one-half, or
$12,519,000, of that revenue into an account dedicated to pay as you go capital projects or debt
service on capital projects in fiscal year 2004/05 and **Part (C)** appropriate the remaining one half
of that additional revenue, or $12,519,000, as follows:
45% of CMS Supplemental Funding Request Increase | $6,000,000
Employee Compensation (market adjustment) | 1,200,000
401(k) Employer Match | 367,894
Public Libraries | 495,339
Park & Rec – general/special needs summer camps | 491,988
Area Mental Health – adolescent treatment | 500,000
Area Mental Health – to prevent homelessness | 65,000
PS&I – Mecklenburg Matters Insert | 40,000
Public Health – adolescent pregnancy prevention | 206,381
Sheriff’s Dept. – work release & restitution center | 613,382
Sheriff’s Dept. – Gatling Juvenile Detention Facility | 369,272
Social Services – overtime | 85,000
Social Services – Charlotte East Community Site | 208,785
Women’s Commission | 132,968
Building Services – building maintenance | 60,000
County Manager – D&T Supplemental audit fee | 50,000
Mecklenburg Council on Adolescent Pregnancy | 34,991
WTVI | 600,000
Arts & Sciences Council | 800,000
Total | $12,519,000

Comments by Commissioner Clarke prior to the vote on the substitute motion:

“I am offering this substitute motion with the support of Norman Mitchell, Parks Helms and Valerie Woodard. Accordingly, with only one more vote this substitute motion will be approved.”

“Although the four of us continue to believe that our original alternative budget proposal would be the best course of action for this commission to take, it became abundantly clear last week when we did our non-binding straw voting on next year’s county budget in anticipation of adopting a budget ordinance tonight that none of the other five commissioners would support it. Therefore, in a final effort to avoid the irreparable harm we believe the service-cutting budget the other five commissioners are planning to adopt tonight would cause to county government, the public library, WTVI, the sheriff’s department, and the momentum the Charlotte Mecklenburg School System is building in its drive to increase academic rigor and achievement, we are now proposing another responsible alternative.”

“We prepared it taking into account a number of concerns about this year’s and next year’s county budget expressed by members of the majority on this board, including a desire the Chairman expressed last Thursday night to provide the school system with at least $5.0 million of its requested $15 million increase. The savings account we would establish with half, or $12.5 million, of the additional tax revenues we would collect under this proposal will make the budgeting process easier next June when the pressure to cut services will be even greater, particularly if this economy headed nowhere does not recover significantly between now and then. Our substitute motion is a respectful and sincere attempt to reach a compromise on some very difficult and contentious issues. It is not political grandstanding.”

“Our proposal would adjust the property tax rate to set it at the revenue neutral rate of 76.85 cents recommended by the County Manager, put one-half of the additional property tax revenues collected into a savings account to help pay for increasing debt service next year and restore some of the more significant service cuts in the budget proposal the other five commissioners
approved last Thursday night. It would also fund approximately 40% of the $15 million request the CMS school board made to us for additional supplemental funding of the schools’ operating budget and restore some funding to WTVI and the Arts & Sciences Council.”

“In support of this resolution I would like to make the following points.

1. The property tax rate it would establish is 7.12 cents, or 8.5% lower, than the current county property tax rate.

2. As compared with the service cut budget proposal that the five other members of this board are supporting tonight, annual property taxes on a $150,000 home would be $48.15 higher, or about 92 cents per week (less than the convenience store price of a one liter bottle of chilled soda per week – saving 20,800 calories a year – and almost exactly the same amount as bag of small fries at McDonalds).

3. As is true of all budget proposals we have considered over the last few weeks, some property owners in Mecklenburg County will pay more in property taxes next year under this revenue neutral tax rate proposal and some will pay less.

4. The service cutting budget the other five commissioners approved during the straw voting last week uses the new half cent sales tax for a purpose other than what we told the General Assembly we needed it, and they gave us the authority to collect it, for: to replace in our budget the state reimbursements we are no longer receiving. It also violates the spirit, if not indeed the letter, of the resolution this Board of Commissioners adopted by a 6-3 vote last fall when we approved levying the new half-cent sales tax that specified we would use the revenues to fund capital projects on a pay as you go basis or to pay debt service on capital projects. There was never any understanding that this revenue stream would be used to lower the property tax rate below revenue neutral – it was not even a factor when the board of county commissioners took that action.

5. The majority’s use of the new half-cent sales tax revenues to make politically popular tax cuts at the expense of funding important public services will be viewed by many in the General Assembly in Raleigh as acting in bad faith and a clear breach of the implied covenant to use the new sales tax revenues to replace the lost reimbursements. No one should be surprised, therefore, the next time our local elected and business leaders go to Raleigh to petition the state government for additional revenue, for new sources of authority, or funding support for local economic development and cultural projects from the state to be greeted with an insurmountable obstacle of skepticism and cynicism about our need for help.

6. Using the revenues from the new half cent sales tax to roll back the property tax rate is also fundamentally unfair. It sets the property tax rate below a revenue neutral rate at the expense of those who do not own property, many of whom are at the bottom of the economic ladder but must still pay the increased sales tax.

7. Our alternative budget proposal is not a hollow gesture of support for our school system – it includes a source of funding for the $6.0 million - less than one penny on the property tax rate.

8. The Education Budget Advisory Committee, a group of highly qualified and dedicated citizen volunteers who spent countless hours over the last twelve months fulfilling their charge from us to scrutinize the school system’s budget and make a recommendation on CMS supplemental funding requests, characterized the CMS request for a $15 million increase over last year as “an extremely fair request from a number of angles.”

9. As the writer of Saturday’s Charlotte Observer lead editorial pointed out, campaign promises the Republican majority on this board made to roll back the property tax rate with the new half-cent sales tax revenues were made when it could not be foreseen, and, I would add, without disclosing to the voters what the consequences in service cuts would be.
10. The service cuts in the majority’s budget will require the public library board of trustees to make a cruel choice. They can close some popular but small branch libraries to preserve the integrity and high quality of the rest of the library’s operations, or they can keep them open and by leaving vacant positions unfilled in a number of libraries and not making necessary computer upgrades and maintenance they can continue to slowly erode the quality of the library’s offerings. The Library trustees had already eliminated 51 jobs for two new branches – the Freedom Regional Library at Berry Academy and the Sugar Creek Service Center – opening this fall. Berry Academy, a new regional library on the west side that is a joint use project with CMS at its new technical high school, will open on schedule but with limited hours of service during the five weekdays instead of the expanded evening and weekend hours the other regional libraries in the county are and will be open.

11. It would take me all night and half the day tomorrow, to tell you half of what I have learned since I was elected to the board of county commissioners three years ago about this highly complex animal called county government that plays a critical role in making Mecklenburg County a safe, healthy and prosperous community. You will be glad to hear I am not going to do that. But I am going to tell you that I have learned who makes county government and the agencies it funds work as efficiently and effectively as they do. That is the employees in the health department, Youth and Family Services, Area Mental Health, DSS, court services, Park & recreation, the Sheriff’s office, information services and technology, the public library and other departments, who serve the citizens of this county every day with a level of commitment and dedication that you will find in few other communities in this country. We should be grateful for their service and we should reward them appropriately for their performance. And in case anyone thinks it is getting cheaper to live in this country, the Labor Department announced today that the core rate of inflation, which excludes energy and food prices that tend to swing wildly from month to month, rose by 0.3% in May, the largest increase since last August. So much for the risk of deflation.

12. I have received several emails suggesting that as a member of the minority party there are times when I should just “grin and bear it.” Parks, Norman, Valerie and I do no believe this is such a time. We also do not believe that is what freedom, democracy and representative government are all about. Before I finish, let me say we recognize there may be one or more of the five board members who supported the full rollback budget last Thursday night who would be willing to support this budget compromise or a modified form of it in concept but would like to have more time to study and negotiate the details. If so, we will work with you. There are 12 days left before we must adopt a budget for next year. We could defer taking any action tonight on a budget ordinance, meet and work out the details of the compromise and reconvene at a special called meeting before the end of June to adopt a budget ordinance that incorporates its terms. Thanks for listening to my points and, hopefully, for seriously considering this attempt to compromise.”

The vote was then taken on the original motion and carried 5-4 with Commissioners with Commissioners Cox, James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Helms, Mitchell, and Woodard voting no, to adopt the FY03-04 budget ordinance for Mecklenburg County as amended.

Note: The tax rate for FY04 would be 73.64 cents.
Prior to the above vote, Commissioner Puckett noted that there would be an increase in the FY04 budget in the Law Enforcement Service District Tax. He stated that unfortunately the Board has no control in this area because of an Interlocal Agreement between the City of Charlotte and the County for the provision of law enforcement services in the unincorporated area of the County. He noted that he was supportive of the FY04 Budget Ordinance as amended overall, but opposed to the increase in Law Enforcement Service District tax.

Chairman Cox commented prior to vote, that he has always stood for a thorough review of existing programs and services and examining the “value proposition” behind them. He stated that the Board, starting in September, would embark further upon this, which should improve future budget processes.

Ordinance recorded in full in Minute Book 42-A, Document #44.

Commissioner Helms excused himself via telephone.

Commissioners Mitchell, Puckett, and Samuelson left the dais and were away until noted in the minutes.

FY04 Pay Plan

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 5-0 with Commissioners Clarke, Cox, James, Ramirez, and Samuelson voting yes, to approve the FY04 Pay Plan.

Commissioner Mitchell returned to the dais.

(25) BUSINESS HOURS – REGISTER OF DEEDS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 4-2 with Commissioners Cox, James, Ramirez, and Samuelson voting yes and Commissioners Clarke and Mitchell voting no, to adopt Resolution Establishing Business Hours for the Office of the Register of Deeds that effective July 1, 2003 the office hours for the Office of the Register of Deeds shall be Monday through Friday 8:00 a.m. – 5:00 p.m. except for County holidays; and further, on the days that the Office of the Register of Deeds is open for business, staff will not provide direct service to customers prior to 8:30 a.m. nor provide direct service to customers arriving after 4:30 p.m.

Resolution recorded in full in Minute Book 42-A, Document #45.

(27) SELECTION OF NACO VOTING DELEGATE

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Samuelson voting yes, to appoint Commissioner Mitchell as the voting delegate for the 2003 Annual NACo Conference to be held July 11-15 in Milwaukee, Wisconsin.

Commissioners Puckett and Woodard returned to the dais.
(26) H1313 – AUTHORIZE COUNTIES TO LEVY A LOCAL OPTION EXCISE TAX ON CIGARETTES AND OTHER TOBACCO PRODUCTS

Commissioner James addressed H1313 introduced by Representative David Miner (Wake County) that would allow County Commissions to levy a local excise & use tax on cigarettes and other tobacco products (Tobacco Tax).

Commissioner James asked the Board to: 1) Consider opposing H1313 as now written and under consideration in the General Assembly. 2) To recommend to the General Assembly that the bill should be written to be “revenue neutral” requiring, if imposed, any estimated revenues under the new tax to result in a dollar-for-dollar reduction in the ad valorem property tax rate and to require that the only time the “Tobacco Tax” could be levied is at the adoption of the annual budget.

Commissioner James stated that he feels this would be a tax increase that was not requested.

Motion was made by Commissioner James, seconded by Commissioner Puckett, to authorize the Chairman to send a letter to the General Assembly opposing H1313 as now written and under consideration in the General Assembly. Secondly, to recommend to the General Assembly that the bill should be written to be “revenue neutral” requiring, if imposed, any estimated revenues under the new tax to result in a dollar-for-dollar reduction in the ad valorem property tax rate and to require that the only time the “Tobacco Tax” could be levied is at the adoption of the annual budget.

Commissioner Mitchell stated that he was opposed to the way H1313 was written because he feels it should be a statewide bill.

Following further discussion, Commissioners James and Puckett amended their motion to act only on the first portion of it as noted:

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 5-3 with Commissioners James, Mitchell, Puckett, Ramirez, and Samuelson voting yes and Commissioners Clarke, Cox, and Woodard voting no, to authorize the Chairman to send a letter to the General Assembly indicating the County’s opposition to H1313 as now written and under consideration in the General Assembly and why.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:25 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Scheduled Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 8:00 P.M. on Thursday, June 19, 2003.

ATTENDANCE

Present:  
Vice-Chairman Dan Ramirez,
Commissioners Dumont Clarke, Bill James,
Norman A. Mitchell, Sr., Jim Puckett
Ruth Samuelson and Valerie Woodard
County Manager Harry L. Jones, Sr.
Deputy Clerk to the Board Tonette F. Spears

Absent:  
Chairman Tom Cox and Commissioner H. Parks Helms

Commissioner Clarke was absent when the meeting was called to order and until noted in the minutes.

The Board met in special scheduled session during the broadcast of “Mecklenburg Forum Live.”

The purpose of the Board’s attendance on “Mecklenburg Forum Live” was to hold an electronic Town Meeting to receive citizens’ comments on the adopted FY’04 County Budget.

Following remarks by Roger Kortekaas, Vice-Chairman Ramirez welcomed viewers to Mecklenburg Forum Live and introduced Board Members and County Manager Harry L. Jones, Sr.

A video was then shown regarding the adopted FY’04 budget.

The following comments were received from the public:

Stacey (last name not given) telephoned and asked what is the Office of Protocol and what does it do for Mecklenburg County?

Vice-chairman Ramirez responded and said that the Office of Protocol was a vehicle for the international community to communicate with their respective Councils or Representatives of their countries. He further stated the office serves as a facilitator and is jointly funded by the City and County.

Debbie (last name not given) telephoned and stated that with the recent property revaluation, her property value increased by 70 percent. She stated she would have to pay $800 more in taxes even at the new tax rate. She asked, “why is the statement being made that the County does not have any money when ultimately she and other property owners will be paying more taxes.”

Commissioner Puckett responded and said even with the so-called revenue-neutral adopted budget he believes nearly 60 percent of taxpayers in Mecklenburg County will pay more taxes than they did last year. He stated revenue-neutral is countywide which means that the County will not take in any more dollars than they did the year before. He further stated he agrees with the caller and
the County does have plenty of money and the budget adopted for FY’04 reflects that belief. He further stated due to the fact many taxpayers will pay more in property taxes this year, the majority on the Board felt that was enough.

Commissioner James addressed the question and stated in County dollars the adopted budget went up from $716 million to $743 million, but the property tax revenues collected from individuals such as the caller didn’t go up at all. Countywide net was about a $3 million dollar increase which is an indication that efforts were made to ensure that the County was not collecting any more revenue from property tax owners as in previous years. Most of the revenue growth came from sales taxes and a new ½ cent sales tax that was adopted.

Commissioner Mitchell addressed the question and stated, that due to the growth, expansion and services that are provided to the community, citizens need to understand that it costs to keep the County thriving. He also stated citizens need to understand it costs to live in a viable community. He further stated that citizens that have visited or relocated to Mecklenburg County from other parts of the country, have said the cost of living is far cheaper here than where they came from.

Mr. Korketaas read an e-mail (no name given) asking why can’t the Board restore Project Hope to the Mecklenburg County Health Department? I’m sure that monies can be redistributed within the director of public health, Peter Safir’s, budget to help the 38 children that this cut would drastically hurt.

Commissioner James responded and said that County staff performed a review to determine the lowest priority spending that was in that area of the budget and staff determined that Project Hope should be eliminated because it was the lowest priority item. He further stated five members of the Board concurred with staff findings and the program was eliminated.

Commissioner Mitchell responded and said he was disappointed with the cut of Project Hope. He said his hope is that funds can be found to reinstate the program in the near future.

Darlene (no last name given) telephoned and asked how do you justify cutting services as the one just talked about (Project Hope) and give private businesses such as, Time Warner Cable, taxpayer money? You say it is to give the county jobs, what textile worker can get a job with Time Warner Cable?

Commissioner Samuelson responded and said the Business Investment Grant was a joint economic package with the City and State to enable Time Warner to locate jobs here. She further stated that by Time Warner moving its headquarters to this area, it would increase the tax base because the move would include relocation of employees and new jobs. She further stated that an economic study was done and indicated the increase in tax revenue from individuals that relocate to this area would pay the County back its investment.

Commissioner Puckett addressed the question and said that it was really not a payment as much as a credit. He further stated Time Warner Cable would have to pay their taxes and the County would allow them a certain credit to relocate here. He stated Time Warner would pay less tax for a certain period of time.

Commissioner Clarke entered the meeting at this time.

Mr. Kortekaas read and e-mail (no name given). For some years now citizens have seen a School Board that doesn’t know the definition of accountability. Does the County Commission have the authority to place an ongoing accounting review (watchdog) within the structure of the School Board to monitor its spending?

Commissioner James responded and said the law prohibits County Commissioners from dictating to the School Board. He further stated the Board could request they provide certain accountability. For example, the Board could ask the School Board to include all revenues and expenses in their budget and not on different schedules. He said whether they do that or not we do not have control
Commissioner James further stated the Board has an obligation to work with CMS for the benefit of children in Mecklenburg County. He further stated that it must be done in a responsible manner and he hopes that within the next 12 months there will be an improved relationship with CMS and that they will be willing to provide some degree of accountability. He stated that there was a discussion on having a supplemental audit performed on CMS’ budget. He stated he is hopeful CMS would see the benefit of an audit and that that would help provide some willingness of communication between both parties and provide added credibility to the debate that seems to be occurring.

Commissioner Mitchell addressed the question and said the Board will continue to work with the School Board. He further stated that he felt the recent neighborhood lawsuit has really made the community unstable. He further stated that because we are going back to a segregated school system, now is the time we should come back as a community to fund CMS and continue to give the school system their needs.

Commissioner Clarke addressed the question and said there was a structure in North Carolina and elected officials are charged with the responsibility of running the school system and educating our students and don’t have any ability to raise a single dime of their own money. The school system is funded primarily by the state of North Carolina, which funds about 60 percent of their budget. He stated the County has an obligation to build the buildings, which is a big obligation. He stated thus far a job well done over the course of the last ten years. He stated not only meeting the demands of rapid growth in the community but building new schools, renovating and expanding new schools in the more central parts of this county, which is an important thing, the school system has set its sight on and is expensive. He stated the debt service was increasing and was a big burden on the County to build these capital facilities and was an important investment not only to meet the needs of the growth in this county but also to rebuild schools like Myers Park, Elizabeth Traditional and Oakhurst. He stated to him it was expensive and puts pressure on the County’s budget. He stated there was no question about that but there was also a very solid investment in the future of this county.

Commissioner Woodard addressed the question and said that this was the first year to her understanding that the School Board and members of County Commission have worked collaboratively with a liaison committee in an effort to resolve some of the conflicts between the two boards. She further stated that hopefully this time next year members of the two bodies would have found a way to work together and come to a mutual agreement on accountability and school needs.

Commissioner Clarke noted that there was a Bond Oversight Committee. He stated that this very hard working group of citizens meet on a regular basis to make sure that bond money to build and renovate schools is spent appropriately.

He further stated that there was also the Citizen’s Capital Budget Advisory Committee that acts in an advisory capacity for the Board. He stated their responsibility was to review school needs. Also, about a year ago the Board of Commissioners appointed the Education Budget Advisory Committee, another group of outstanding citizens that include several CPA’s, bankers and lawyers. He stated the committee met with the School Superintendent and his staff and have done an excellent job looking at the schools budget and analyzing. He stated their charge was to make a recommendation to the County Commission each year on the request for funding from the School Board. This year the committee reviewed the $15 million request and determined it was a fair request from all angles and the Board did not approve any of it.

Jim (no last name given) telephoned and asked why the democratic commissioners have a difficult time cutting expenses when they would raise his taxes in a heartbeat?

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Commissioner Clarke responded and said no one raised taxes this year and tax rates are significantly lower. He stated the democrats compromised proposal was to set the tax rate at revenue-neutral, which for some people in the County would have meant paying more taxes, and for some less. Commissioner Mitchell reiteratated that to live in this community it costs, and stated taxes was one of
the ways to pay for services.

Mr. Kortekaas read an e-mail (no name given) Kudos to the Commissioners for keeping taxes down. Would the countywide review of all budget items that Chairman Cox promised to occur this year include citizen participation?

Commissioner Samuelson responded and said she did not know if the process for that review had been completely planned or how it would take place. However, she knows some review will be made through the Boards’ Efficient and Effective Government Committee. She further stated she would recommend a Blue Ribbon Committee. She noted that a Blue Ribbon Committee would allow the Board to bring in business expertise from the community to help with the process.

Commissioner Puckett addressed the question and said that one of the things the county invested in about two years ago was the Balanced Scorecard. He noted the Balanced Scorecard was a data driven accountability, management and budgeting tool. He further stated that it would take quite a while to implement.

Commissioner Puckett further explained that with the Balanced Scorecard each department and each employee has a goal and with that goal there is a measurement that indicates if the goal is being met. He stated that once the program is implemented he thinks that will be the basis on how the Board begins to identify how departments and employees are performing, how things will be prioritized and budgeting for future years. He further stated that all of the preliminaries should be in place for budget ’05. He further stated the trick would be how to implement the Balanced Scorecard with outside agencies. He stated the County Manager would be reviewing and explaining the County’s core goals and talking about how the outside agency piece would work. He further stated that in many cases outside agencies could provide services much cheaper than in-house and those are the types of things that would be reviewed.

Commissioner James addressed the question and explained the budget process in past years and stated that the budget for ’05 would begin much sooner this year than it has in past years. He further stated professionals from the community would be helpful.

Commissioner Mitchell addressed the question and said it would be irresponsible of the School Superintendent to not tell the Board of Commissioners what it would take to educate the children of Mecklenburg County in years to come.

Mr. Kortekaas read an e-mail (no name given) Why do Charlotte taxpayers have to pay to light roads in the daytime?

Mr. Kortekaas said this was a City question.

Commissioner Clarke responded on the previous e-mail question by stating that he thought Commissioner Samuelson’s idea about bringing in outside experts to help review the budget was a good idea. He further stated that tends to take some of the politics out of the process. He further stated that on a voluntary basis, McKinsey & Co. reviewed the school system budget.

Caller (not identified) asked when the County starts taxing for a project, why doesn’t it ever cease? He finds it appalling that with 103,000 students going to school—look at the funding for them. Why when the City and County are caught wasting funds no one gets prosecuted, yet it continues?

Commissioner Samuelson responded and said that was a good question and that partly should be answered when the Board begins reviewing programs and projects. She further stated that one of the questions that should be asked was do we have programs that may have gotten started with a mission that was now invalid.

Commissioner Samuelson noted in terms of taxes, she couldn’t recall the County having any specific projects that were tax oriented and never finished. The only one she could recall was the transit taxes, which was still ongoing.
Commissioner Puckett addressed the call and said the budget recently passed by the Board included outside agency funding. He stated after a review of the budget, the Board stopped funding some of those agencies. He stated it was determined that the agencies that did not receive funding through the County could stand on their own or have outlived their mission or no longer had a high priority. He stated in the past these agencies had a shelf life that went on and on, but this year and next year those will be the type of questions answered.

County Manager Jones noted there was a special tax district in the unincorporated area for law enforcement services. When that tax was implemented around six years ago, the assumption made was in a 10-year period that tax would go away because the unincorporated area would be fully annexed. He further stated that was not necessarily a correct assumption and that the County would begin to work with the City this summer regarding another model to be used to get to the point of spreading the cost of that particular service throughout Mecklenburg County by hopefully including the Towns in that equation. The intention was for that tax to go away.

**Thomas** (last name not given) telephoned and asked the democrats on the Board, out of all the years you had a majority on the Board, why didn’t you spend money better so that in our current economic situation it would not be so bad? Increasing taxes is not always the answer. You have to pick and choose the budgetary priorities so that things could be better for all. He further stated that the last election cycle should be a lesson and if the democrats want to regain the majority, they need to learn to manage the money better.

Commissioner Clarke responded and referenced an article that was in the Charlotte Observer that addressed the large increase in County spending on schools since 1995. He stated that he agreed the increase has been significant but he doesn’t think its fair to talk about the increased spending and not point out the significant progress the school system has made in that time. He stated that improved academic achievement in all grade levels has occurred. He further addressed that all groups in this community were making significant progress and academic achievement on the end-of-grade test. He stated he felt the money was well spent and a great investment for the future. He further stated that if the Board does not continue to support the schools the economic momentum in the community would be lost.

Commissioner James addressed the question and gave his view of the different philosophies of budgeting by the different parties.

**Mr. Kortekaas read an e-mail** (no name given) Elimination of the ABC Board and privatization of alcohol sales would require working with the State but in the long run wouldn’t it be worth it?

Commissioner Samuelson responded and said North Carolina law would not allow privatization of alcohol sales. She further stated that there was an Alcoholic Beverage Control Board that was instituted by the State.

Commissioner Clarke addressed the question and said that a Senator has been trying for years to get a Study Commission appointed to study the possible privatization of sales of alcohol. He stated he did not know where the issue stood but that was an issue being studied at the State level.

**Caller John** (no last name given) He applauded the Commissioners for their efforts to reduce expenses because we’re in a period of economic slowdown in this nation and many businesses are closing, people are being layed off or losing their jobs. For those who have savings the interest rate is very, very low and it seems we have no accountability from the school system on their expenses not for the average citizen. He certainly applauds the County Commissioners for their effort in attempting to reduce expenses in this day and age.

**Mr. Kortekaas read an e-mail** Since debt service is one of the fastest growing parts of the County budget should there be more emphasis on communicating to the public about the cost implications of bonds when these are placed on the ballot? Is the public aware that bonds have an impact on the budget?
Commissioner Ramirez responded and said he believes the County should and has the duty to do it, so the public will know exactly where the County stands at all times. He said accountability was one of the issues the County needs to deal with.

Commissioner Samuelson addressed the question and said many citizens do not understand the connection between voting on a bond and the tax rate. She stated technically voting on the bonds does not increase your tax rate, however, what has been seen in this budget year is if you continue to accumulate debt it becomes harder and harder to pay debt service without it. One proposal she has heard is the possibility to put wording in a bond referendum that indicates that the debt service on that bond referendum would equal x portion of a penny or full pennies on the property tax rate and incorporate in that language approval to increase the tax to cover it. This would mean individuals that vote for a bond were actually approving a tax increase.

Commissioner Clarke addressed the question and said he gives voters in this community credit for understanding that when you borrow money you have to repay it. He stated bonds are a pay-as-you-go way to pay for capital projects. But in order to pay for projects as you go you have to be willing to set a tax rate that would produce the revenue that would allow you to do that.

Commissioner Puckett addressed the question and said that another thing that occurred this year was the restructuring of the debt payment program. Parameters have been set and a decision was made on what percentage of the budget should go to debt. He stated bonds would be issued yearly and the 2/3rd bonds have been eliminated which are unvoted bonds and going to every other year cycle. He further stated the Board was getting control of the bond debt.

**Caller Larry** (no last name given) Would you agree that Wake County school system is probably the same make up as Mecklenburg County? If you look at their school expenditures as opposed to ours and how they actually have more kids crammed into their schools and you look at their test scores it is amazingly different. They are stellar, what are they doing that we are not?

Commissioner Samuelson responded and said that the numbers of students were very close to ours but the make up was not. She noted that Wake County demographics were different from Mecklenburg County. She further noted that Mecklenburg County has a higher immigrant population and higher free and reduced lunch population, which would make a difference. She further stated that perhaps Wake County should be visited to see some of the things they are doing that might be different.

Commissioner Mitchell addressed the question and agreed with Commissioner Samuelson that the demographics were different. He further stated that you need to look at the demographics and the high percentage of the population in the Wake County area that have undergraduate, master and doctorate degrees that have children who attend public schools.

Commissioner Clarke addressed the question and said that another difference between the two school systems was the Wake County School Board was never under a school desegregation order. Also, that they do have a policy that limits the percentage of free and reduced lunch kids in any one school. He further stated that most experts would agree that having a high concentration of students that live in poverty in a particular school makes it very difficult to teach those kids and to achieve the academic gains needed. He further stated that Wake County has done a very good job in limiting that concentration.

*June 19, 2003*

No further inquiries were received because of time limitations, thus the program was concluded.

______________________________ ____________________________
Tonette F. Spears, Deputy Clerk Dan Ramirez, Vice-Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, July 8, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Norman A. Mitchell, Sr., Dan Ramirez Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James and Jim Puckett

-INFORMAL SESSION-

Commissioners Clarke and Helms were absent when the meeting was called to order and until noted in the minutes.

(1A) STAFF BRIEFING/SWAPS

Finance Director Harry Weatherly introduced Ben Asher with Public Resources Advisory Group (PRAG) to make a presentation concerning SWAPS.

Commissioners Clarke and Helms entered the meeting during this time.

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to receive the report from Public Resources Advisory Group (PRAG) concerning SWAPS and adopt a resolution authorizing the appropriate County staff to proceed with the transactions.

A copy of the report is on file with the Clerk to the Board.

Resolution recorded in full in Minute Book 42-A, Document #

(1B) CHARLOTTE-MECKLENBURG SCHOOLS AGREED UPON PROCEDURES

Chairman Cox presented a resolution concerning Board of Education financial information, which addressed a proposal to have Deloitte & Touche perform an agreed upon procedures audit.

Superintendent of Schools, Dr. James Pughsley was present and commented on this proposal. He noted he had not seen the proposed resolution. Dr. Pughsley stated that this was a very busy time for the schools. He noted that his staff was currently involved in two major undertakings, addressing cuts and closing out for the 02-03 school year. He said that his staff would have to assist with this proposed audit, thus adding a third major undertaking to this very busy time.
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Dr. Pughsley stated that his intent was not to give the impression that they were opposed to this, but since he had not seen the proposed resolution, it was difficult to say what the full impact would be on staff. He concluded by saying, they would like to be a part of the process.

Discussion continued.

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez, to adopt a resolution entitled, Mecklenburg County Board of Commissioners Resolution Concerning Board of Education Financial Information as presented by Chairman Cox.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Helms, to amend the last paragraph of the resolution to read as follows: That the Mecklenburg County Board of Commissioners does hereby request that the Charlotte-Mecklenburg Board of Education grant permission to its audit firm to, at the County’s expense, perform certain to be agreed upon procedures that will provide the information the Mecklenburg County management staff determines is necessary to affirm that the Board of County Commissioners is properly fulfilling its obligation under the general statute cited above.

Commissioners Samuelson and Ramirez agreed to accept Commissioners Clarke and Helms’ substitute motion as a friendly amendment.

Commissioners Clarke and Helms withdrew their substitute motion.

The vote was then taken on the original motion by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution entitled, Mecklenburg County Board of Commissioners Resolution Concerning Board of Education Financial Information, as amended.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CONCERNING BOARD OF EDUCATION FINANCIAL INFORMATION

WHEREAS, counties in North Carolina are required by statute to provide funding for the following areas of school operations:

(1) Maintenance/repair of school buildings [G.S. 115C-524(b)]
(2) Supplies for school buildings [G.S. 115C-522(c)]
(3) Sites for school buildings [G.S. 115C-426]
(4) School buildings [G.S. 115C-521(b)]
(5) School furniture and apparatus [G.S. 115C-522(b)]
(6) Garage and maintenance equipment for school buses [G.S. 115C-249(c)]
(7) Water supply and sewerage facilities [G.S. 115C-522(c)]; and

WHEREAS, local boards of education are required by G.S. 115C-426 to use a standard budget format as prepared by the State Board of Education which budget format contains the local current expense fund and the capital outlay fund; and

WHEREAS, G.S. 115C-429 sets forth the procedure pursuant to which the board of education is to submit its budget to the board of county commissioners no later than May 15 each year, and pursuant to which the board of commissioners is to determine the amount of county revenues to be appropriated in the county budget ordinance to the local school administrative unit for the budget year; and,

WHEREAS, pursuant to G.S. 115C-429(b) the "board of county commissioners may, in its discretion, allocate part or all of its appropriation by purpose, function, or project as defined in the uniform budget format; and

WHEREAS, the areas of school operations the counties are required by statute to provide funding for are included within various functions within the uniform budget format as sub-functions such that boards of county commissioners are not authorized by statute to allocate any of their appropriations for the specific areas of school operation within the local current expense fund that they are required by statute to provide funding for; and

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WHEREAS, the budget staff of Mecklenburg County has not been able to ascertain from its review of the proposed budgets of the Charlotte-Mecklenburg Board of Education the precise amounts being requested for some or all of the areas of school operations within the local current expense fund for which funding is being requested from the County and for which the County has a statutory duty to fund or help fund, and has not been able to determine from information provided by the Board of Education how funds appropriated in previous years have been expended; and

WHEREAS, G.S. 115C-429(c) provides that the "board of county commissioners shall have the full authority to call for, and the board of education shall have the duty to make available to the board of county commissioners, upon request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit"; and

WHEREAS, the statutes outlined above, taken collectively, evidence a mandate by the North Carolina General Assembly that boards of county commissioners have the opportunity to thoroughly evaluate the financial operations of the local school administrative unit so that the board of county commissioners may determine the way the money that is appropriated for various purposes has been used by the local school administrative unit; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby request that the Charlotte-Mecklenburg Board of Education grant permission to its audit firm to, at the County’s expense, perform certain to be agreed upon procedures that will provide the information the Mecklenburg County management staff determines is necessary to affirm that the Board of County Commissioners is properly fulfilling its obligation under the general statute cited above.

Resolution recorded in full in Minute Book 42-A, Document #

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 13, 19, 31, and 35.

Commissioner Mitchell left the meeting and was absent until noted in the minutes.

(2) CLOSED SESSION PERSONNEL MATTER

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and carried 6-0 with Commissioners Clarke, Cox, Helms, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 6:20 p.m. and came back into Open Session at 6:27 p.m.

Commissioner Mitchell was present when the Board came back into Open Session. He returned to the meeting during Closed Session.

-FORMAL SESSION-

Commissioners Clarke and Helms were absent when the meeting was called to order and until noted in the minutes.

Invocation was given by Commissioner Samuelson, which was followed by the Pledge of Allegiance to the Flag.

Commissioners Clarke and Helms entered the meeting.

(1A) PROCLAMATION100TH ANNIVERSARY OF PUBLIC LIBRARY OF CHARLOTTE & MECKLENBURG COUNTY

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and
unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation recognizing the 100th Anniversary of the Public Library of Charlotte & Mecklenburg County.

The proclamation was read by Commissioner Helms and received by Don Steger, Chairman of the Library Board of Trustees.

A copy of the Proclamation is on file with the Clerk to the Board.

(1B) PROCLAMATION NATIONAL NIGHT OUT

Motion was made by Commissioner Ramirez, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating August 5, 2003, as "National Night Out."

The proclamation was read by Commissioner Ramirez.

A copy of the Proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the public appearance portion of the meeting:

William Cody, UNC Charlotte Professor, Chair of Family and Community Nursing and Executive Director of the Nursing Center for Health Promotion, spoke regarding the services of the Center for Health Promotion as it relates to the Homeless. He asked the Board to keep in mind the unmet health needs of the homeless.

John Woodlief of 1633 Twiford Place and Suzanne Coddington, who also lives on Twiford Place, addressed a “four home” subdivision of new construction behind Museum Drive and Twiford Place to be built in the floodway (“a no build zone”). They both spoke in opposition to this new construction because of existing flooding problems on Twiford Place. Ms. Coddington emphasized the danger of the high waters during storms. They also addressed the County’s role in this process. They encouraged the Board to look into this matter in hopes of preventing this new construction.

County Manager Jones encouraged Mr. Woodlief and Ms. Coddington to meet with Dave Canaan, Director of Storm Water Services, who was present.

Mr. Woodlief stated that his wife had met with Mr. Canaan and that they were waiting on a response to 30 questions they presented to him. He stated also that he felt Mr. Canaan’s written response to the County Manager on this matter was incorrect and subject to clarification.

County Manager Jones again encouraged them to meet with Mr. Canaan tonight.

Commissioner Samuelson noted that she grew up in this area and was familiar with the flooding problems. She further noted that it was her understanding that much of the flooding was coming from upstream and not necessarily because of the new construction in the area.

Commissioner Samuelson also spoke in support of staff. She stated that she looked into this matter and found that staff followed the procedures in effect at that time and did what they were suppose to have done.

Chairman Cox asked that a summary memo be provided to the Board on Mr. Canaan’s meeting with Mr. Woodlief and Ms. Coddington.
APPOINTMENTS

HOUSING AND DEVELOPMENT COMMITTEE

The vote was taken on the following nominees for appointment to the Housing and Development Committee:

Sabrina Brown  None
Patricia A. Harris  Commissioner Woodard
Donald Howard  Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, and Samuelson
Larry G. Ross  None

Chairman Cox announced that Donald Howard was appointed to the Housing and Development Committee to fill a three-year term expiring May 6, 2006.

He replaces Vickie Houze.

INFORMATION SERVICES & TECHNOLOGY ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Information Services & Technology Advisory Committee:

Sue Fry  Commissioners Cox, Helms, Mitchell, Ramirez, and Samuelson
John Greenwood  Commissioners Clarke and Woodard
Scot McMillian  None

Chairman Cox announced that Sue Fry was appointed to the Information Services & Technology Advisory Committee to fill the unexpired term of Brian Pendleton, expiring February 6, 2004.

LAKE NORMAN MARINE COMMISSION

The vote was taken on the following nominees for appointment to the Lake Norman Marine Commission:

Round One

S. Terry Davis, Jr.  Commissioners Cox, Helms, Ramirez, and Samuelson
Gregory S. Greer  Commissioners Clarke, Mitchell, and Woodard
Henry Kahn  None

Round Two

S. Terry Davis, Jr.  Commissioners Cox, Helms, Mitchell, Ramirez, and Samuelson
Gregory S. Greer  Commissioners Clarke and Woodard
Henry Kahn  None

Chairman Cox announced that S. Terry Davis, Jr. was appointed to the Lake Norman Marine Commission to fill the unexpired term of James Bensman, expiring September 30, 2006.
NURSING HOME COMMUNITY ADVISORY COMMITTEE

The vote was taken on the following nominee for appointment to the Nursing Home Community Advisory Committee:

Deidrea Childs Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Deidrea Childs was appointed to the Nursing Home Community Advisory Committee for a one-year term expiring July 8, 2004.

PARK & RECREATION COMMISSION

Commissioner Samuelson asked to be excused from voting on nominees for the Park and Recreation Commission, to avoid a conflict of interest.

Commissioner Samuelson acknowledged that her brother was one of the nominees. (John Culbertson is her brother.)

Motion was made by Commissioner Ramirez, seconded by Commissioner Helms and carried 5-1 with Commissioners Clarke, Cox, Helms, Ramirez, and Woodard voting yes and Commissioner Mitchell voting no, to excuse Commissioner Samuelson from voting on nominees for appointment to the Park and Recreation Commission to avoid a conflict of interest.

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Round One

John Culbertson Commissioners Clarke, Helms, Mitchell, and Ramirez
Robert Patterson Commissioners Cox and Woodard
Janet Woodson None

Round Two

John Culbertson Commissioners Clarke, Helms, Mitchell, and Ramirez
Robert Patterson Commissioners Cox and Woodard
Janet Woodson None

Round Three

John Culbertson Commissioners Clarke, Helms, Mitchell, and Ramirez
Robert Patterson Commissioners Cox and Woodard
Janet Woodson None

Motion was made by Commissioner Ramirez, seconded by Commissioner Woodard and carried 6-0 with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, and Woodard voting yes, to defer making an appointment to the Park and Recreation Commission until the August 12, 2003 meeting.

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ADULT CARE HOME ADVISORY COMMITTEE

The following persons were nominated by Commissioner Samuelson for appointment to the Adult Care Home Advisory Committee: Shirley Guyton-Simpson, Joseph Lee, Sr., Petronila
Martinez, Maggie Moore, Joanna Presson, and Lori Schappell.

Appointments will occur on August 12, 2003.

CITIZEN’S TRANSIT ADVISORY COMMITTEE

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to defer making nominations to the Citizen’s Transit Advisory Committee until the August 12, 2003 meeting; to keep nominations open; and direct the Clerk to continue to advertise.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Helms, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to reappoint Michael Sullivan to the Historic Landmarks Commission for a three-year term expiring August 15, 2006.

PARK & RECREATION COMMISSION

The following persons were nominated by Commissioner Clarke for an appointment to the Park and Recreation Commission: Fountain Walker and Kevin Young.

Appointments will occur on August 12, 2003.

(4) PUBLIC HEARING/BARRINGTON OAKS APARTMENTS MULTIFAMILY HOUSING REVENUE BONDS

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on issuance of bonds for the Barrington Oaks Project.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on issuance of bonds for the Barrington Oaks Project.

Commissioner Clarke introduced the following resolution, the title of which appeared on the agenda:

RESOLUTION APPROVING FINANCING TEAM AND MAKING CERTAIN FINDINGS WITH RESPECT TO THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS, SERIES 2003 (BARRINGTON OAKS APARTMENTS)

JULY 8, 2003

WHEREAS, the Board of Commissioners of the County of Mecklenburg (the “County”) met in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina on the 8th day of July, 2003; and
WHEREAS, pursuant to N.C.G.S. § 153A-376, the Board of Commissioners has the power to exercise directly those powers granted by law to county housing authorities created under Chapter 157 of the North Carolina General Statutes (the “Act”); and

WHEREAS, pursuant to the Act, the County has the power to issue its bonds to finance the cost of providing multifamily housing for low and moderate income persons; and

WHEREAS, Barrington Oaks, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Borrower”), has requested that the County assist in financing a portion of the cost of the acquisition, rehabilitation and equipping of a multifamily residential rental project to be known as Barrington Oaks Apartments, consisting of 102 units and located at 7123-E Barrington Drive in the City of Charlotte, Mecklenburg County, North Carolina (the “Development”) and the County has agreed to do so;

WHEREAS, the County proposes to issue its Multifamily Housing Revenue Bonds (Barrington Oaks Apartments) Series 2003 in an amount not to exceed $5,000,000 (the “Bonds”);

WHEREAS, the North Carolina Local Government Commission has requested the County to make certain findings with respect to the Bonds consistent with Section 159-153 of the North Carolina General Statutes;

WHEREAS, it is anticipated that the Bonds will be sold to institutional investors, secured by a letter of credit issued by SunTrust Bank;

WHEREAS, notice of the public hearing held this day was published on June 18, 2003 in The Charlotte Observer and such hearing has been held by the Board; as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A.

WHEREAS, the Borrower has requested that the County approve its selection of the following financing team members for the issuance and sale of the Bonds, on the terms and at the fees set forth in the documents and financial information relating to the financing and in the financial information provided to the County with respect to the Bonds:

- Bond Counsel: Hunton & Williams LLP
- Issuer’s Counsel: Ruff, Bond, Cobb, Wade & Bethune, L.L.P.
- Underwriter: SunTrust Capital Markets
- Underwriter’s/ Bank’s Counsel: King & Spalding
- Letter of Credit Bank: SunTrust Bank
- Borrower’s Counsel: Morris Manning & Martin
- Trustee: SunTrust Bank

WHEREAS, based upon information and evidence received by the County, it has determined to approve the Borrower’s request;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA DOES HEREBY RESOLVE, AS FOLLOWS:

JULY 8, 2003

1. The above financing team for the issuance of the Bonds by the County is hereby authorized and approved.

2. The County hereby finds that the financing is necessary and expedient to further the County’s purpose of promoting low and moderate income housing in the City of Charlotte, and in the County, and that the acquisition and
rehabilitation of the Development proposed by the Borrower are necessary and sufficient to accomplish the County’s purposes with respect to the property involved.

3. The County hereby finds that the Borrower has demonstrated that the amount of debt to be incurred in connection with the Development and the financing thereof and the fees to be paid in connection therewith are sufficient but not excessive for the purpose of acquiring, rehabilitating and equipping the Development.

4. The County hereby finds that the Borrower has demonstrated that (i) it is financially responsible and capable of fulfilling its obligations to make loan repayments and other payments under the Loan Agreement between the County and the Borrower (the “Loan Agreement”), which will provide the funds to pay principal and interest on the Bonds, and (ii) the Development will generate sufficient revenues to make loan repayments and other payments under the Loan Agreement, to operate, repair and maintain the Development at its own expense and to discharge such other responsibilities as may be imposed under the Loan Agreement. The County further finds that adequate provision has been made for the payment of the principal of, redemption premium, if any, and interest on the Bonds, and the operation, repair and maintenance of the Development at the expense of the Borrower.

5. The County hereby finds that the use of the proceeds of the Bonds for a loan to finance the costs of the Development and for the other purposes stated above will accomplish the public purposes set forth in the Act and hereby approves such use of proceeds.

6. This Resolution shall take effect immediately upon its passage.

Commissioner Clarke moved the passage of the foregoing resolution and Commissioner Woodard seconded the motion and the resolution was passed by the following vote:

Ayes: Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard

Nays: None

Not voting: * * * * * *

Commissioner Samuelson introduced the following resolution, the title of which appeared on the agenda:

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF MULTIFAMILY HOUSING REVENUE BONDS, SERIES 2003 (BARRINGTON OAKS APARTMENTS)

JULY 8, 2003

WHEREAS, Barrington Oaks, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Borrower”), has requested that the County assist in financing a portion of the cost of the acquisition, rehabilitation and equipping of a multifamily residential rental project to be known as Barrington Oaks Apartments, consisting of 102 units and located at 7123-E Barrington Drive in the City of Charlotte, North Carolina (the “Development”), and the County has agreed to do so;

WHEREAS, the County proposes to issue its Multifamily Housing Revenue Bonds (Barrington Oaks Apartments) Series 2003 in an aggregate amount of not to exceed $5,000,000 (the “Bonds”);

WHEREAS, there have been presented to this meeting the forms of the following instruments which the County proposes to execute to carry out the transactions described above, copies of which instruments shall be filed with the records of the County:
(a) Trust Indenture dated as of August 1, 2003 (the “Indenture”) between the County and SunTrust Bank, as trustee (the “Trustee”), authorizing the issuance of the Bonds and providing for the terms and details thereof and the security therefor;

(b) Loan Agreement dated as of August 1, 2003 (the “Loan Agreement”) between the County and the Borrower, providing for the terms and conditions pursuant to which the loan of the proceeds of the Bonds will be made by the County to the Borrower;

(c) Regulatory Agreement and Declaration of Restrictive Covenants dated as of August 1, 2003 between the County and the Borrower, pursuant to which the Borrower agrees to comply with the requirements of the Code relating to low and moderate income housing;

(d) Official Statement of the County (the “Official Statement”) relating to the offering and sale of the Bonds; and

(e) Bond Purchase Agreement to be dated the date of the sale of the Bonds (the “Bond Purchase Agreement”) between the Borrower, the County and SunTrust Capital Markets (the “Underwriter”), providing for the issuance and sale by the County and the purchase by the Underwriter of the Bonds.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

1. The County hereby determines to provide financing to the Borrower for the acquisition, rehabilitation and equipping of the Development through the issuance of the Bonds pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended, the deposit of the proceeds thereof with the Trustee and the advance of such proceeds to the Borrower in accordance with the Loan Agreement.

2. The County hereby authorizes the issuance and sale of the Bonds pursuant to the Indenture and in accordance with the terms set forth in the Bond Purchase Agreement and the Indenture. The Bonds will bear interest at a variable rate and will mature and be redeemed in the years and amounts all as set forth in the Indenture; provided, however, that the aggregate principal amount of the Bonds shall not exceed $5,000,000.

3. The Chairman or Vice Chairman of the County or his designee is hereby authorized and directed to execute and deliver the Indenture, the Loan Agreement, the Regulatory Agreement and the Bond Purchase Agreement to the other parties thereto.

4. The distribution of the Official Statement by the Underwriter to prospective purchasers of the Bonds is hereby approved. The Chairman or Vice Chairman of the County or his designee is hereby authorized and directed to execute and deliver the final Official Statement to the Underwriter and the Underwriter is hereby authorized and directed to distribute the Official Statement to the purchasers of the Bonds.

5. The Chairman or Vice Chairman of the County is hereby authorized and directed to execute and deliver the Bonds in the manner and subject to the conditions provided in the Indenture to the Trustee for authentication and to cause the Bonds so executed and authenticated to be delivered to or for the account of the Underwriter upon payment of the purchase price therefor as provided in the Bond Purchase Agreement.

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6. The Indenture, the Loan Agreement, the Bond Purchase Agreement, the Official Statement and the Bonds (in the form of Exhibit A to the Indenture) shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be necessary to reflect the final terms of the Bonds, including any changes that may be required by any rating agency that is rating the Bonds and as otherwise approved by the officers of the County executing them after consultation with counsel to the County, their execution to constitute conclusive evidence of their approval of any such completions, omissions, insertions and changes.

7. Any authorization made hereby to the officers of the County to execute a document shall include authorization to the Chairman or Vice Chairman of the County or their respective designees to execute the document, authorization to the Secretary or any Assistant Secretary to affix the seal of the County to such document and attest such seal and where appropriate, to deliver it to the other parties thereto, all in the manner provided in the Indenture.

8. Such officers are hereby authorized and directed to execute and deliver any and all other documents, agreements, instruments, and certificates in the name and on behalf of the County as may be necessary or desirable to the issuance of the Bonds, including but not limited to nonarbitrage certificate, tax forms and other certificates. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the undertaking of the Development and the issuance and sale of the Bonds are hereby ratified, confirmed and approved.

9. This resolution shall take effect immediately.

* * * * * * *

Commissioner Samuelson moved the passage of the foregoing resolution and Commissioner Clarke seconded the motion and the resolution was passed by the following vote:

Ayes: Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard

Nays: None

Not voting: ______________________________________

* * * * * * *

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Resolution and Extract recorded in full in Minute Book 42-A, Document #

(5) ADVISORY COMMITTEE REPORTS/MALLARD CREEK GREENWAY PUBLIC ACCESS IN THE BROOKSTONE NEIGHBORHOOD

The Board received a report from Park and Recreation Commissioners William “Bill” M. Brawley, Jr. and William “Bill” M. Pickens, Sr. on the Mallard Creek Greenway public access in the Brookstone neighborhood on Stream Ridge Drive and Amaranthus Court.

It was noted that a joint public workshop was held on June 24, 2003, with the Northeast Park District Advisory Council and the Greenway Trails Advisory Council. A motion to support the Mallard Creek Greenway entrances on Stream Ridge Drive and Amaranthus Court in the Brookstone Neighborhood was approved.

Wendy Guice, a resident on Amaranthus Court, spoke in opposition to the public access point. She provided the Board documentation of her findings regarding this matter.
A copy of her documents is on file with the Clerk to the Board.

(6) MANAGER’S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner Clarke and unanimously carried, with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of items 13, 19, 31, and 35 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approval of minutes of Regular Meeting held June 17, 2003; Closed Session Minutes of June 17, 2003; and Special Meeting held June 10, 2003.

(8) REAPPOINTMENT - MECKLENBURG COUNTY TAX COLLECTOR

Reappointment of Neal L. Dixon to the Office of Mecklenburg County Tax Collector for a two-year term effective upon administration of the oath of office; and direct the Clerk to the Board to administer the oath of office and file it in her permanent records.

(9) REAPPOINTMENT - MECKLENBURG COUNTY TAX ASSESSOR

(1) Recognize the position of Mecklenburg County Director of Property Assessment and Land Records Management as being inclusive of the duties of Tax Assessor; (2) Reappoint John Petoskey as Tax Assessor for a two-year term, effective July 8, 2003 upon administering the oath of office as required by law; (3) direct the Clerk to the Board to administer the oath of office and file it in her permanent records; and (4) accept the resignation of John Petoskey from the Office of Tax Assessor on November 30, 2003.

(10) SCRAP TIRE DISPOSAL CONTRACT

Authorize the County Manager to enter into a five-year contract with US Tire Recycling for the recycling/disposal of scrap tires generated within Mecklenburg County.

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(11) REAL ESTATE SERVICES RELOCATION – LEASE SPACE

Authorize the County Manager to negotiate and execute a lease with McCoy Holdings, LLC for the relocation of the offices of the Real Estate Services Department.

Note: In order to construct the new Courts Parking Deck on the property bounded by 4th, McDowell, Trade and I-277, the building currently occupied by the Real Estate Services Department (915 E. 4th Street) will have to be demolished.

The County Manager will negotiate a lease consistent with the following business terms:

Location 1431 West Morehead St.
Total Square Footage 8,000 Rentable SF (maximum)
Occupancy September 15, 2003
Lease Term Five (5) Years
Base Lease Rate $17.50 maximum (full service, including all utilities, janitorial service, all common area expenses, and 1 month free rent. One month free rent is included annually for years 2, 3, & 4 of lease
Taxes & Insurance  Included in base lease rate
Annual Increases  3.5% maximum
Annual Cost (1st year)  $140,000 maximum
Option to Renew  One (1), five (5) year option to renew
Tenant Improvements  Landlord shall provide a “turnkey” upfit for the improvements to the Premises at Landlord’s expense using standard Landlord material specifications based on a mutually agreed upon space plan. The “turnkey” upfit for improvements to the Premises is included in the base lease rate.

(12)  BIOTERRORISM LABORATORY FUNDS
Recognize, receive and appropriate $50,000 in state funding to cover additional construction costs for the Bioterrorism Laboratory.

(14)  INTEREST REVENUE FROM LOCAL LAW ENFORCEMENT BLOCK GRANT
Recognize, receive and appropriate $4,583 of interest revenue from 2000 Local Law Enforcement Block Grant.

Note: The 2000 Local Law Enforcement Block Grant provided for additional equipment for law enforcement functions for the Mecklenburg County Sheriff’s Office. This additional revenue will fund additional equipment and supplies.

(15)  FUNDS RECEIVED - PRIDE JAZZ SERIES AT INDEPENDENCE PARK
Recognize, receive and appropriate revenue collected to administer and facilitate PRIDE Jazz Series at Independence Park in the amount of $5,000.

(16)  FUNDS RECEIVED - SIZZLING SOUND OF JAZZ SERIES AT MARSHALL PARK
Recognize, receive and appropriate revenue collected to administer and facilitate Sizzling Sound of Jazz Series at Marshall Park in the amount of $3,200.

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(17)  LAND EXCHANGE FOR LITTLE SUGAR CREEK/HIDDEN VALLEY RESTORATION PROJECT
Adopt a resolution entitled: Resolution Declaring Intent To Exchange Property With Caesars Forge Associates.

Note: Exchange of a small portion of a County parcel of property along an un-named tributary of Little Sugar Creek near Springview Road for a small portion of a parcel owned by Caesars Forge Associates of approximately equal value will better enable Storm Water Services to implement the Little Sugar Creek Environmental Restoration Initiative- Phase 1 – Hidden Valley Ecological Garden by realigning the property line of a parcel of County property located along the un-named tributary of Little Sugar Creek.

(18)  ABANDONMENT/CLOSURE OF SECTION OF WESTFIELD ROAD
Authorize staff to submit a petition to the Charlotte City Council to request abandonment/closure of a 0.204 acre unused section of the southern end of Westfield Road.

Note: Mecklenburg County owns the properties abutting this unused section of Westfield Road. The section of road requested for abandonment/closure is well as the adjacent County owned property will be come part of the Little/Sugar Creek Greenway.

(20) STREET LIGHTING ASSESSMENT PROJECT/SET PUBLIC HEARING

Adopt Preliminary Assessment Resolution setting a public hearing on Mecklenburg County’s participation in the Street Lighting Assessment Project for the Wilson Glen Subdivision on September 3, 2003 at 6:30 p.m.

Resolution recorded in full in minute book 42-A, Document #

(21) CLOSING OF SECTION OF FOUR HORSE ROAD AND IT RIGHT-OF-WAY/ SET PUBLIC HEARING

To adopt a resolution setting a public hearing at 6:30 p.m. on August 12, 2003 on the request to close the unusable 0.35 mile section of Four Horse Road and its right-of-way from Waymart Lane to Buckie Court.

Resolution recorded in full in minute book 42-A, Document #

(22) STREET NAME CHANGE/ SET PUBLIC HEARING

Set a public hearing at 6:30 p.m. on August 12, 2003 on the request to change the name of Four Horse Road between Buckie Court and Soldier Road to Buckie Court.

This street is located off Soldier Road in the McDowell Nature Preserve west of Shopton Road West.

(23) SOLID WASTE MANAGEMENT FACILITIES CAPITAL RESERVE FUND

Approve appropriating $2.4 million from the Solid Waste Enterprise Fund’s unrestricted Net Assets for transfer to the Solid Waste Management Facilities Capital Reserve Fund to provide monies to fund the acquisition of equipment and improvements to solid waste facilities.

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(24) METROLINA RECOVERY FACILITY BUILDING REPAIR CONTRACT

Award a construction contract for Mecklenburg County Recycling Building Renovations to Streamline, LLC in the amount of $511,000.00 to be completed within 145 calendar days.

(25) MONTHLY SEWER OVERFLOW REPORT

Receive as information the Monthly Sewer Overflow Report, May 16 through June 16, 2003, which indicates a total of 51 spills with the total volume of overflows at 10,483,391 gallons.

A copy of the report is on file with the Clerk to the Board.

(26) CONDEMNATION - TAX PARCEL 077-075-10 (DRUID HILLS)
Adopt Resolution entitled: Mecklenburg County Board Of Commissioners Resolution Authorizing The Institution Of Condemnation Proceedings For The Acquisition Of Tax Parcel 077-075-10 Belonging To Camilla Gail Russell Alexander And Any Persons, Firms Or Corporations With Interests Therein For A Neighborhood Park In The Druid Hills Neighborhood.

Resolution recorded in full in Minute Book 42-A, Document #

(27) CONDEMNATION - TAX PARCELS 077-076-11, 077-076-12 AND 077-075-11 (DRUID HILLS)

Adopt Resolution entitled: Mecklenburg County Board Of Commissioners Resolution Authorizing The Institution Of Condemnation Proceedings For The Acquisition Of Tax Parcels 077-076-11, 077-076-12 And 077-075-11 Belonging To Ms. Bertha Lee And Any Persons, Firms Or Corporations With Interests Therein For A Neighborhood Park In The Druid Hills Neighborhood.

Resolution recorded in full in Minute Book 42-A, Document #

(28) TRANSFER OF LAND TO CENTRAL PIEDMONT COMMUNITY COLLEGE

Approve transfer of Tax Parcels 080-131-02, 080-131-03 and 080-131-04 located at 1100 and 1104 East 7th Street and 407 North Kings Drive to CPCC subject to an easement for a section of the Little Sugar Creek Greenway trail and to a parking agreement with the County during construction of the courthouse parking deck.

Approve use of +/- $26,000 from 1999 Land Bonds for the demolition of several structures on the property.

(29) AREA MENTAL HEALTH AUTHORITY BUDGET AMENDMENT

Approve establishing 6 positions: 1 Substance Abuse Technician II – full time, 2 Substance Abuse Technician I – full time, and 3 Substance Abuse Technician I – part-time, for the purpose of implementing and providing new residential services which cannot be contracted out.

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(30) AREA MENTAL HEALTH AUTHORITY BUDGET AMENDMENT

Approve establishing eight (8) new positions: 2 Unit Supervisor I’s, 1 Shift Supervisor, 2 Substance Abuse Technician I full-time, 1 Substance Abuse Technician II part-time and 2 Substance Abuse Technician I part-time, for the purpose of continuing a program previously funded under a contract.

Note: The eight (8) new positions are needed to continue the operation of a residential component for pregnant, substance abusing women.

(32) HAZARD MITIGATION GRANT PROGRAM FUNDING

Recognize, receive and appropriate $55,125 in Hazard Mitigation funds from the NC Department of Crime Control and Public Safety, Division of Emergency Management.
Authorize the County Manager to execute a Supplemental Agreement contract with the N.C. Department of Crime Control and Public Safety, Division of Emergency Management for Flood Mitigation Assistance Grants.

(33) CHARLOTTE-MECKLENBURG REGIONAL HOUSING CONSORTIUM – JOINT COOPERATION AGREEMENT

Authorize the Chairman of the Mecklenburg County Board of County Commissioners to execute the Charlotte-Mecklenburg Regional Housing Consortium - Joint Cooperation Agreement.

*Agreement recorded in full in Minute Book 42-A, Document #*

(34) FORESTRY SERVICE AGREEMENT WITH THE NORTH CAROLINA DENR

Adopt a one (1) year service agreement with the North Carolina Department of Environmental & Natural Resources (DENR) for the protection, development, and improvement of forest land in Mecklenburg County.

*Agreement recorded in full in Minute Book 42-A, Document #*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

(13) CHARLOTTE AIR AWARENESS FUNDS

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $53,950 in funding from the State of North Carolina for the Charlotte Air Awareness campaign.

*Commissioner Samuelson removed this item from consent for more public awareness.*

(19) LITTLE SUGAR CREEK ENVIRONMENTAL RESTORATION INITIATIVE

Motion was made by Commissioner Samuelson, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $697,016 from the City of Charlotte for the Little Sugar Creek Environmental Restoration Initiative - Phase 1 - Hidden Valley Ecological Garden.

*Commissioner Samuelson removed this item from consent for more public awareness.*

(31) ABC PROFIT DISTRIBUTION

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to recognize, receive and appropriate $118,750 additional profit distribution from fiscal year 2003 and $276,250 additional profits distribution for fiscal year 2004 as approved by the ABC Board.

*Commissioner Clarke removed this item from consent for clarification regarding the amount of funding and its use.*
Background: After review of their financial status, the ABC Board approved an increase in profits to be distributed to the County, the City of Charlotte and the Public Library of Charlotte and Mecklenburg County. The County’s additional amount from the ABC Board’s fiscal year ended June 30, 2003 is $118,750. Of that amount each of the six towns in the County receives 2% ($2,375 for a total of $14,250) and 25% of the remainder, ($26,125), is allocated for debt service, as required by statute. At the time the County adopted the 2004 budget, the expected distribution from the ABC Board was $1,600,000, and was then reflected as revenue in that amount. The amended amount is $1,876,250 a total increase of $276,250. Again, the additional amount must be distributed according to statute, $33,150 for the towns ($5,525 per town) and $60,775 for debt service. The amounts required to be appropriated to debt service ($86,900) will reduce the amount of County funds necessary to fund debt service thus making a total available for future consideration by the Board to be $347,600, and this amount will be placed into contingency.

(35) CONTRIBUTION REQUEST FOR THE LOCAL GOVERNMENT WING AT THE INSTITUTE OF GOVERNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve allocating $16,228 from unrestricted contingency for the first year of a three years request, to the Local Government Wing Campaign.

Note: The League of Municipalities and Association of County Commissioners launched a campaign to name the NC Local Government Wing at the Institute of Government in 1999. Mecklenburg County has been requested to join as a contributor to the campaign in the amount of $48,685 to be allocated over a three-year period.

Commissioner Clarke removed this item from consent for more public awareness.

(36) ACQUISITION OF SUBSTANTIALLY DAMAGED STRUCTURES FROM THE JUNE 7, 2003 FLOOD

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the concept of the County acquiring structures that meet the Substantial Damage definition and are located in the floodway portion of the floodplain.

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt the resolution adopting the Prioritization Plan for a Voluntary Property Acquisition Program for Flooded Structures from the June 7, 2003 Storm.

Resolution recorded in full in Minute Book 42-A, Document #

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to appropriate $1,200,000 from Storm Water Fund Balance for the acquisition of floodprone structures.

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize staff to negotiate purchase contracts, not to exceed a total of $1,200,000, and return to the Board for approval.

General Manager Bobbie Shields addressed this matter.

(37) RADIO SERVICES
Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to receive the Radio System Feasibility Study.

A copy of the Study is on file with the Clerk to the Board.

Commissioner Mitchell left the dais and was away until noted in the minutes.

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and carried 6-0 with Commissioners Clarke, Cox, Helms, Ramirez, Samuelson, and Woodard voting yes, to adopt Resolution to Approve and Ratify an Interlocal Agreement with the City of Charlotte for Consolidation of the City/County Radio System.

Resolution recorded in full in Minute Book 42-A, Document #

Prior to the vote Dr. Steven Friedman addressed this issue and spoke in support.

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and carried 6-0 with Commissioners Clarke, Cox, Helms, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to negotiate and execute the Interlocal Agreement with the City of Charlotte for Consolidation of the City/County Radio System.

Agreement recorded in full in Minute Book 42-A, Document #

(38) SALE/DISPOSAL OF SURPLUS RADIO TOWERS

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, Helms, Ramirez, Samuelson, and Woodard voting yes, to transfer to the City of Charlotte up to three surplus 100’ surplus radio towers with the City bearing the cost of removal, or in the alternative authorize the County Manager to sell without consideration the towers not needed by the City to the Volunteer Fire Departments where the towers are located.

Commissioner Mitchell returned to the dais.

(39) SELECTION OF VOTING DELEGATE TO NCACC CONFERENCE

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to appoint Commissioner Mitchell as the voting delegate for the 2003 Annual North Carolina Association of County Commissioners Conference to be held August 14-17 in Greensboro, N.C.

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to appoint Commissioner Woodard as the alternate voting delegate for the 2003 Annual North Carolina Association of County Commissioners Conference to be held August 14-17 in Greensboro, N.C.

(40) PROPERTY TAX RATE COMPARISON (COMMISSIONER CLARKE)

The Board received as information a comparison of Mecklenburg County’s tax rate to other counties in the Centralina Council of Governments.
Deputy County Manager Russ Crider addressed this report, which was requested by Commissioner Clarke.

No action was taken.

Commissioner Clarke asked Deputy Manager Crider to find out if any of the County’s on the list used the new sales tax revenue to reduce their property tax rate.

*A copy of the report is on file with the Clerk to the Board.*

(41) **RESOLUTION/SUPPORT FOR REGIONAL GREENWAY NETWORK COLLABORATIVE.**

Commissioner Samuelson addressed a resolution supporting a Regional Greenway Network Collaborative.

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution entitled, “Mecklenburg County Resolution Support For Regional Greenway Network Collaborative.”

**MECKLENBURG COUNTY RESOLUTION SUPPORT FOR REGIONAL GREENWAY NETWORK COLLABORATIVE**

WHEREAS, Mecklenburg County recognizes its role as a part of a larger region and the need for collaborative planning efforts to address regional opportunities; and,

WHEREAS, Mecklenburg County seeks to stimulate the local economy through tourism, increased land values, increased attractiveness to business, increased local commerce, the creation of new business opportunities, and an increased tax base; and recognizes the economic, environmental, individual and community health benefits of greenways by enhancing the quality of life and livability of the community and region; and,

WHEREAS, the protection of Mecklenburg County's land, water, air and open space assets and resources is essential to the existence of the type of quality of life and fostering strong economy which is desired by its citizens; and

WHEREAS, Mecklenburg County seeks to work with the other counties and municipalities to promote the coordination of a regional greenway network, connecting the region's residents with nearby recreational and leisure attractions in Mecklenburg County and other neighboring jurisdictions; and,

WHEREAS, Mecklenburg County wishes to create a network of bicycle, equestrian, and pedestrian trails allowing people alternatives to the automobile for transportation and seeks to promote education about the importance of greenway systems to our regional economy and environment; and,

WHEREAS, Mecklenburg County understands the enhanced value to potential funders that a multi-jurisdictional greenway network would provide and recognizes the increased interest by the region's residents for multi-use trails for recreation, transportation and environmental preservation; and

WHEREAS, Voices and Choices seeks to implement the vision set forth in the Regional Open Space Framework, to protect and preserve our air and water quality, and to ensure the Charlotte region's economic sustainability through growth management.

NOW, THEREFORE, BE IT RESOLVED that the Mecklenburg County Board of Commissioners agrees to work with the other members of the Regional Greenway Network Collaborative to:

1. Form a steering committee and technical committee to better coordinate the implementation of the regional trail network, and

2. Seek system wide funding for the development of the regional trail network, and

3. Create a connected system of trails that can be used as an economic and environmental asset for the region, and

4. To protect our communities' creeks, streams, and drinking water supplies.
BE IT FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners shall appoint two elected and/or senior management representatives to serve on the Regional Greenway Network Steering Committee and direct appropriate staff to serve on the Regional Greenway Network Technical Committee to: (i) identify and prioritize specific issues relative to the network development, (ii) seek collaborative funding opportunities that will expedite the development of the trail network, (iii) present recommendations for action on these matters to the Elected Board.

BE IT FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners hereby commits to work regionally to realize the progress and completion of the network of trails referred to as the Catawba Regional Trail.

Resolution recorded in full in Minute Book 42-A, Document #

(2) CLOSED SESSION/LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax Parcel #043-011-19 on Carver Boulevard in the Rockwell Community
- Exchange of Tax Parcel #217-051-03 for a portion of Tax Parcel #217-271-02 located in the southwest part of the County on McKee Road and Youngblood Road
- Tax Parcels #047-171-31, 047-431-02, 047-441-01, 047-191-03 located between I-85 and US Highway 29 for the Mallard Creek Greenway
- Acquisition of land in the Highland Creek subdivision for a school, Tax Parcels 029-472-01, 029-472-02, 029-473-98 and 029-473-99
- Property along Kings Drive for the Little Sugar Creek Greenway at 500 & 508 South Kings Drive
- Tax Parcel # 175-182-16 at 3901 Arbor Lane for the Little Sugar Creek Greenway.

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition, and Consult With Attorney in regards to the Workers’ Compensation case of James McGwier v. Mecklenburg County.

The Board went into Closed Session at 7:55 p.m. and came back into Open Session at 8:37 p.m.

JULY 8, 2003

(2A1) LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson, and unanimously carried, with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel #043-011-19 owned by Sagacity, Inc. on Carver Boulevard for $10,000.

Note: This +/- .75-acre tract will provide direct pedestrian access from the Rockwell Park neighborhood to the 13.5-acre neighborhood park site assembled along Rockwell Church Road. Funding is available from 1999 Park Bonds.

(2A2) LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to (1) Adopt a resolution of intent to exchange Tax Parcel #217-051-03 for a portion of Tax Parcel #217-271-02. (2) Instruct the Clerk to Board to publish notice of the Board’s intent to exchange the properties. (3) Authorize the County Manager to
secure an option for $100 to acquire +/-32.5 acres (portions of Parcels #217-271-02 and #217-261-02) by 6/30/05 for $12,000 per acre.

Resolution recorded in full in Minute Book 42-A, Document #

(2A4) LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard, and carried 6-1, with Commissioners Clarke, Cox, Helms, Ramirez, Samuelson, and Woodard voting yes and Commissioner Mitchell voting no, to approve purchase prices of (1) $332,550 for +/- 7.39 acres (all of Tax Parcels 029-472-01 and 029-472-02) from Murrell R. Stubbs and (2) $19,141 for +/- 2.3 acres (all of Tax Parcels 029-473-98 and 029-473-99) from the Highland Creek Community Association for properties to be acquired by the Charlotte Mecklenburg Board of Education.

(2A6) LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of .042-acre rear portion of Tax Parcel # 175-182-16 at 3901 Arbor Lane from Kenneth Saunders and Sandra Lawhun for $1,500.

Note: The subject property is needed for creek improvements associated with the large stream restoration project along Little Sugar Creek between Princeton Avenue and Park Road Shopping Center.
ADJOURNMENT

Motion was made by Commissioner Ramirez, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:40 P.M.

Janice S. Paige, Clerk                                      Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, August 12, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioner Jim Puckett

Commissioners Clarke, Helms and Woodard were absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(2) CLOSED SESSION LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax Parcels 077-075-19 and 077-075-20
- Tax Parcel 077-076-13
- Tax Parcel 125-213-29
- Tax Parcel 125-213-26

Commissioner Clarke entered the meeting.

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Samuelson voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:27 p.m.

Commissioner Woodard was present when the Board came back into Open Session, she entered during Closed Session.

(3) REMOVAL OF ITEMS FROM CONSENT

No items were identified.
The Board received a briefing on 2004 Employee Benefit Plans. The presentation was made by Susan Hutchins, Director of Human Resources and Mercer Human Resources Group representatives Steve Graybell and Stephanie Prince.

It was noted that recommendations were presented to the Efficient and Effective Government Committee on July 29th. The rising cost of medical claims is making it difficult to maintain a competitive and affordable medical insurance plan for the County and its employees. The proposed 2004 plans include a core (or standard) PPO plan, which will be offered to employees and retirees under age 65 at no cost for individual coverage, and buy-up (or enhanced) PPO plan with an enhanced level of benefits for which employees would pay a $9 biweekly contribution for individual coverage. Retirees over age 65 with the Medicare supplement plan would continue with their current plan and contribution policy. Premiums for dependent coverage would be lower for the core plan than the buy-up plan. The approved FY04 budget approved by the Board in June included an increase of 20% in the County’s premium for individual medical coverage and a 22% increase for dental coverage. The FY04 budget should cover the proposed medical plans without additional appropriation by the Board. Premium increases for employees for medical insurance would increase an average 25% depending on plan and tier choices; dental rates for employees would increase by 22% for dependent coverage.

Director Hutchins noted that for the County the key issues were maintaining a competitive plan and an affordable plan.

General discussion was held on and questions were addressed.

Chairman Cox noted that this matter continues to be more complicated and complex year after year, but that the basic question was does the County pay for all of the increase or is it shared with the employees?

No action was taken. It was the consensus of the Board that this matter be brought back for consideration at the September 3, 2003 meeting.

A copy of the report is on file with the Clerk to the Board.

-FORMAL SESSION-

Invocation was given by Commissioner Samuelson, which was followed by the Pledge of Allegiance to the Flag.

(1A) 2003 NACO ACHIEVEMENT AWARDS

The Board recognized the following 2003 NACo Achievement Award Entries/Winners:

<table>
<thead>
<tr>
<th>Winning Programs</th>
<th>Recipients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Managing for Results</td>
<td>John McGillicuddy &amp; Leslie Johnson</td>
</tr>
<tr>
<td>Library Initiative for Youth</td>
<td>Carol Myers &amp; Susan Harden</td>
</tr>
<tr>
<td>in Business</td>
<td></td>
</tr>
<tr>
<td>Fleet Task Team</td>
<td>Jake Jacobsen and Staff</td>
</tr>
</tbody>
</table>

Commissioner Helms entered the meeting.

<table>
<thead>
<tr>
<th>Winning Programs</th>
<th>Recipients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff’s Redistricting, Tax CollectionsGIS and Property Ownership Lands Records Information System</td>
<td>Jerry Pinkard and Staff</td>
</tr>
<tr>
<td>Breathe</td>
<td>Don Willard</td>
</tr>
</tbody>
</table>

The National Association of Counties’ Achievement Award Program is a non-competitive
program that recognizes counties for improving the management of and services provided by county government.

The winners were introduced by Deputy County Manager Russ Crider.

(1B) NACPRO AWARDS

The Board recognized and presented three first place awards to the Park and Recreation Department received at the National Association of Counties’ annual conference. The winning programs/winners:

Computer Lab - State of the art automation-training lab within the Administrative Office Building Complex / Recipients: Charles King and Sandy Goodwin

NAPA Warehouse Operations - Mecklenburg County Park & Recreation contracts with a nationally recognized leader in the field of supply and parts provision. / Recipients: Jeff Robinson, Glen Atwell, and Jim Gray

Recycling Center - Mecklenburg County Park & Recreation hosts a full recycling center. Containers for typical household recycle products are provided and are strategically located within 100 feet of another major recycling facility that focuses on metal, tire and appliance recovery. / Recipient: Jeff Robinson

The winners were introduced by Deputy County Manager Russ Crider.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Dee Dee Murphy, Executive Director of Leadership Charlotte announced their 25th Anniversary celebration October 28, 2003 in the Belk Theatre at Founders Hall and extended invites to Board members. She also encouraged everyone, including the general public, to submit nominations for the various awards that will be given. She noted that this information could be obtained by visiting their website at www.leadershipcharlotte.org.

Bill Newnan Executive Director of the Uptown Men’s Shelter addressed services for the Homeless.

A copy of Mr. Newnan’s remarks and handout is on file with the Clerk to the Board.

John Woodlief expressed opposition to an approved four home subdivision of new construction behind Museum Drive and Twiford Place. Mr. Woodlief lives at 1633 Twiford Place, which has severe flooding problems. Mr. Woodlief feels this subdivision only adds to the flooding problem.

A copy of Mr. Woodlief’s remarks is on file with the Clerk to the Board.

(2A1) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Ramirez, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize the purchase of Tax Parcels 077-075-19 and 077-075-20 on Rodey Avenue owned by Mason M. Moton et al for $9,000 per lot.

Property is for the Druid Hills Neighborhood Park.
(2A3) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize the purchase of Tax Parcel 125-213-29 at 812 South Kings Drive from Pennzoil Products Company for $1,053,500.

*Property is needed in conjunction with the Little Sugar Creek Greenway Project.*

(2A4) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize the purchase of Tax Parcel 125-213-26 at 800 South Kings Drive from Stroup Enterprises, Ltd. and Harry J. Nicholas for $1,210,500.

*Property is needed in conjunction the Little Sugar Creek Greenway Project.*

APPOINTMENTS

(3A) APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Adult Care Home Advisory Committee:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shirley Guyton-Simpson</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
<tr>
<td>Joseph Lee, Sr.</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
<tr>
<td>Petronila Martinez</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
<tr>
<td>Maggie Moore</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
<tr>
<td>Joanna Presson</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
<tr>
<td>Lori Schappell</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
</tbody>
</table>

Chairman Cox announced that Shirley Guyton-Simpson, Joseph Lee, Sr., Petronila Martinez, Maggie Moore, Joanna Presson, and Lori Schappell were appointed to the Adult Care Home Advisory Committee for a one-year term expiring August 12, 2004.

PARK AND RECREATION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission as a North Park District representative:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fountain Walker</td>
<td>None</td>
</tr>
<tr>
<td>Kevin Young</td>
<td>Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard</td>
</tr>
</tbody>
</table>

Chairman Cox announced that Kevin Young was appointed to the Park and Recreation Commission for a three-year term expiring June 30, 2006.
The vote was taken on the following nominees for appointment to the Park and Recreation Commission as a Central Park District 3 representative:

It was noted that John Culbertson, nominated at the July 8, 2003 meeting, withdrew his name from consideration.

Robert Patterson
Janet Woodson

Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Samuelson
Commissioner Woodard

Chairman Cox announced that Robert Patterson was appointed to the Park and Recreation Commission for a three-year term expiring June 30, 2006.

(3B) NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson and Woodard voting yes, to reappoint Kris Knudsen, Fletcher Roberts, and Steven Weber to the Air Quality Commission for three-year terms expiring August 31, 2006.

The following persons were nominated for appointment to the Air Quality Commission:

Scott Austin   by Commissioner Samuelson
Edward Elliott by Commissioner Samuelson
George Ernst   by Commissioner Samuelson
Ray Fuentes    by Commissioner Ramirez
Christopher Gegg by Commissioner Samuelson
James Hixon    by Commissioner Samuelson
Anne Jackson   by Commissioner Samuelson
Terry Kane     by Commissioner Samuelson
Walter Martin  by Commissioner Samuelson
Dan Shea       by Commissioner Samuelson
Bobbe Wadsworthby Commissioner Samuelson
Jason Wager    by Commissioner Samuelson
Lisa Whitfield by Commissioner Woodard

An appointment will occur on September 3, 2003.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson and Woodard voting yes, to reappoint Steven Weber as Chairman of the Air Quality Commission for the duration of his term.

CITIZEN’S TRANSIT ADVISORY GROUP

The following persons were nominated for appointment to the Citizen’s Transit Advisory Committee:

Gerald G. Fox   by Commissioner Helms
Terry Lansdell by Commissioner Clarke

An appointment will occur on September 3, 2003.
HUMAN SERVICES COUNCIL

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson and Woodard voting yes, to reappoint Diane Chan, Tom Masters, Delores Sanders, Eliz Sappenfield, Eileen Shake, Becca Thompson, and Judith Willis to the Human Services Council for three-year terms expiring September 19, 2006.

It was noted that current member William Butler has indicated that he does not wish to serve another term. Thanks was expressed to Mr. Butler for his service.

The following person was nominated by Commissioner Woodard for appointment to the Human Services Council: Charles James.

The appointment will occur on September 3, 2003.

MINORITY AFFAIRS ADVISORY COMMITTEE

The following persons were nominated for appointment to the Minority Affairs Advisory Committee by Commissioner Samuelson: Michael Long and Stephen Neal.

Appointments will occur on September 3, 2003.

STORM WATER ADVISORY COMMITTEE

The following person was nominated for appointment to the Storm Water Advisory Committee by Commissioner Samuelson: Fred Monroe.

The appointment will occur on September 3, 2003.

Commissioner Samuelson left the dais and was away until noted in the minutes.

(4A) PUBLIC HEARING CLOSING SECTION OF FOUR HORSE ROAD AND ITS RIGHT-OF-WAY

Motion was made by Commissioner James, seconded by Commissioner Helms and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to open the public hearing to hear citizen’s comments on the proposed closing of the 0.35-mile unusable section of Four Horse Road and its right-of-way from Waymart Lane up to Buckie Court.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to close the public hearing on the proposed closing of the 0.35-mile unusable section of Four Horse Road and its right-of-way from Waymart Lane up to Buckie Court; and approve the Order for Closing the 0.35-Mile Unusable Section of Four Horse Road and its Right-Of-Way from Waymart Lane Up to Buckie Court.

Order recorded in full in Minute Book 42-A, Document #

(4B) STREET NAME CHANGE – FOUR HORSE ROAD TO BUCKIE COURT

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to open the public hearing to hear citizen’s comments on the proposed renaming of Four Horse Road
to Buckie Court between Buckie Court and Soldier Road.

Note: This street is located off Soldier Road in the McDowell Nature Preserve west of Shopton Road West.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to close the public hearing on the proposed renaming of Four Horse Road to Buckie Court between Buckie Court and Soldier Road and approve the renaming of Four Horse Road to Buckie Court between Buckie Court and Soldier Road.

(4C) REAL ESTATE EXCISE TAX REFUND

Motion was made by Commissioner James, seconded by Commissioner Mitchell and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to open the public hearing on a request by the Law Offices of Weaver, Bennett & Bland, P.A. for reimbursement of North Carolina excise tax in the amount of $676.00.

No one from the public appeared to speak.

Note: North Carolina General Statute 105-228.37 requires that the Board of Commissioners conduct a hearing on a request for refund of excise taxes collected on a deed that was incorrectly submitted for recording in Mecklenburg County. The property subject to the deed is located in Union County.

Motion was made by Commissioner James, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, and Woodard voting yes, to close the public hearing on a request by the Law Offices of Weaver, Bennett & Bland, P.A. for reimbursement of North Carolina excise tax in the amount of $676.00 and approve the reimbursement.

(5) ADVISORY COMMITTEE REPORTS - NONE

Commissioner Samuelson returned to the dais.

(48) QUEENS UNIVERSITY OF CHARLOTTE/MECKLENBURG COUNTY PARK AND RECREATION PARTNERSHIP

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to enter into negotiations with Queens University of Charlotte for the purpose of partnership development related to Phase Three development of the Marion Diehl Park.

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the concept of the Master Plan for Phase Three development of the Marion Diehl Park; and forward to Charlotte City Council.

Pam Lewis, President of Queens University of Charlotte addressed this matter.

(45) RESOLUTION – PROPOSED WHITEWATER PARK

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution entitled: Resolution Approving In
Principle A Property Leasing Agreement And A Contingent Funding Agreement For A Whitewater Park.

Vic Howard and Jeff Wise addressed this matter with the Board.

Background: The Natural Resources Committee met on July 15th and received a report from Jeff Wise, Executive Director of Charlotte Whitewater Park, Inc. (CWP). CWP proposes a multiple channel customized whitewater river for rafting, canoeing, and kayaking activities, as well as mountain biking trails, running trails, a climbing center, a conference center, and more than three hundred acres of woodland. The three proposed whitewater channels would allow for diverse level of difficulty to suit athletes with various skill levels. The United States Olympic Committee has formally endorsed the Center and committed to designate it an Official Olympic Training Center. The Mecklenburg County Park and Recreation Commission approved the Whitewater concept during their June 10, 2003 meeting.

CWP is seeking contingency funding commitments from local government entities, which would be used in the event of any shortfalls in park revenues necessary to cover expenses. Mecklenburg County commitment would be $1,000,000 per year for seven years beginning in 2007. This funding would only be necessary to the extent that all other revenue streams are insufficient to cover expenses. Under the current schedule, the Whitewater Park would open in 2006.

Resolution recorded in full in Minute Book 42-A, Document #

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of item 23 to be voted upon separately:

(7) APPROVAL OF MINUTES

A) Approve minutes of Regular Meeting held July 8, 2003; Special Meetings held June 11, 2003, June 19, 2003 and May 6, 2003; and Closed Session Minutes of July 8, 2003.

B) Approve amending the minutes of June 12, 2003 by changing the motion on the second round of straw voting on Metrolina AIDS to read:

Motion was made by Commissioner Samuelson and failed 4-4 with Commissioners James, Puckett, Ramirez, and Samuelson voting yes and Commissioners Cox, Clarke, Mitchell, and Woodard voting no, to reduce the recommended funding for the Metrolina AIDS Project by $30,000 leaving them $23,299 and allocate $30,000 to the Health Department budget for Rapid Testing.

Instead of

Motion was made by Chairman Samuelson and carried 4-4 with Commissioners Cox, Clarke, Mitchell, Ramirez, and Samuelson voting yes, and Commissioners James, Puckett, and Samuelson voting no, to reduce the recommended funding for the Metrolina AIDS Project by $30,000 leaving them $23,299 and allocate $30,000 to the Health Department budget for Rapid Testing.

Also to insert the word “carried” in the motion concerning the Rapid Testing Program

Motion was made by Commissioner Samuelson and carried 6-0 with Commissioners Clarke, Cox, James, Ramirez, Samuelson, and Woodard voting yes to add to the recommended budget for the Health Department $30,000 for Rapid Testing Program.

(8) TAX REFUNDS
Approve tax refunds to be made by the Finance Department as requested by the Tax Assessor in the amount of $37,590.31 resulting from clerical errors, audits and other amendments.

*A list of the taxpayers is on file with the Clerk to the Board.*

**9** LAND EXCHANGE FOR LITTLE SUGAR CREEK/HIDDEN VALLEY RESTORATION PROJECT

Adopt a resolution entitled: “Resolution Authorizing Exchange of Property with Caesars Forge Associates” for the Little Sugar Creek/Hidden Valley Restoration Project.

*Resolution recorded in full in Minute Book 42-A, Document #*

**10** EMPLOYMENT OF RELATIVES—SHERIFF’S OFFICE

Approve authorizing the Sheriff to employ his son as a part-time Intern I while attending college to deliver commissary products to inmates and perform other duties as designated by his supervisor.

*Note: Board policy requires that before any relative of Commissioners, constitutionally elected officers or senior staff can be employed by the County, the proposed employment must by approved by the Board in a duly called open session.*

**11** INTEREST INCOME – SHERIFF’S OFFICE

Recognize and appropriate interest income earned on the remaining Sisters of Mercy grant funds to the end of the grant term in accordance with grant requirements.

*Note: The Sister’s of Mercy grant provides for a full-time Functional Family Therapist via a contract agreement with Youth Network, Inc. These funds will be used to provide supplies for the program. The amount is estimated to be $915.*

**12** SHERIFF’S SPECIAL REVENUE FUNDS

Recognize, receive and appropriate $27,872 and $26,674 for the Sheriff’s Special Revenue Funds for Inmate Commissary Fund and Sheriff’s Fees for Concealed Carry Permits, respectively.

**13** GOVERNOR’S CRIME COMMISSION GRANT AWARDS

Recognize, receive and appropriate the following grant awards from the Governor’s Crime Commission in the total amount of $163,123.

- Assistance League of Charlotte – Mecklenburg County Teen Court  
  Grant #060-1-03-007-K-058  Award Amount: $43,616;

- Chemical Dependency Center – Women’s Treatment Program  
  Grant #060-1-03-110-V-016  Award Amount: $102,000;

- Summit House of Charlotte – Summit House Substance Abuse Program  
  Grant #060-1-03-013-D-078  Award Amount: $17,507.

**14** JUVENILE JUSTICE COMPREHENSIVE PLANNING & ASSESSMENT GRANT AWARD
Recognize, receive and appropriate grant award #060-1-02-P07-K-203 in the amount of $12,894 from Governor’s Crime Commission for the Juvenile Justice Comprehensive Planning and Assessment project.

(15) REGISTER OF DEEDS ENHANCEMENT/PRESERVATION SPECIAL REVENUE FUND

Recognize and appropriate $993,000 in fee revenue for expenditure in the Register of Deeds Enhancement/Preservation Special Revenue Fund.

(16) ORDER OF COLLECTION – 2003 AD VALOREM TAXES

Adopt the Order of Collection authorizing the Tax Collector to collect 2003 ad valorem taxes.

Order of Collection recorded in full in Minute Book 42-A, Document #

(17) NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT FLOOD MITIGATION ASSISTANCE (FMA) GRANT APPLICATION

Approve the submission of a grant application in the amount of $600,000 to the North Carolina Division of Emergency Management for the acquisition of flood prone properties; and recognize, receive and appropriate grant funds, if awarded.

(18) NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT PRE-DISASTER MITIGATION GRANT APPLICATION

Approve the submission of a grant application in the amount of $2.0 million to the North Carolina Division of Emergency Management for the acquisition of flood prone properties; and recognize, receive and appropriate grant funds, if awarded.

(19) NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT FLOOD HAZARD MITIGATION GRANT PROGRAM PLANNING GRANT APPLICATION

Approve the submission of a grant application in the amount of $10,000 to the North Carolina Division of Emergency Management for the development of a Disaster Mitigation Act of 2000 (DMA2K) compliant all hazards plan; and recognize, receive and appropriate grant funds, if awarded.

(20) MEDIA EVOLVED BUSINESS INVESTMENT GRANT

Approve an amendment to the Business Investment Grant for Media Evolved to increase the estimated grant amount from $49,320 to $74,665 and approve an exception to the existing business investment program criteria to allow a reduction in Media Evolved’s average wage.

(21) DESTRUCTION OF DOCUMENTS – LUESA

Approve the disposal of LUESA permitting and inspection records in accordance with North Carolina records retention policies, (5 boxes) dated May and June, 2003 that have been imaged on optical disk and verified, and include plans of commercial projects (507) permitted in May and June of 2001.
(22) MONTHLY SEWER OVERFLOW REPORT

Receive as information the Monthly Sewer Overflow Report for June 17 through July 17, 2003, which indicates a total of 31 spills with the total volume of overflows at 224,235 gallons.

A copy of the report is on file with the Clerk to the Board.

(24) RESOLUTION – APPOINTMENT OF DIRECTOR OF FINANCE AS THE “APPLICANTS DESIGNATED AGENT” FOR FLOOD MITIGATION ASSISTANCE, HAZARD MITIGATION GRANT PROGRAM AND PRE-DISASTER MITIGATION GRANT PROGRAMS

Approve resolution to appoint Director of Finance, Harry Weatherly, as Mecklenburg County’s agent for Federal flood mitigation grants as required by the North Carolina Division of Emergency Management.

DESIGNATION OF APPLICANT’S AGENT

RESOLUTION

BE IT RESOLVED BY Mecklenburg Board of Commissioners OF Mecklenburg County (Governing Body) (Public Entity)

THAT J. Harry Weatherly, Jr., Director of Finance *(Name of Incumbent) (Official Position)

OR _______________________________________, Governor’s Authorized Representative,*

is hereby authorized to execute for and in behalf of Mecklenburg County, a public entity established under the laws of the State of __North Carolina_________________, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President Disaster Relief Fund.

THAT Mecklenburg County, a public entity established under the laws of the State of __North Carolina_________________, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurance and agreements printed on the reverse side hereof.

Passed and approved this 12th day of August, 2003.

Resolution recorded in full in Minute Book 42-A, Document #

(25) VOCREHAB GRANT – SHERIFF’S OFFICE

• Recognize, receive and appropriate VocRehab grant in the amount of $74,367 from the Governor’s Crime Commission for the Successful Reintegration Project;

• Approve the transfer of $24,789 from the Sheriff’s Commissary Special Revenue Fund for the 25% local match required by the grant; and

• Approve the creation of one grant-funded position in Area Mental Health as a substance abuse case coordinator.

Note: This grant will fund a project that provides vocational training and case management, as well as, aftercare release planning to graduates of the Mecklenburg County Jail based treatment program. Services will be targeted to ensure a continuum of care and successful societal reintegration. The 25% local match required by the grant will be funded by a transfer from the Sheriff’s Commissary Special Revenue Fund.

(26) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate funds in the amount of $3,764.06 for Land Use &
Environmental Services, $2,386.68 for Park & Recreation and $748.50 for Court Services to provide necessary budgetary recognition of insurance funds to cover cost of replacements.

(27)  911 SURCHARGE SPECIAL REVENUE FUND
Recognize and appropriate $1,928,299, which is the County’s share of 911 surcharge revenue to be used by MEDIC for emergency communications equipment.

A portion of the proceeds from the 911 surcharge on telephone exchange access lines imposed by the City of Charlotte are being allocated to MEDIC in accordance with the City/County Joint Undertaking Agreement, Amended September 2001. The funds can only be used by MEDIC for the lease, purchase or maintenance of emergency telephone equipment as defined in the North Carolina General Statute 60A-4.

(28)  SCATTERED SITE GRANT MATCHING FUNDS
Recognize, receive and appropriate $17,500 of revenues from Community Development client loan payments and appropriate as local match to complete the Community Development Scattered Site Grant.

(29)  LIBRARY FACILITIES CAPITAL PROJECT ORDINANCE - AMEND
Amend Library Facilities Approved in November 2, 1999 Referendum Capital Project Ordinance.

Ordinance recorded in full in Minute Book 42-A, Document #

(30)  LANDFILL EQUIPMENT CONTRACT
Approve unit price contracts for the purchase of landfill equipment in the total amount of $489,893.00 for a term of one (1) year to the following lowest responsive responsible bidders and the sale of old trade-in landfill equipment:

Briggs Construction Equipment  Charlotte, NC  $320,561.00
Carolina Tractor    Charlotte, NC  $169,332.00

(31)  DEPARTMENT OF SOCIAL SERVICES ADDITIONAL REVENUE
Amend the Department of Social Services FY04 budget to recognize, receive, and appropriate additional revenues as follows: Childcare Subsidy $1,539,578; Child Care Administration $64,149; Adoption Assistance $129,000; At-Risk Case Management $521,394; Charlotte East properties Lease Expansion $20,329 for a total amount of $2,274,450.

(32)  CHARLOTTE EAST LEASE AMENDMENT - 5800 EXECUTIVE CENTER DRIVE
Authorize amendment to a lease agreement between Mecklenburg County and LNR Millennium Manager, Inc. for an additional 10,486 square feet of space at 5800 Executive Center Drive for a lease term of 36 months.

(33)  FOSTER CARE AND ADOPTION ASSISTANCE RATE ADJUSTMENTS

- Accept, recognize revenue and authorize expenditures of additional foster care and
adoption assistance funds as a result of increase in the adoption assistance rate.

- Change the adoption assistance supplement, which will equate to $475 when added to the adoption assistance payment.

*Note: The State has increased the foster care and adoption assistance rates by $50.00 per month. The rates for both foster care and adoption assistance are based on age, and are reflected in increases from $315 to $365 for ages 0-5, from $365 to $415 for ages 6-12 and $415 to $465 for ages 13-18. Mecklenburg County has been supplementing the rates to equate to $450 per month for all ages for foster care and adoption assistance. This board action will increase the supplement to the board rate for foster care as well as the supplement for Adoption Assistance to $475 per month, which is necessary to eliminate the financial disincentives to adopt. The Foster Care and Adoption Assistance parents will recognize a $25 monthly increase in their checks as a result of this action. The County will net a $34,708 county dollar savings due to this rate adjustment. This $34,708 will be used to enhance and improve the academic achievement of our Foster Children.*

(34) HAZARD MITIGATION PROGRAM - FLOODPLAIN ACQUISITION

- Accept the “Offer Of Sale Of Land” for the following property:
  David Donahoe at 3024 Manor Road for $145,049.00

- Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition of the structure purchased by Mecklenburg County.

*Resolution recorded in full in Minute Book 42-A, Document #*

- Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

(35) HEALTH & WELLNESS GRANT APPLICATION

Authorize the Health Department to apply for a Health and Wellness Trust Fund grant in the amount of $450,000 over three years.

(36) REACH 2010 MEDIA FUNDS

Recognize, receive and appropriate $41,000 in additional REACH 2010 Media funds from Carolinas HealthCare System.

(37) CHILD DEVELOPMENT-COMMUNITY POLICING PROGRAM (CD-CP) FUNDS

Recognize, receive, and appropriate $15,000, from U. S. Department of Justice through contract with Yale University for part-time, temporary research assistant to support CD-CP program evaluation activities.

(38) AREA MENTAL HEALTH AUTHORITY FOURTH QUARTER 2003 REPORT

Receive the Fourth Quarter 2003 Area Mental Health Authority Report.

Financial Portion

III. Financial Management:
The focus for the fourth quarter was continued implementation of the Integrated Payment and Reporting System (IPRS). This system change has required significant reprogramming of the billing module of the information technology software. Final testing is underway, as the Area Program will receive payment through IPRS beginning July 1, 2003.

Expenditures YTD June 30, 2003 (including accrual period to 7/11/03)

<table>
<thead>
<tr>
<th>Continuum</th>
<th>Amount Obligated</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Mental Health Services</td>
<td>$ 8,485,538</td>
<td>87%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$ 9,608,959</td>
<td>92%</td>
</tr>
<tr>
<td>Child and Adolescent Services</td>
<td>$15,254,193</td>
<td>68%</td>
</tr>
<tr>
<td>Developmental Disabilities Services</td>
<td>$14,992,831</td>
<td>90%</td>
</tr>
<tr>
<td>Infant/Toddler Preschool</td>
<td>$ 4,519,905</td>
<td>78%</td>
</tr>
<tr>
<td>BHC Randolph</td>
<td>$11,027,425</td>
<td>100%</td>
</tr>
<tr>
<td>Centralized Services</td>
<td>$ 3,558,259</td>
<td>75%</td>
</tr>
<tr>
<td>Administration Services</td>
<td>$ 6,261,143</td>
<td>78%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$73,708,253</strong></td>
<td><strong>83%</strong></td>
</tr>
</tbody>
</table>

Revenues YTD June 30, 2003 (including accrual period to 7/11/03)

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Amount Received</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid</td>
<td>$19,139,594</td>
<td>101%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>$18,058,785</td>
<td>100%</td>
</tr>
<tr>
<td>State MR/MI</td>
<td>$ 3,029,729</td>
<td>112%</td>
</tr>
<tr>
<td>State CTSP</td>
<td>$ 2,618,729</td>
<td>118%</td>
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<tr>
<td>Medicaid- CAP</td>
<td>$ 2,729,543</td>
<td>91%</td>
</tr>
<tr>
<td>Third Party/Other</td>
<td>$ 488,415</td>
<td>77%</td>
</tr>
<tr>
<td>Grants</td>
<td>$ 2,019,753</td>
<td>67%</td>
</tr>
<tr>
<td>County</td>
<td>$25,623,705</td>
<td>64%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$73,708,253</strong></td>
<td><strong>83%</strong></td>
</tr>
</tbody>
</table>

_A copy of the report is on file with the Clerk to the Board._

(39) DEMOLITION OF BUILDINGS

Approve use of land bond funds for demolition of buildings at 1125 and 1131 East Fourth Street.

(40) LAND EXCHANGE - WITHROW CAPITAL, INC.

Adopt a resolution entitled: Mecklenburg County Board of Commissioners Resolution Authorizing Exchange of Tax Parcel #217-051-03 on Youngblood Road for a Portion of Tax Parcel #217-271-02 on McKee Road.

_Resolution recorded in full in Minute Book 42-A, Document #_

(41) PLAZA ROAD STREETSCAPE AT REEDY CREEK NATURE PRESERVE

Authorize conveyance to City of Charlotte of 13,554 square foot temporary construction easement, 900 square foot permanent utility easement and 3,974 square foot permanent road right-of-way/streetscape easement along The Plaza at Reedy Creek Nature Preserve.

_THIS CONCLUDED ITEMS APPROVED BY CONSENT_
(23) SUSTAINABLE ENVIRONMENT FOR QUALITY OF LIFE

Motion was made by Commissioner Clarke, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to adopt a resolution of support for the Sustainable Environment for Quality of Life initiative led by Centralina Council of Governments.

Note: Centralina Council of Governments has been awarded a $275,000 grant from the Environmental Protection Agency to implement and expand regional efforts to protect the quality of life in the bi-state metro Charlotte region. The program is called Sustainable Environment for Quality of Life (SEQL).

Resolution recorded in full in Minute Book 42-A, Document #

(42) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve a resolution to select the Centralina Council of Governments as program administrator for the Community Development Block Grant Program. Secondly, to authorize the County Manager to negotiate and execute contracts with Centralina Council of Government to provide administrative services, program closeout, and 2004 CDBG application preparation services.

General Manager Bobbie Shields addressed this item prior to the vote.

Commissioner Clarke left the dais during the discussion of this item and was absent until noted in the minutes.

Resolution recorded in full in Minute Book 42-A, Document #

(43) 2004 EMPLOYEE BENEFIT PLANS

Commissioner Clarke returned to the dais.

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to defer until the September 3, 2003 meeting consideration of approval of 2004 medical insurance plan designs, medical and dental rate increases for the County and employees, and changes in the Board Section of County HR policy to incorporate the buy-up option for employees and retirees under age 65 to make a contribution for their individual coverage and authorize the County Manager to make the necessary conforming changes in the Benefits section of HR policy.

(44) CAPITAL INVESTMENT FUNDING MODEL – COMMISSIONER JAMES

The Board received information concerning a model for Capital and Investment Funding.

Commissioner James addressed this item and noted that no action would be needed at this time. He stated that this matter would be rescheduled for the September 3, 2003 meeting, in order to allow staff to obtain additional information and make appropriate revisions.

(46) BUSINESS INVESTMENT GRANT PROGRAM

Motion was made by Commissioner Ramirez, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the recommendation of the Ad-hoc Economic
Development Committee regarding revisions to the Charlotte-Mecklenburg Business Investment Grant Program and as amended and suggested by Commissioner Samuelson, that the words “on new investment” be inserted when referencing that grants would be based on a percentage of property taxes “on new investment” over five years according to the following schedule…cited in the examples referenced in the information provided to the Board (Investment Zone Projects – Proposed Program (2) and Large Investment Projects (3).

General Manager Bobbie Shields addressed this matter.

Note: On July 22, 2002, the Mecklenburg County Board of Commissioners directed the County Manager to review and recommend changes to the City/County Business Investment Program in light of changes in the business environment, competitive incentive programs, and State participation. County staff worked with City of Charlotte staff to prepare modifications to the existing investment zone program and to create a new program that would allow business investment grants to large economic impact projects that may locate in any part of the City of Charlotte. As is the case under the existing program, the proposed program(s) would require that each business investment grant application be reviewed and approved by the Board. Also, business must have paid taxes on the investment before receiving an investment grant.

(47) CELGARD BUSINESS INVESTMENT GRANT

Motion was made by Commissioner Ramirez, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to approve the County share of a Business Investment Grant to Celgard for a total estimated amount of $617,500 over 5 years. Total City/County grant for the five-year period estimated at $964,800.

(6) MANAGER’S REPORT

CUSTOMER SERVICE INITIATIVE

County Manager Jones informed the Board of a Customer Service Initiative scheduled for September involving 22 employees. It will be a three-day customized training session in Florida at the Disney Institute. The cost of the training is $90,000, which includes program fees, tuition, lodging, meals and on-site visits to see first hand the results of the company’s customer service training and philosophies. The employees will travel by van and also share hotel rooms.

It was noted that these employees upon their return will train other employees. The training will begin first in the Department of Social Services in January 2004.

County Manager Jones stated that he strongly believes that this training will move the Organization from being a good customer service organization to a great customer service organization. Also, that it will increase service value, productivity, employee motivation, and result in increased employee knowledge, skills and abilities.

It was noted that this company was internationally known for its provision of excellent Customer Service and its ability to train other organizations on Customer Service principles.

The costs for the training will come from Department of Social Services funds that were carried forward from FY03 to FY04, approved by the Board on June 3, 2003 in the amount of $368,000. County Manager Jones noted that at that time it was not disclosed fully to the Board how some of those funds would be used for Customer Service Initiatives. He stated that $96,000 was earmarked for Customer Service Initiatives.

Chairman Cox complimented the County Manager for pursuing this initiative.

PLANNING DIRECTOR RECRUITMENT PROCESS
County Manager Jones noted the following:

The Interlocal Agreement with the City of Charlotte explicitly provides a process for the appointment of the Planning Director. Under this process, the Chairman of the Board, pursuant to a vote of the Board, the Mayor, pursuant to a vote of the Mayor and Council, and the Chairman of the Planning Commission, pursuant to a vote of the Planning Commission each select one member of a three member PDRC. The City Manager and the County Manager serve as ex officio members. The PDRC shall, upon unanimous vote, recommend a new Planning Director. The PDRC may engage the services of a professional search firm. Ultimately the Planning Director is hired upon the unanimous vote of a three-member committee consisting of the City Manager, the County Manager, and the Chairman of the Planning Commission, unless the governing bodies designate some other person to participate in the actual appointment.

Planning Commission Chairman David Hughes has not selected anyone. The Mayor has selected Councilman John Tabor, but the City Council has not voted on the selection. The Council has asked staff to bring the matter back on August 25.

He noted that the agreement also calls for the joint appointment of members to the Planning Commission and that there is a possibility that the City will be asking that the Interlocal Agreement be changed in some respect. No details are known at this time.

County Manager Jones noted also that the Interlocal Agreement requires that any Party to the agreement has to give notice of termination of the agreement by April 30th, however, unlike with some other agreements, in this instance, the agreement can be terminated July 1, 2004, which is not a 14-month notice.

County Manager Jones encouraged the Board to move forward with appointing Chairman Cox to the Planning Director Recruitment Committee, but be aware that modifications to the Interlocal Agreement may be forthcoming.

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelsion, and Woodard voting yes, to appoint Chairman Tom Cox to serve on the Planning Director Recruitment Committee (PDRC).

**DISCUSSION OF A PROCESS ON THE POTENTIAL OF A BOND REFERENDUM IN 2004 FOR LAND ACQUISITION AND INTERIM FUNDING FOR LAND ACQUISITION (CHAIRMAN COX)**

Chairman Cox addressed Item 49 - Discussion of a Process on the Potential of a Bond Referendum in 2004 for Land Acquisition and Interim Funding for Land Acquisition.

He noted that the Trust for Public Lands wanted the Board to schedule a bond referendum this fall for land acquisition in the Mountain Island Lake Watershed, however, the urgency of this is not as it was originally thought, per subsequent discussions he has had with them.

Chairman Cox asked the Board to remain opened minded about the possibility of a 2004 Bond Referendum, but only after there has been adequate staff analysis on the need.

Commissioner Helms noted that he agreed that the Board should not place this matter on a bond referendum for this fall and perhaps not even for 2004. He said this was, however, a critical issue that does need attention “earlier rather than later.” He suggested that staff consider looking into one of the suggestions made with respect to implementing this proposal to require open space around Mountain Island Lake; and to use the $9 million that was unallocated for matching funds to the six towns, if it has not been allocated for some other purpose. He stated that this should be reviewed as a possible source for collaborating with the Trust for Public Lands.
Chairman Cox stated that the Trust for Public Lands would agree to an analysis being done before taking any action.

Commissioner Samuelson noted that the $9 million referenced by Commissioner Helms, although she doesn’t know the exact amount, is now much less than $9 million.

Commissioner Ramirez noted that the request has its merits. He commented on the importance of clean drinking water for now and in the future, having been in areas of the world where “water was more value than gold.”

Commissioner Mitchell concurred that this matter was critical and should be reviewed.

Commissioner James concurred also that this matter was important and should be considered, however, the County has to keep in mind the debt costs associated with this and other requests. No action was taken.

ADJOURNMENT

Motion was made by Commissioner Mitchell, seconded by Commissioner James, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:37 P.M.

____________________  ______________________________  ____________________________
Janice S. Paige, Clerk  Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 3, 2003 5:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, September 3, 2003.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent:  None.

Commissioners Clarke, Helms, and Puckett were absent when the meeting was called to order and until noted in the Minutes.

-INFORMAL SESSION-

(1A) STAFF BRIEFING - CERTIFICATES OF PARTICIPATION (COP’s)

The Board received information regarding specific projects for funding with Certificates of Participation (COP’s), which was presented by County Finance Director Harry Weatherly.

Commissioner Puckett entered the meeting during this time.

Highlights:

- Several County departments have projects needing immediate funding for which a COP’s issue would be appropriate. These County projects include Government Facilities and Park & Recreation (joint use with CMS).

- There are several projects for which construction is needed to begin this fiscal year.

- A bond sale has been scheduled for January 2004, and there would be some advantages to having a COPs sale at the same time as the G.O. sale, such as using the same financial advisors and the same official statement. Also, interest rates are usually at their lowest point in January.

- The projects recommended to be funded are as follows:

  Area Mental Health (Total Project - $7,800,000 – To be Issued in January – $6,000,000) - This project will provide for renovation of the Tom Ray Center, Carlton Watkins Center, and Behavioral Health Center facilities.

  Caroline Love Myers Center Renovation (Total Project - $500,000 – To be Issued in January - $500,000)
Cooperative Extension Relocation (Total Project - $1,200,000 – To be Issued in January - $1,200,000) - This project will provide for relocation of the Cooperative Extension Department from the Hal Marshall Center to the Park and Recreation Administrative Office Building at Hwy 16.

Park & Recreation Facilities (Total Project - $4,000,000 – To be Issued in January - $4,000,000) – Currently, the Charlotte-Mecklenburg Schools have bonds that will fund construction of a multi-purpose room at three school sites: Hickory Grove Elementary School, Dilworth Elementary School and Fairview Homes Community Center.

- The total amount of the COPs sale in January is estimated to be $11,700,000 at this time.
- There are no school projects included in this request. The Schools’ request is being presented to their Board on September 9, 2003. After which, the Schools may request COPs funding from the County. If this funding is requested, their request will come back to the Board on September 16, 2003.

No action was taken.

(2A) CLOSED SESSION - LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matter to be discussed in Closed Session:

Tax Parcel #081-083-01 at 1004 N. Myers Street.

Motion was made by Commissioner James, seconded by Commissioner Woodard and carried 7-0 with Commissioners Cox, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss land acquisition.

The Board went into Closed Session at 5:34 p.m. and came back into Open Session at 5:35 p.m.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent. The items identified were Items 10, 15, 18, and 21.

Commissioner Helms entered the meeting at this time.

- FORMAL SESSION-

Invocation was given by Commissioner Woodard, which was followed by the Pledge of Allegiance to the Flag.

(1A) 2003 NACO ACHIEVEMENT AWARDS

The Board recognized Peter Safir, Bobby Cobb, and Health Department staff for the following 2003 NACo Achievement Award Entry Winners:

Winner’s Circle Program: A School-Based Initiative to Prevent Childhood Obesity
Fighting Back Consumer Advocate Initiative
REACH 2010 Lay Health Advisor Program
Potassium Iodide Distribution
Shigellosis Education Video
The National Association of Counties’ Achievement Award Program is a non-competitive program that recognizes counties for improving the management of and services provided by county government.

Deputy County Manager Russ Crider addressed the programs.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Rusty Loudermilk addressed a recent encounter with the Rape Crisis Center Hotline. Mr. Loudermilk stated that he did not receive timely assistance when he called the Hotline on behalf of his girlfriend. He said the Center’s explanation was that because he has Caller ID on his phone, they were not able to return his call until they opened up for normal business hours. He asked the Board to make sure that any funds provided to United Family Services (who is responsible for the Rape Crisis Center Hotline) be used to assist people 24 hrs. day.

Carol Hughes addressed the service needs of the Homeless. (A copy of her handout is on file with the Clerk to the Board.)

Jack Stratton asked that County Manager Jones provide him with information. He acknowledged receiving a response from County Manager Jones and requested that the County Manager suspend that request for information and give him what he has. Also, to give him a bill, if there’s a bill for it. He then requested the following information be provided to him, referencing the standard board rate for children in the custody of Social Services:

• The federal and state reimbursement rates to the County for HIV positive children
• Are there any other instances where these rates would be paid other than HIV positive children?
• He would like a contact person that he could contact directly.

County Manager Jones asked Mr. Stratton to put his request in writing and that he would respond back to him.

Mr. Stratton continued his remarks by referencing past grand jury reports from San Diego, California concerning Director of Social Services Richard Jacobsen. He noted that in his opinion the information on the County’s website concerning these reports was inaccurate.

(3) APPOINTMENTS

AIR QUALITY COMMISSION

The vote was taken on the following nominees for appointment to the Air Quality Commission:

<table>
<thead>
<tr>
<th>Round One</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scott Austin</td>
</tr>
<tr>
<td>Edward Elliott</td>
</tr>
<tr>
<td>George Ernst</td>
</tr>
<tr>
<td>Ray Fuentes</td>
</tr>
<tr>
<td>Christopher Gegg</td>
</tr>
<tr>
<td>James Hixon</td>
</tr>
<tr>
<td>Anne Jackson</td>
</tr>
</tbody>
</table>
Chairman Cox announced that Ray Fuentes was appointed to the Air Quality Commission as a general public representative for a three-year term expiring August 31, 2006.

CITIZEN’S TRANSIT ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Citizen’s Transit Advisory Committee:

Gerald G. Fox  Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson
Terry Lansdell  Commissioner Woodard

Chairman Cox announced that Gerald G. Fox was appointed to the Citizen’s Transit Advisory Committee for a two-year term expiring June 30, 2005.

HUMAN SERVICES COUNCIL

The vote was taken on the following nominees for appointment to the Human Services Council:
Chairman Cox announced that Charles James was appointed to the Human Services Council on the Health Committee as a general public representative for three-year term expiring September 19, 2006.

MINORITY AFFAIRS ADVISORY COMMITTEE

The vote was taken on the following nominees for appointments to the Minority Affairs Committee:

- Michael Long
- Stephen Neal

Chairman Cox announced that Michael Long was appointed to the Minority Affairs Advisory Committee to fill an unexpired term expiring February 3, 2004 and Stephen Neal was appointed to fill an unexpired term expiring February 6, 2005.

STORM WATER ADVISORY COMMITTEE

The vote was taken on the following nominee for appointment to the Storm Water Advisory Committee:

- Fred Monroe

Chairman Cox announced that Fred Monroe was appointed to the Storm Water Advisory Committee for a three-year term expiring September 3, 2006.

SCHEDULE OF UPCOMING APPOINTMENTS

The Board received as information upcoming appointments for September.


Adult Care Home Advisory Committee
Architectural Selection Committee (General Contractor Needed)
Area Client Rights Committee (Mental Health Professional)
Citizen’s Capital Budget Advisory Committee
Human Services Council (Social Services Committee)
Nursing Home Community Advisory Committee
Register of Deeds Advisory Committee (Attorney Needed)
Storm Water Advisory Committee
Waste Management Advisory Board
Women’s Commission

(4A) PUBLIC HEARINGS – STREET LIGHTING ASSESSMENT - WILSON GLEN SUBDIVISION

Motion was made by Commissioner Samuelson, seconded by Commissioner James and
carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a copy of the Preliminary Assessment Resolution and notice of the public hearing were mailed by first class mail to each property owner in the Wilson Glen Subdivision.

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on Mecklenburg County’s participation in installing and operating street lighting on the streets in Wilson Glen Subdivision.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing and adopt the Final Assessment Resolution on the Wilson Glen Subdivision street lighting assessment project; and appropriate $15,550 for the installation costs of these street light fixtures.

Resolution recorded in full in Minute Book 42-A, Document #

(2A) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel #081-083-01 at 1004 N. Myers Street from Bonita Caldwell for $8,000.

This property is needed for the Belmont Area Water Quality Enhancement Project on Little Sugar Creek.

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) MANAGER’S REPORT – NONE

CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and carried 8-0, with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 10, 15, 18, and 21 to be voted upon separately:

(7) APPROVAL OF MINUTES


(8) TAX REFUNDS

Approve refunds to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments in the amount of $17,330.02.

A list of the taxpayers’ requests is on file with the Clerk to the Board.
(9) 2004 SCATTERED SITE HOUSING GRANT APPLICATION – SET PUBLIC HEARING

Set a Public Hearing for September 16, 2003 at 6:30 p.m. on the 2004 Mecklenburg County Scattered Site Housing Grant Application.

(11) SENIOR TRIP – NORTHWEST PARK DISTRICT

Recognize, receive and appropriate revenue in the Park and Recreation Department in the amount of $26,767.

Note: Park and Recreation has planned a senior trip. This action will allow the receipt of registrations and payment of expenditures.

(12) MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE – AMENDMENT

Approve amendment to the Mecklenburg County Park And Recreation Facilities Ordinance to limit liability from skateboard injuries.

A second reading will be required on September 16, 2003.

(13) HAZARD MITIGATION PROGRAM – FLOODPLAIN ACQUISITION

Accept the “Offer Of Sale Of Land” for the following properties substantially damaged from the June 7, 2003 flood:

1. Elaine Dillon at 320 Fieldbrook Pl for $130,015.00
2. Lisa Romanoff at 3021 Manor Road for $158,629.00
3. Eileen McNamara at 3008 Manor Road for $162,200.00
4. Roxanne McGee at 3012 Manor Road for $152,343.00
5. Elizabeth Murphy at 3004 Manor Road for $146,961.00
6. John & Martha Foster at 4507 Wentworth Pl for $94,577.00
7. Van Hart Inc. at 3253 Westfield Road for $140,000.00

Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition of the structures purchased by Mecklenburg County.

Resolution recorded in full in Minute Book 42-A, Document #

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

(14) LUESA SOUTH SATELLITE OFFICE

Authorize the County Manager to negotiate and execute a License and Use Agreement with the Town of Matthews for a satellite office in Matthews Town Hall for the Land Use and Environmental Services Agency (LUESA).
Adopt a resolution setting a Public Hearing on October 8, 2003 at 6:30 p.m. on Street Lighting Preliminary Assessment Roll for the Claybrooke Subdivision.

Resolution recorded in full in Minute Book 42-A, Document #

Adopt a Preliminary Assessment Roll Resolution setting a public hearing on the street lighting fixture cost for the Coffey Creek/Ayrshire Glen Subdivision for 6:30 p.m. on October 8, 2003.

Resolution recorded in full in Minute Book 42-A, Document #

Amend the Mecklenburg County Debt Policy to incorporate policy on interest rate exchange transactions (Swaps) and to include a section regarding necessity for legal opinion for all financings.

Policy recorded in full in Minute Book 42-A, Document #

Recognize and receive payment in lieu of taxes (PILOT) of $136,215 from the Housing Authority of the City of Charlotte and appropriate the allocation to the Authority for the Stepping Stone housing program.

Recognize and appropriate $500 from FY04 Contingency to become a sponsor of the North Carolina Civic Education Consortium’s forum on preparing young people for civic participation.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Motion was made by Commissioner Ramirez seconded by Commissioner Samuelson and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to authorize the County Manager to draft a proposed City/County Business Investment Grant with General Dynamics for an estimated amount not to exceed $2.2 million to be paid over a time period not to exceed eight years.

Commissioner Ramirez removed this item from consent for more public awareness.

Prior to the vote, General Manager Bobbie Shields and Deputy County Manager Russ Crider addressed this issue.

Commissioner Samuelson left the dais during the comment period on this item and was away until noted in the Minutes.
Motion was made by Commissioner Ramirez seconded by Commissioner James and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to authorize the Health Department to apply to the Foundation for the Carolinas for $14,920 to produce the TV show, “Salud Y Vida” and if the grant is awarded, recognize, receive and appropriate funds.

Note: The Mecklenburg County Health Department has had a 290% increase in Spanish speaking clients from 1998 through 2002. To enhance health education and prevention efforts, this grant will fund the production of further segments of a Spanish language television show to reach 10,000 viewers through satellite television. It will air on Satellite TV to improve access to health services for the Spanish speaking population in Charlotte-Mecklenburg. Information on critical health issues and how to access preventive and treatment services will be featured. This funding will cover the cost to produce this show for one year. Future funding for production will be applied for next year.

Commissioner Ramirez removed this item from consent for more public awareness.

Commissioner Samuelson returned to the dais

Motion was made by Commissioner Ramirez seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to declare the list of items (Exhibit A) as surplus, and adopt a Resolution Authorizing Sale of Personal Property by Public Auction.

Auction Date & Time Saturday, September 20, 2003 @ 10:00 a.m.
Auction Location: 3301 N. I-85 Service Road, Charlotte, N.C. 28269

Commissioner Mitchell removed this item from consent for more public awareness.

A copy of Exhibit A is on file with the Clerk to the Board.

Resolution recorded in full in Minute Book 42-A, Document #

Motion was made by Commissioner Helms, seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve a special consumption permit that would allow the Latin American Festival, Inc. to consume malt beverages and unfortified wine on county park property (Eastover Park) during the Latin American Festival.

Commissioner Helms removed this item from consent for more public awareness of the festival.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to set a public hearing for 6:30 p.m. on September 16, 2003 to receive comments on the draft revisions to the Mecklenburg County Health Regulations governing Carbon Monoxide Alarms.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to set a public hearing for 6:30 p.m. on September 16, 2003 to receive comments on the draft revisions to the Mecklenburg County Health Regulations governing Carbon Monoxide Alarms.

A copy of Exhibit A is on file with the Clerk to the Board.

Resolution recorded in full in Minute Book 42-A, Document #
The Board received as information the Charlotte-Mecklenburg Utilities’ FY03 Wastewater Report, which was presented by Douglas O. Bean, Charlotte-Mecklenburg Utilities Director.

Commissioner Clarke entered the meeting.

Highlights:

- All public and private wastewater utilities in the state are required to publish an annual report detailing how well the wastewater system performed for the fiscal year ending June 30, 2003.

- Once again, the Charlotte-Mecklenburg system did an excellent job by safely collecting and treating more than 99.9+ percent of this community’s wastewater before returning it to our local waterways.

- However the quantity of overflows in the county and the total volume spilled increased sharply compared to each of our previous three years.

- Actions are being taken to address this environmental issue.

A copy of the report is on file with the Clerk to the Board.

(25) THIRD WARD VISION PLAN / WEST PARK

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt the Third Ward Neighborhood Vision Plan.

Highlights:

- The Vision Plan includes three options for the neighborhood configuration and park location.

- Each option creates the potential for a different type and level of economic development.

- Adoption of the Vision Plan includes all three park location options, allowing the County to further investigate the acquisition of proposed alternate park sites within the framework of an approved neighborhood plan.

- Once the opportunities and constraints of the alternatives have been investigated, staff will report back to the Board of County Commissioners for consideration of final site selection.

- Adoption of the Vision Plan does not include approval of an actual park design.

- The current park plans are only conceptual.

- Once the land acquisition options are further investigated and the site location finalized, a design process for the park can be initiated.

A copy of the Plan is on file with the Clerk to the Board.

(26) BOARD PROGRAM REVIEW AND ASSESSMENT
Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the meeting schedule and process for the Board’s review and assessment of County programs and other funding relationships. Secondly, to amend the Board’s Annual Meeting Schedule by canceling the Budget/Public Policy Workshops scheduled for the months of September, October, November, and December.

The goals of the Board’s Program Review and Assessment are:

- To evaluate the link between County programs and the County’s core responsibilities
- To determine the appropriate service directive for each program, based on the link to the County’s core responsibilities and based on the level of program funding choice (i.e., mandated versus discretionary)
- To evaluate the results achieved relative to the respective department scorecard and relative to the Board’s Community & Corporate Scorecard.

*A copy of the Program Review Schedule is on file with the Clerk to the Board.*

(27) 2004 EMPLOYEE BENEFITS PLANS

Motion was made by Commissioner Helms, seconded by Commissioner Puckett and carried 8-1 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner James voting no, to

1) approve the Scenario Two 2004 Medical Insurance Plan designs,
2) approve the medical rate increases for the County and employees and retirees, effective January 1, 2004,
3) approve a dental rate increase for the employees, effective January 1, 2004,
4) approve changes in the Board Section of County HR policy to incorporate the buy-up option for employees and retirees under age 65 to make a contribution for their individual coverage, and
5) authorize the County Manager to make the necessary conforming changes in the Benefits section of HR policy.

Susan Hutchins, Human Resources Director and consultants Stephanie Prince and Steve Graybell from Mercer Human Resource Consulting addressed this issue with the Board, prior to the above vote. It was noted that the County’s rate increase for Dental services went into effective July 1, 2003.

Commissioner Clarke requested that staff in the future, if it’s possible, integrate benefit decisions and compensation decision-making during the budget process, so that they can be addressed at the same time rather than at separate times.

(28) HIV/AIDS IN MECKLENBURG COUNTY – DRAFT POLICY STATEMENT

Motion was made by Commissioner Mitchell, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept, in concept, the recommendation of the Health Department for the proposed policy statement and charge regarding HIV Disease in Mecklenburg County, and to authorize the County Manager to create a task force with a finite term; and to report back to the Board with recommendations.

The proposed Policy Statement and Charge – HIV Disease in Mecklenburg

The Mecklenburg Community Vision for 2015 states that people will choose to live in Mecklenburg County because of positive health indicators, including a low rate of human immunodeficiency virus (HIV) disease. This disease which infects people of all ages and is among the leading causes of death for young adults also brings emotional pain to infected individuals and their families, consumes healthcare dollars, robs the community of years of worker productivity, and burdens the public system with costs of prevention and care.
It is the policy of the Mecklenburg Board of County Commissioners to acknowledge the seriousness of the HIV disease epidemic in Mecklenburg County and to provide leadership in addressing this threat to the public’s health by engaging community stakeholders in comprehensive assessment and planned implementation of best practice, culturally-sensitive, measurable, and innovative interventions, consistent with local, state, and federal law.

**Charge:** Bring back to the Board of County Commissioners through the Health Department recommendations for a broad-based, comprehensive community plan to eliminate HIV disease in Mecklenburg County.

*A copy of the report is on file with the Clerk to the Board.*

Prior to the above vote, Peter Safir Health Director addressed this matter with the Board and noted the following:

The Board of County Commissioners received requests from HIV/AIDS advocates to consider appointing a task force and referred this matter to the Community Health and Safety Committee with assistance from the Health Department. The Health Department facilitated a series of meetings with advocates, health agencies, experts, church leaders, and other interested participants resulting in a report to the Community Health and Safety Committee on HIV/AIDS in Mecklenburg County presented by staff and community leaders. The Committee directed the staff to develop and present a Proposed Policy Statement and Charge for the task force and to outline a Suggested Structure for Developing the HIV Disease Strategic Plan.

It was noted further that the Board was being asked to adopt a charge and to support the establishment of an ad hoc task force who would develop a plan and recommendations for consideration by the Board at the January 2004. Staff is suggesting guidelines for appointment to the task force following federal CDC guidelines.

County Manager Jones asked the Board to consider allowing him to be responsible for the creation of the Task Force. He stated that the task force would in part be consistent with the requirements of the membership that is outlined in the policy statement and utilizing the Center for Disease Control (CDC) parameters. Also that he would report back to the Board who he has selected to serve on the task force. The task force would report back to the Board with policy recommendations, following a similar process that was used with the Breathe Stakeholders task force. It was noted also that the Manager would have the flexibility to modify/revised or tweak the charge as he deems appropriate in order to move forward.

Also, prior to voting on the above matter, the following persons appeared to speak:

**Dr. Johnnie McLeod**  
**Dr. John Foust**  
**Dr. Joseph Jemsek** *(Provided the Board with a handout, which is on file with the Clerk.)*  
**Dr. Ophelia Garman-Brown**  
**Matthew Bronczek** *(Supports a task force being created by the County Manager but opposes the “mission statement” (charge) that was suggested by Commissioner James in the report as Attachment #4. Chairman Cox clarified that the “Charge” the Board was approving was the one in Attachment 1.)*  
**Jackie Patterson** *(Provided the Board with a handout, which is on file with the Clerk.)*  
**Lorraine Mitchell**  
**Pastor Gwen Curry**

Motion was made by Commissioner Helms, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add an additional three minutes to the time allocated for public comment on Item 28 HIV/AIDS In Mecklenburg County – Draft Policy Statement.
Motion was made by Commissioner Helms, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add an additional three minutes to the time allocated for public comment on Item 28 HIV/AIDS In Mecklenburg County – Draft Policy Statement.

Dr. Jared Schwartz

Each of the above speakers were supportive of action being taken to address the health concern regarding HIV/AIDS. They asked the Board to keep an open mind, to not get bogged down with lifestyle changes, emphasized the need for more public education in this area, and that it be a diverse committee.

Note: Commissioner James asked that the following be included in the minutes:

N. C. Public Records Law N.C.G.S. 132, Article 8 (115C-81) Basic Education Programming

The state shall teach that abstinence from sexual activity until marriage is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health and emotional problems; and that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best life long means of avoiding diseases transmitted by sexual contact including Acquired Immune Deficiency Syndrome (AIDS); and shall teach the positive benefits of abstinence until marriage and the risks of pre-marital sexual activity. Any instruction concerning the causes of sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS) in cases where homosexual acts are significant means of transmission shall include the current legal status of those acts.

He noted that this program was set up for public school children K-12, but he feels there’s no reason why this can’t be applicable to persons above 18.

(29) CAPITAL INVESTMENT FUNDING MODEL

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) receive updated Capital and Investment Fund model (CIF) as information. 2) Advise the County Manager to report to the Board of County Commissioners its recommendations for capital spending for non-CMS projects over the three fiscal years following 2003-2004 -- based on the assumption that the total funds available for non-CMS capital investments would be $100 million fiscal 2003-2004 and $50-60 million in each of the following two fiscal years. 3) Advise the Board of County Commissioners representatives to the School Liaison Committee to express its willingness to receive information about the CMS capital needs in a mutually agreeable time and format.

Prior to the above vote, the following persons appeared to speak:

Dwayne Collins expressed concern for the numbers being proposed for the Capital Investment Funding Model, noting a possible $90 million for Schools and $60 million for non-School needs. He encouraged the Board to allow the community and the Schools, in conjunction with the Board, to participate in the process regarding the issuance of General Obligation Bonds. He referenced meetings that took place last year at First Baptist Church West, which resulted in a compromise. He asked the Board to consider using this process again, prior to any decisions being made regarding Capital Investment Funding.

Terry Belk asked the Board to govern responsibly, which he said sometimes means raising taxes so that all of the amenities that the County funds would receive adequate funding.

German DeCastro spoke in support of funding school needs adequately.
Chairman Helms addressed his proposal concerning political consolidation and noted that he was not seeking action at tonight’s meeting, but rather it be deferred until the September 16, 2003 meeting.

He noted the following in his remarks as being his rationale for proposing political consolidation:

- Since the Board is in the process of addressing the structure of governance, other alternatives ought to be considered.

- As a long-time advocate for political consolidation of the Charlotte City Council and Mecklenburg County Board of Commissioners, he believes now is the time to discuss this issue again.

- “We live in the center of a region that is dependent upon the continued economic and social stability of Charlotte and Mecklenburg County. Sustaining the healthy momentum which we have enjoyed over the last decade is likely to be more effective and efficient under a single governing board with a single set of priorities, a single budget and a commitment to equity and fairness across the County for the benefit of all our citizens.”

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to defer until the September 16, 2003 meeting, consideration of adopting a Joint Resolution of the Charlotte City Council and the Mecklenburg County Board of Commissioners Creating A City Council/County Commission Joint Political Consolidation Committee.

Note: Commissioner Samuelson asked Commissioner Helms to give consideration to involving the Towns.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to defer discussion of restructuring the Board of County Commissioners, as suggested by Commissioner Helms until the September 16, 2003 meeting.

Note: Commissioner Helms’ proposal is as follows:

1) The Board would be made up of ten commissioners and a chairman.

2) Three commissioners would be elected at-large for two-year terms by the qualified voters of the entire County.

3) Seven commissioners would be elected for two-year terms from districts by the voters in each of the districts.

4) The chairmanship would be a separate office with qualified voters of the entire County nominating and electing the chairman for a two-year term.

5) A new committee of the Board would be created, called "The Regional and Town Affairs Committee." Along with the committees on Effective & Efficient Government; Community Health and Safety; Natural Resources, and Youth & Family, there would be a total of five Board of County Commissioners' committees. Each commissioner would serve on two committees, with
appointments to be made by the chairman. The Chairman would be an ex-officio, non-voting member of each committee.

(32) RESTRUCTURING THE BOARD OF COUNTY COMMISSIONERS

Chairman Cox addressed his proposal for restructuring the Board of County Commissioners and noted that he was not seeking action at tonight’s meeting, but rather it be deferred until the September 16, 2003 meeting.

He said that his reasoning behind the proposal was that it moves the election of the membership of the Board from May to November. He stated that as the Board is currently configured, six of the nine seats are decided in May, unless something odd happens. He would like to see that decision made in November.

No action was taken. The Board will consider this matter at the September 16, 2003 meeting.

Chairman Cox’s proposal is as follows:

Adopt a resolution entitled, Resolution Of The Board Of Commissioners Calling A Special Referendum On Adding Two At-Large Members To The Board Of Commissioners.

Proposed Alteration

To alter the structure of the Mecklenburg County Board of Commissioners by adding two At-Large Members thereby changing the structure from nine members, with three members all nominated and elected by the qualified voters of the entire County (At-Large Members), and six members residing respectively in six districts, each nominated and elected by the qualified voters of the respective districts (District Representatives) to eleven members, with five members all nominated and elected by the qualified voters of the entire County (At-Large Members), and six members residing respectively in six districts, each nominated and elected by the qualified voters of the respective districts (District Representatives).

ADJOURNMENT

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:05 p.m.
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, September 16, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard, County Manager Harry L. Jones, Sr., County Attorney Marvin A. Bethune, Clerk to the Board Janice S. Paige

Absent: None.

Note: The meeting was called to order at 5:33 p.m. The Board was late in getting started because of a previous meeting that did not end until 5:17 p.m.

Commissioners Clarke and Puckett were absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(2) CLOSED SESSION LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax Parcel #081-082-05 on North Myers Street
- Tax Parcel 077-076-17 at 1400 Norris Avenue
- Tax Parcel #123-041-26 on South Boulevard at Bland Street

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 7-0 with Commissioners Cox, Helms, James, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:33 p.m. and came back into Open Session at 5:41 p.m.

Commissioners Clarke and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 10 and 23.
STAFF BRIEFING UPDATE ON JANUARY GENERAL OBLIGATION AND CERTIFICATE OF PARTICIPATION SALE

The Board received as information an update from Finance Director Harry Weatherly regarding a possible January General Obligation and Certificate of Participation Sale.

Highlights:

- It was noted that in anticipation of the Board taking action to size the General Obligation and Certification of Participation January sales, staff prepared an estimated cash needs that would be utilized to size those sales, which did not include the Schools. It was noted that the Board would hold a joint meeting with the Board of Education to discuss the Schools’ Capital Program on September 30, 2003. Therefore, the actual sizing of the January, 2004 sale cannot be accomplished until the Board of County Commissioners hears that presentation.

- In December, 2002, the Board approved a bond sale in the amount of $233 million for January, 2003, and an anticipated January 2004 sale of $232 million. Additionally, the Board also approved that the schools’ amount would be between $141 and $165 million, and the other County funded projects would range between $67 and $91 million. For the January 2004 sale, staff was to bring back to the Board current projections in order to set the size of the issue. Staff has compiled requests received from agencies and departments for updated cash needs for construction and acquisition for a one-year period. This will provide cash until the scheduled January 2005 sale. Staff also considered cash balances on hand from previous bond sales.

- Presently, the recommended amount of the bond sale is $200 million. This includes $145 million for Charlotte-Mecklenburg Schools (CMS), $45 million for Courts, $5 million for CPCC, $2 million for Libraries and $3 million for Park and Recreation ($55 million for non-school projects).

- On September 3, 2003 the Board received information on several County departments that have projects needing immediate funding. It was recommended that these projects be funded with COPs. County staff met with Carolinas Healthcare officials and is now recommending a total of $9.7 million for the renovation of the Behavioral Health Center, Tom Ray Center, and the Carlton Watkins Center facilities. In addition, CMS indicated that two new high schools may be requested to be funded with COPs. The total estimated by CMS staff is $87 million, but only $9 million will need to be issued in January.

- The recommended amount of the COPs issuance is $19.2 million. This includes $9 million for CMS, $7.5 million for Area Mental Health facilities, $1.2 million for the Cooperative Extension renovation, $.5 million for Carolina Love Myers facility and $1 million for Park and Recreation facilities. The next issuance of COPs is also scheduled for January 2005 at which time some additional amount will be issued for CMS facilities as well as the balance of the authorizations for Area Mental Health and Park & Recreation facilities.

- It is important for the Board to come to a decision as to the amounts – particularly for COPs – as soon as possible after the joint meeting with the Board of Education so the authorization process for COPs can begin.

No action was taken or required at this time.

-FORMAL SESSION-

Invocation was given by Commissioner Woodard, which was followed by the Pledge of Allegiance to the Flag.

PROCLAMATION CONSTITUTION WEEK
Motion was made by Commissioner Puckett, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating the week of Sept 14-20, 2003 as Constitution Week.

The proclamation was read by Commissioner Puckett.

A copy of the Proclamation is on file with the Clerk to the Board.

(1B) HISPANIC AMERICAN HERITAGE MONTH

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating September 15 – October 15, 2003 as Hispanic American Heritage Month.

The proclamation was read by Commissioner Ramirez and accepted by two members of the Latin American Chamber of Commerce.

A copy of the Proclamation is on file with the Clerk to the Board.

(2A1) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of Tax Parcel #081-082-05 on North Myers Street from Marilyn S. Farwell for $5,000.

This property will be part of the open space assemblage for the Belmont Area Water Quality Enhancement Project on Little Sugar Creek.

(2) PUBLIC APPEARANCE

The following persons appeared to speak during Public Appearance:

Pastor Gwen Curry and Matthew Bronczek invited the Board to come out on October 18, 2003 to see the AIDS Quilt that will be coming to Charlotte. It was stated that the quilt serves as a visual reminder of the AIDS epidemic. The event will take place at 1401 Central Avenue. The doors will open at 11:30 a.m. At 12 noon the opening ceremony will begin and at 12:30 the names of those listed on the quilt will be read. It was noted that other activities would take place as well.

Gerry Chishom addressed HIV/AIDS and referenced a report the Board received in 1993 from the then Aids Advisory Committee. She stated that she had hoped the Board would consider reinstating that committee. She asked the Board what had occurred since the time it received this report? She also read a portion of G.S. 115C concerning sex education in the Schools, a portion which she stated was not read by Commissioner James at the previous meeting.

A copy of Ms. Chishom’s handout is on file with the Clerk to the Board.

Myra Clark, director of Energy Committed to Offenders (ECO), Inc. addressed services for the Homeless.

Jack Stratton noted to County Manager Jones that he had planned to provide him, at tonight’s meeting with his written request for information, per the Manager’s directive. He forgot, however, to make a copy for himself and therefore will provide it to Manager Jones “in the morning.” Mr. Stratton then addressed the Department of Social Services placement of children.
He also commented on Chairman Cox’s personal work with Social Services departments across the state.

**Commissioner Clarke left the dais and was away until noted in the minutes.**

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to extend the speaking time for those wanting to speak about Charlotte-Mecklenburg Schools’ Long Range Master Plan and schools in North Mecklenburg to 12 minutes rather than 10 minutes.

The following persons addressed Charlotte-Mecklenburg Schools’ Long Range Master Plan, school facility needs in the northern part of the County, and the release of bond monies:

- Rechel Anderson (Hickory Grove Elem.)
- Wesley Simmons (Hickory Grove Elem.)
- Cambria Nielson (Davidson Elem.)

**Commissioner Clarke returned to the dais.**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to extend the speaking time for those wanting to speak about Charlotte-Mecklenburg Schools’ Long Range Master Plan 3 additional minutes.

The following persons then spoke:

- James Alexander (Hickory Grove Elem.)
- Jim Bensman, Commissioner Town of Cornelius (Northern schools in general)

Each of the above speakers asked the Board to provide CMS with the funding they need in order to address the problems of overcrowding at schools in the northern part of the County.

Chairman Cox informed those that spoke that a meeting would be held on September 30, 2003 between the Board of Commissioners and the Board of Education regarding School Capital Needs. He informed them that the Board of County Commissioners had not made any decisions at this point. He also noted that it was his understanding that the Board of Education plans to have some type of input opportunity on September 23, 2003 and that persons should contact the Board of Education for more details.

(4A) **PUBLIC HEARING – 2004 SCATTERED SITE HOUSING GRANT APPLICATION**

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to receive comments on the 2004 Mecklenburg County Scattered Site Housing Grant Application.

General Manager Bobbie Shields and James Luster with the Centralina Council of Governments addressed the grant application.

No one from the public appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett,
Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on the 2004 Mecklenburg County Scattered Site Housing Grant Application and set a second public hearing for 6:30 p.m. on October 21, 2003.

**CARBON MONOXIDE ALARM ORDINANCE REVISION**

Motion was made by Commissioner Ramirez, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to receive public comments on the revisions to the Mecklenburg County Carbon Monoxide Alarm Ordinance.

Peter Safir, Health Director, Dr. Eric Lavonas, MD, and Ken Szymanski with the Charlotte Apartment Association addressed the need for the revisions to the Carbon Monoxide Alarm Ordinance.

It was noted that the current ordinance requires carbon monoxide alarms in all dwelling units that have fossil fuel heat, attached garage, or gas appliances. The existing ordinance also allows plug-in or hard-wired alarms without battery backup. As a result of numerous carbon monoxide poisonings during the ice storm in December 2002 and the poisonings in an eight-unit apartment building in May 2003, revisions to the ordinance are recommended. The revised ordinance would be effective January 1, 2004 and would require all dwelling units in Mecklenburg County to have a carbon monoxide alarm. Alarms installed after this effective date must be battery powered or a/c powered with a battery backup.

The following is information from Dr. Lavonas, which Chairman Cox requested be placed in the minutes:

**Effectiveness Analysis**

**CO Alarm Ordinance**

Eric Lavonas, MD
Emergency Medicine & Medical Toxicology
Carolinas Medical Center
September 16, 2003

The CO alarm prevention efforts (public education campaign, day care & health dept initiatives, alarm ordinance, free alarm give-away) have been effective. Since 2000, Mecklenburg County has seen a ~50% reduction in CO poisoning, compared with surrounding counties, as measured by:

- Poison control center calls
- Deaths
- Patients requiring hyperbaric oxygen treatment

By late 2002, Charlotte was the most prepared city in the country for CO poisoning.

The December, 2002 ice storm was an unusual, but not once-in-a-lifetime, event. Despite our preparedness, a large CO poisoning outbreak occurred:

- 182 people poisoned
- 26 severely poisoned
- 1 death

Although certain groups were at higher risk, CO poisoning affected all groups:

- Age range: 6 days – 90 years
- Home value: $6,624 - $791,800 per family unit
- Homeowners: 49%  Renters: 51%
- Single family home: 72%  Multi-family: 28%
- English speaking: 49%  Spanish 38%  Asian: 10%  French: 2%

The CO alarm ordinance was designed to prevent poisoning from fixed sources of CO (furnaces, water heaters, vehicles, etc.), but during the storm most poisoning came from portable sources:

<table>
<thead>
<tr>
<th>Source</th>
<th>Cases</th>
</tr>
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<tbody>
<tr>
<td>Grill</td>
<td>96</td>
</tr>
<tr>
<td>Generator</td>
<td>25</td>
</tr>
<tr>
<td>Kerosene heater</td>
<td>13</td>
</tr>
<tr>
<td>Propane heater</td>
<td>8</td>
</tr>
<tr>
<td>Stove/oven</td>
<td>6</td>
</tr>
<tr>
<td>Gas logs</td>
<td>6</td>
</tr>
<tr>
<td>Other</td>
<td>9</td>
</tr>
</tbody>
</table>
Many poisonings occurred in homes exempt from the CO alarm ordinance:
- County housing: 35% of homes exempt
- CO poisoning victims: 29% of homes exempt

Although the alarm ordinance did not prevent the epidemic, it did reduce the severity. At the start of the storm, ~25% of Mecklenburg County homes had CO alarms:
- Est. 187,000 homes without CO alarms → 182 victims (1 victim per 1,000 homes)
- Est. 103,000 homes with CO alarms → No victims (less than 1 per 100,000 homes)

Lessons learned:
1. CO alarms are effective, if they are installed and working.
   a. Battery power necessary
      i. AC alarms failed when needed most
   b. Compliance must improve
      i. Multi-lingual education
      ii. Free alarm giveaway programs
2. Homes exempt from the current ordinance are not “exempt” from poisoning.
   a. Portable sources are dangerous
   b. Other incidents – neighbors poisoned by portable sources

Recommendations:
1. Require battery power supply
2. Continue/increase support for public education
3. Remove exemption for all-electric homes without garages

The following persons also spoke:

Hope Lanier with Piedmont Natural Gas spoke in support of the revisions. Eric Roberts who does “indoor air quality work” was not opposed to the ordinance but wanted to share the following with the Board:
- Each year there are approximately 400 accidental carbon monoxide deaths in the United States. About half or perhaps a few more of those are caused by combustion appliances; the other half are caused by vehicle exhaust.
- Approximately one out of every 400 Americans lives in Mecklenburg County so we can expect that there will be about one unintentional carbon monoxide death in this county each year.
- Each year there are about 6000 deaths nationally caused by house fires – that would be about 15 in Mecklenburg County in an average year.
- Each year there are 15-20,000 lung cancer deaths nationally attributed to radon – perhaps 30 in Mecklenburg County.
- There are over 120,000 lung cancer deaths per year nationally due to cigarette smoking – 20,000 deaths per year caused by drunk drivers.
- My question is whether it is worth concentrating so much on the carbon monoxide issue when we might be able to make a much greater difference in the number of lives saved by putting our time, effort, and money in other directions.
- I deal a lot with real vs. perceived risk issues and I hope we can all look at the big picture as we consider how to utilize our finite resources.
- I have a question for Fire Department officials and others who are administering the carbon monoxide detector program. What is being done or could be done by our fire department or homeowners and renters to keep up with all the Carbon Monoxide detectors out there?
- Many of us push the test button once a month and change the battery annually, but do we really know that the detector will work if the carbon monoxide level should exceed 35 ppm late some night?
- Is there a way to test the two to five year old detectors under actual real world scenarios to confirm that they are still functioning properly?

Robert Covington spoke in opposition to the revisions. He said he felt the revisions were going over board.

Concern was expressed by several Commissioners regarding the penalty for violating the Ordinance. It was felt that it should be removed and/or lowered.

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodward voting yes, to close the public hearing and to place the Mecklenburg County Carbon Monoxide Alarm Ordinance proposed revisions on the Board’s October 8, 2003 agenda for consideration by the Board, in order to give the Board, staff and the community the opportunity to consider the implications of the proposed revisions.
Attorney Bethune was asked to bring back to the Board for consideration also, a revised ordinance without the misdemeanor provision.

(5) ADVISORY COMMITTEE REPORTS RESTRUCTURING OF ENVIRONMENTAL PROTECTION COMMISSION (EPC)

The Board received a report from the Interim Environmental Protection Commission (EPC) on a study to determine if there was a continuing need for a permanent EPC and if so, with what configuration.

The report was given by John Barry, Director of Environmental Protection, Steven Weber, Chairman of the Interim Environmental Protection Commission, and Laura Cummings with Environmental Protection.

**Commissioner James left the dais and was away until noted in the minutes.**

Two options were presented:

(1) Create a “Regional Environmental Policy Commission.”
(2) Disband the Environmental Protection Commission with the rationale that existing citizen boards carry out their duties and responsibilities effectively without the need for additional oversight or coordination.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and carried 8-0 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to create a “Regional Environmental Policy Commission” and approve the following by-laws for the Commission:

**ARTICLE I. COMPOSITION:** The Regional Environmental Policy Commission (“REPC”) shall consist of, but not be limited to, the following Mecklenburg County members:

- Chair of the Air Quality Commission
- Chair of the Waste Management Advisory Board
- Chair of the Stormwater Advisory Committee
- Chair of the Planning Commission
- Chair of the Zoning Board of Adjustment
- Chair of the Park and Recreation Commission

The REPC shall also consist of the following members by invitation:

- A representative of the Lake Norman Marine Commission
- A representative of the Mt. Island Lake Marine Commission
- A representative of the Lake Wylie Marine Commission
- A representative of the Mecklenburg-Union Metropolitan Planning Organization
- Chair of the Charlotte-Mecklenburg Utilities Committee
- Chair of the Citizens Transit Advisory Group
- A representative from the City of Charlotte
- Chair of the Building Development Commission
- A representative from the Town of Huntersville
- A representative from the Town of Matthews
- A representative from the Town of Cornelius
- A representative from the Town of Pineville
- A representative from the Town of Davidson
- A representative from the Town of Mint Hill

**ARTICLE II. VACANCIES:** Vacancies occurring in the membership of the REPC shall be filled by the individual Boards, Commissions, Committees or Groups represented on the REPC.

**ARTICLE III. OFFICERS:** The officers of the REPC shall consist of a Chair, a Vice-Chair and a Secretary.

The Chair shall be appointed by the Mecklenburg County Board of Commissioners for a term of three (3) years, or until the appointed representative is no longer in an official capacity on the REPC. The Vice-Chair shall be elected
by the members of the REPC at the first meeting of the REPC in [month of adoption] and every third year or by special election. The REPC may designate a qualified person from LUESA to serve as Secretary to the REPC.

ARTICLE IV. MEETINGS:

(a) Regular Meetings. The REPC shall hold semi-annual meetings at a minimum pursuant to a schedule adopted by the REPC. Notice of the time and place of annual meetings and the regular meetings shall be communicated by mail or email to each member at least ten (10) days prior to the date of scheduled meetings.

(b) Special Meetings. Special meetings of the REPC may be called by or at request of the Chair or any three members of the REPC. Notice of the time and place of each special meeting shall be given to each member of the REPC at least three days prior to the meeting; such notice shall be in writing and conform to applicable public meeting requirements.

(c) Quorum. A simple majority of the Mecklenburg County members of the REPC shall constitute a quorum.

(d) Attendance. Members of the REPC shall meet the minimum attendance requirements for citizen advisory boards adopted by the Mecklenburg County Board of Commissioners. Chairs of the individual Boards, Commissions, Committees or Groups who are members of the REPC, may, from time to time, direct other members of the individual Boards, Commissions, Committees or Groups to attend meetings in place of the chairs.

ARTICLE V. DUTIES OF OFFICERS:

(a) Chair. The Chair shall preside at all meetings of the Commission and shall appoint such committee(s) as he/she or the REPC shall consider expedient or necessary.

(b) Vice-Chair. The Vice-Chair shall perform the duties of the Chair in the absence of the Chair. In the absence of the Chair and the Vice-Chair, the regular members shall elect an acting chair in attendance at said meeting.

(c) Secretary. The Secretary shall keep the minutes of all meetings of the REPC, shall mail notices of meetings of the REPC and shall perform such other duties as may be required by the Chair or Vice-Chair or by the REPC. Copies of minutes and record of attendance of REPC members shall be provided to the Board of County Commissioners as well as to other official document depositories.

ARTICLE VI. FUNCTIONS: The REPC shall:

(a) Compile and prioritize important and strategic environmental issues the advisory boards, City, County and Towns are facing and/or addressing;

(b) Prepare a bi-annual regional report on environmental issues at the forefront of debate;

(c) Discuss environmental policy and regional issues, priorities, and considerations;

(d) Report to the Mecklenburg County Board of Commissioners (and others as requested) these issues, priorities and considerations;

(e) Periodically re-examine the REPC’s charter, function and role in the community; and

(f) Perform other duties and responsibilities as the Mecklenburg County Board of Commissioners (or others as requested) may assign it.

A copy of the report is on file with the Clerk to the Board.
Commissioner James returned to the dais.

(25) GREASE TRAPS

The Board received information from Robert Howe regarding sanitary sewer overflows (causes and effects). He also addressed the use of “In-Ground Grease Interceptors” (“grease traps”). He stated that many of the overflows are directly related to improper disposal of oil and grease in kitchen drains. He encouraged the Board to 1) review and tighten regulations, 2) to establish a discharge permit process, 3) emphasize regulation enforcement, 4) educate the public, and 5) immediately establish a working group to accomplish the foregoing using the Cary, N.C. program as a model.

A copy of Mr. Howe’s handout is on file with the Clerk to the Board.

Motion was made by Commissioner Mitchell, seconded by Commissioner Woodard to refer the matter of pursuing effective measures and processing methods for grease trap waste to the Board’s Natural Resources Committee for review and recommendations.

Commissioner Clarke left the dais and was away until noted in the minutes.

Substitute motion was made by Commissioner Samuelson, seconded by Commissioner Helms and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to refer the matter of pursuing effective measures and processing methods for grease trap waste and the information provided by Mr. Howe to staff for their review and report back to the Board.

It was noted that the decision to take this matter to the Board’s Natural Resources Committee would be considered after receiving staff’s report.

(3A) NOMINATIONS/APPOINTMENTS

CITIZEN’ CAPITAL BUDGET ADVISORY COMMITTEE

The following persons were nominated for appointment to the Citizen’s Capital Budget Advisory Committee by Commissioner James: Heath Gilbert and Tim Morgan.

Appointments will occur on October 8, 2003.

HUMAN SERVICES COUNCIL

The following person was nominated for appointment to the Human Services Council by Commissioner Samuelson: Julie Adams.

The appointment will occur on October 8, 2003.

REGISTER OF DEEDS ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Tim Minton to the Register of Deeds Advisory Committee for a three-year term expiring October 3, 2006.

WOMEN’S COMMISSION
The following person was nominated for appointment to the Women’s Commission by Commissioner Samuelson: Tammy Bridges.

*Commissioner Clarke returned to the dais*

**3B) APPOINTMENTS TO JUVENILE CRIME PREVENTION BOARD**

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint the following persons to the Juvenile Crime Prevention Council (JCPC):

<table>
<thead>
<tr>
<th>Name/Title/Organization</th>
<th>Specified Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laurie Ann Garo</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Lecturer/ Lab Manager</td>
<td>UNC- Charlotte</td>
</tr>
<tr>
<td>Karen Simon</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Executive Director</td>
<td>Substance Abuse Prevention Services</td>
</tr>
<tr>
<td>Paul Strickland, Jr.</td>
<td>Member of Business Community</td>
</tr>
<tr>
<td>Customer Service Manager</td>
<td>ALLTEL Communications, Inc.</td>
</tr>
</tbody>
</table>

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint the following persons to the Juvenile Crime Prevention Council (JCPC):

<table>
<thead>
<tr>
<th>Name/Title/Organization</th>
<th>Specified Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard Halperin</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>School Resource Officer</td>
<td>Charlotte-Mecklenburg Police Department</td>
</tr>
<tr>
<td>Akenna Blackmon</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Outreach/Intake Coordinator</td>
<td>Youth Homes, Inc.</td>
</tr>
<tr>
<td>Richard Kingsberry</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Professor of Military Science</td>
<td>UNC Charlotte/ Army National Guard</td>
</tr>
<tr>
<td>Russell Price</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Juvenile Court Counselor</td>
<td>Dept. of Juvenile Justice &amp; Delinquency Prevention</td>
</tr>
<tr>
<td>Peggy Eagan</td>
<td>County Commissioner Appointee</td>
</tr>
<tr>
<td>Human Services Administrator</td>
<td>Children &amp; Family Services Center</td>
</tr>
</tbody>
</table>

**3C) APPOINTMENT TO HUNTERSVILLE PLANNING BOARD**

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Randy Poindexter to the Huntersville
Planning Board as an extraterritorial jurisdiction representative as recommended by the Town of Huntersville Board of Commissioners.

Chairman Cox asked County Manager Jones to send a correspondence to the Towns to make sure that they are requesting the Board to make nominations to their respective Planning Boards as it relates to extraterritorial jurisdiction representatives.

Commissioner Samuelson asked that the correspondence also ask whether or not those appointed have any influence in the hiring of professional staff in their planning departments.

(3D) MECKLENBURG EMS JOINT AGENCY BOARD OF COMMISSIONERS

Motion was made by Commissioner James, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Steven Burke and Steven Carpenter to the Mecklenburg EMS Joint Agency Board of Commissioners effective as of the Agency’s next Board of Commissioners Meeting.

They are replacing Tammy Geis and Edward Case.

(6) MANAGER’S REPORT

County Manager Jones noted that Tax Assessor John Petoskey submitted a two-weeks notice indicating his resignation effective September 30, 2003. County Manager Jones reminded the Board that Mr. Petoskey was reappointed in July to serve until his original resignation date of November 30, 2003. It was noted that Mr. Petoskey has found new employment.

County Manager Jones asked the Board to give him permission to respond back to Mr. Petoskey, on behalf of the Board, accepting his resignation. It was the consensus of the Board to grant this authority.

CONSENT ITEMS

Motion was made by Commissioner Mitchell, seconded by Commissioner Woodard and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of items 10, 11, and 22 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held September 3, 2003; Special Meetings held May 20, 2003 and May 27, 2003; and Closed Session Minutes of September 3, 2003.

(8) MONTHLY SEWER OVERFLOW REPORT

Receive as information the Monthly Sewer Overflow Report, July 18 through August 18, 2003, which indicated a total of 23 spills with the total volume of overflows at 100,065 gallons.

A copy of the report is on file with the Clerk to the Board.

(9) SUMMIT HOUSE TRANSITIONAL HOUSING PROJECT

Recognize, receive and appropriate second year funding in the amount of $14,979.00 from Governor’s Crime Commission and $4,993.00 from private donations to fund the Summit House Transitional Housing Project.
(12)  GREENWAY NEIGHBORHOOD ENTRANCE STANDARDS

Approve Greenway Neighborhood Entrance Standards to be applied to future greenway projects.

*Note:* The 1999 Mecklenburg County Greenways Master Plan includes design standards for the main greenway trail, however it does not include any design standards for secondary trails or neighborhood entrances. The standards were developed to identify the neighborhood entrances and amount of landscaping required to be installed by the County.

(13)  PARK AND PLAYGROUND EQUIPMENT AND RELATED COMMODITIES

Approve requirement contracts for the purchase of park and playground equipment, surfacing, site furnishings and related commodities in the combined estimated annual amount of $250,000 for a term of five (5) years to the following manufacturers:

<table>
<thead>
<tr>
<th>Manufacturer</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Little Tikes, Inc.</td>
<td>Farmington, MO</td>
</tr>
<tr>
<td>GameTime, Inc.</td>
<td>Fort Payne, AL</td>
</tr>
<tr>
<td>Landscape Structure, Inc</td>
<td>Delano, MN</td>
</tr>
<tr>
<td>Playworld Systems</td>
<td>Lewisburg, PA</td>
</tr>
</tbody>
</table>

(14)  MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE AMENDMENT – SECOND READING

Approve an amendment to the Mecklenburg County Park And Recreation Facilities Ordinance to limit liability from skateboard injuries. (Second Reading)

*Note:* Senate Bill 774: Liability at Public Skateboard Parks provides limited immunity from liability for government agencies that make land available for skateboard parks or other "hazardous recreational activities." Immunity from personal injury or property damage liability arising from a person’s participation in such activities is provided as long as the governmental agency adopts a local ordinance which requires helmets, elbow pads and knee pads. The governmental agency must also post signs that give notice to the skateboarders of the ordinance, its requirements and the penalty for failure to comply.

 Ordinance recorded in Minute Book 42-A, Document #

(15)  CATS MEMORANDUM OF UNDERSTANDING

(1) Approve and authorize the County Manager to execute a Memorandum of Understanding between the City of Charlotte and Mecklenburg County for the relocation of a population of the federally endangered Schweinitz’s sunflower.

(2) Recognize, receive and appropriate $30,990 from the City of Charlotte for the relocation and long-term management of a population of the federally endangered Schweinitz’s sunflower.

(3) Authorize the carry forward of funds remaining on June 30, 2004 to fiscal year 2005.

(16)  EXCESS MULCH SALES CONTRACT

Authorize the County Manager to negotiate and execute a five-year contract with O’Neal & Son for the sale of mulch produced from yard waste generated within Mecklenburg County.
(17) TAX REFUNDS
Approve refunds to be made by the Finance Department in the amount of $4,700.00 as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

(18) NCDOT FUNDS FOR RIGHT-OF-WAY
Receive $30,600 from North Carolina Department of Transportation for right-of-way and temporary construction easements on County Greenway Property (Parcel 017-471-31 and 72) on Gilead Road to the County Facilities Special Revenue Fund.

(19) ADDITIONAL STATE BIOTERRORISM FUNDING
A) Recognize, receive and appropriate $566,836 in bioterrorism funding from the federal CDC (Centers for Disease Control) passed through the State Department of Health & Human Services.

B) Approve the creation of two positions, Environmental Epidemiology Specialist and a CDC (Communicable Disease Control) Nurse.

(20) SEDGEFIELD PARK DRAINAGE, BIKE PATH AND PARK IMPROVEMENTS
A) Amend Park and Recreation Facilities Approved From 1997-98 Two-Thirds Bonds Capital Project Ordinance.

B) Recognize, receive, and appropriate $772,291.00 from the City of Charlotte per Agreement between City and County approved by BOCC on May 6, 2003.

C) Award a construction contract to T.K. Browne Construction Company in the amount of $841,950.58.

(21) CMS BUDGET APPROPRIATION AMENDMENT
Approve an amendment to the Fiscal Year 2004 appropriation to Charlotte-Mecklenburg Schools (CMS) to reflect the budget adopted by the CMS Board of Education.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(10) NEW COURTHOUSE PROJECT – CONSTRUCTION CONTRACTS
Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to:

A) Amend Court Facilities Approved in November 2, 1999 Referendum Capital Project Ordinance.

B) Award construction contracts for the following bid packages to the contractors listed below and in the amounts indicated:

<table>
<thead>
<tr>
<th>Bid Package</th>
<th>Contractor</th>
<th>Amount</th>
<th>%MBE</th>
<th>%WBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Structural Steel</td>
<td>Southern Steel Co., LLC</td>
<td>$10,672,000</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Structural Concrete</td>
<td>Crowder Construction Company</td>
<td>$5,427,000</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Limestone &amp; Granite</td>
<td>R. Bratti Associates</td>
<td>$11,900,000</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Service</td>
<td>Company</td>
<td>Amount</td>
<td>Minority</td>
<td>Non-Minority</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------------</td>
<td>------------</td>
<td>----------</td>
<td>--------------</td>
</tr>
<tr>
<td>HVAC</td>
<td>Cam-Ful Industries, Inc.</td>
<td>12,190,000</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>Carolina Fire Control, Inc.</td>
<td>996,800</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td>Electrical</td>
<td>Wayne J. Griffin Electrical, Inc.</td>
<td>7,650,000</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Elevators</td>
<td>Otis Elevator Company</td>
<td>2,930,000</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$51,765,800</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ordinance recorded in full in Minute Book 42-A, Document #

Commissioner Samuelson removed this item from consent to obtain clarification regarding minority participation on some of the contracts.

Mark Hahn, Director of Real Estate Services and Carol Lillie, MWBE Consultant for Thompson/Turner, Walter B. Davis addressed Commissioner Samuelson’s concern. Ms. Little stated that since there has not been 100% buy-out by the contractors, it’s their hope that there will be more minority participation when it comes to sub-contractors. She stated that often minority contractors do not have the capacity to bid as prime bidders.

Commissioner Ramirez asked if there were incentives and/or rules that would require contractors to have a certain percentage of minority participation.

It was noted that the County has a “good faith effort” program to do business with minority and women businesses. It is not a mandated program and there are no incentives given.

(11) TEMPORARY PARKING – NEW GOVERNMENT DISTRICT PARKING DECK PROJECT

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to negotiate and execute an agreement with Preferred Parking, Inc. for assignment of parking rights for 200 motor vehicles.

Note: The beginning of construction for the New Government District Parking Deck between 4th & East Trade Streets will require the relocation of City and County employee parking spaces that currently use this surface lot. This agreement is necessary in order to start construction in October 2003.

Commissioner Ramirez removed this item from consent for more public and employee awareness.

(22) GREENWAY DONATION ON LONG CREEK

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept Tax Parcel #031-421-98, a 0.63-acre of flood plain tract adjacent to the I-485 right-of-way near Belmorrow Drive, from the Dan Moser Company.

Note: The subject property adds to the greenway/open space assemblage adjoining Long Creek in the northwestern portion of the County.

Commissioner Puckett removed this item from consent for more public awareness.

(23) LOCAL BUSINESS PLAN – AREA MENTAL HEALTH AUTHORITY

The Board received as information an update on the Area Mental Health Local Business Plan, which was presented by Grayce M. Crockett, Director, Mecklenburg County Area Mental Health Authority.

It was noted that significant changes have been made to the theoretical framework for the Local
A copy of the report is on file with the Clerk to the Board.

Commissioner Ramirez left the dais and was away until noted in the minutes.

(24) MOUNTAIN ISLAND LAKE WORKSHOP

Motion was made by Commissioner Samuelson, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Samuelson, and Woodard voting yes, to receive the report from the Natural Resources Committee regarding a proposed Mountain Island Lake Workshop and direct staff to coordinate with Mountain Island Lake stakeholders to host a workshop to be held no later than mid-January 2004.

Commissioner Ramirez returned to the dais.

(26) CITY COUNCIL/COUNTY COMMISSION JOINT POLITICAL CONSOLIDATION COMMITTEE

Commissioner Helms addressed a proposed resolution concerning the appointment of a City Council/County Commission Joint Political Consolidation Committee, who would consider the establishment of a charter or governmental study commission on the possible political consolidation of the City of Charlotte and Mecklenburg County. He also reviewed a document he prepared entitled an Overview of Proposed Charlotte-Mecklenburg Metropolitan Government Charter. (A copy is on file with the Clerk to the Board.)

Commissioner Samuelson expressed her desire to see the Towns involved from the beginning of the process and asked that consideration be given to allow the Towns representation on the Joint Political Consolidation Committee, which was accepted by Commissioner Helms.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 6-3 with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, and Samuelson voting yes and Commissioners James, Puckett, and Woodard voting no, to adopt a Joint Resolution of the Charlotte City Council and the Mecklenburg County Board of Commissioners Creating A City Council/County Commission Joint Political Consolidation Committee, amended as follows:

- That the resolution be reworded to include Town representation on the Joint Political Consolidation Committee (one member from each Town or one representative for the Northern Towns and one representative for the Southern Towns).

The decision as to which option for Town representation to include in the resolution (six representatives or two) will be determined by Commissioner Helms in consultation with Commissioner Samuelson.

- Include a new 4th Whereas that reads, WHEREAS, the study commission so appointed should incorporate the concepts set forth in the attached “Overview of Proposed Charlotte-Mecklenburg Metropolitan Government Charter” as a framework for developing a recommended charter; and

- The addition of September 16, 2003 in the second Whereas

Resolution recorded in full in Minute Book 42-A, Document #

(27) RESTRUCTURING THE BOARD OF COUNTY COMMISSIONERS

Commissioner Helms noted that because of the action taken on Item 27, he did not wish to pursue Item 28 concerning restructuring the Board of County Commissioners. He moved that the matter be tabled, which was unanimously approved by the Board.
Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson to adopt a resolution entitled, Resolution Of The Board Of Commissioners Calling A Special Referendum On Adding Two At-Large Members To The Board Of Commissioners, as proposed by Chairman Cox.

Substitute motion was made by Commissioner Clarke seconded by Commissioner Woodard and carried 6-3 with Commissioners Clarke, Helms, Mitchell, Puckett, Samuelson, and Woodard voting yes and Commissioners Cox, James, and Ramirez voting no, to authorize the Chairman of the Board and the senior ranking member of the minority party to appoint a panel of six citizens (three appointments each) to study the Chairman’s and the other proposals that have been circulated to enlarge the County Commission members as well as other possible changes in the structure of county governance, including the terms of office and creation of a staggered board. The committee shall hold at least three public hearings on the proposals and the issues and report back to the Commission with its recommendations and the supporting reasons for them by March 31, 2004. The County shall engage a consultant to the committee who has professional expertise in large county governance to work with the panel during the course of the study and to assist its members in producing the final report to the Commission.

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to allow persons who had signed up to speak regarding restructuring the Board, two minutes each.

The following persons spoke and asked the Board to not consider adding two additional At-Large members to the County Commission at this time: Blanche Penn, John Wall, Howard McClure, Michael Evans (spoke favorable for the above action taken by the Board), Danielle Obearia, Dwayne Collins representing the Black Political Caucus, and Joyce Waddell.

Concern was also expressed regarding the impact of adding two additional At-Large members to the County Commission on minority representation on the Board.

Note: Mr. McClure provided the Board with a handout, a copy of which is on file with the Clerk to the Board.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes that there being no further business to come before the board that the meeting be adjourned at 9:45 p.m.
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Tuesday, September 16, 2003 at 12:00 Noon.

**ATTENDANCE**

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr. and Dan Ramirez County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioners Jim Puckett, Ruth Samuelson, and Valerie Woodard

Commissioners Clarke and Helms were absent when the meeting was called to order and until noted in the minutes.

The Board met with members of Charlotte City Council, the Charlotte-Mecklenburg Board of Education and Town Officials for the Quarterly Mecklenburg Elected Leaders Forum.

The meeting was called to order by Board of Education Chairman Wilhelmenia Rembert, host.

The major topic of discussion was Joint Use Projects/Future Opportunities for Joint Use.

The report was given by Guy Chamberlain, Charlotte-Mecklenburg Schools (CMS).

Commissioners Clarke and Helms entered the meeting during this time.

The report addressed the following topics:

- Joint Use Mandates
- Early Joint Use Projects
- Recent Joint Use Projects
- Current Joint Use Initiatives
- Future Joint Use Sites
- CMS/Park and Recreation Partnership Phase I and Phase II
- Community Use of Schools

A copy of the report is on file with the Clerk to the Board.

Board of Education Chairman Rembert thanked CMS staff, as well as, County and City staff for their work in the area of joint use.

Comments:

Council Member Tabor complimented CMS for its joint use efforts.

Board of Education Member Velma Leake noted former County Commissioner Darryl Williams' contribution towards getting joint use efforts where they are today. She also asked that consideration be given to community use of the swimming pools at Providence High School and West Charlotte High especially during the summer months. Chairman Rembert asked Dr. Pughstable, Superintendent
of Schools to look into this suggestion.

Board of Education Member Louise Woods noted the benefits of joint use and expressed support for continuing these efforts. She noted, however, that often community use is limited because along with the use of the building comes additional programming and utility costs, requiring additional funds that the Schools do not have. She stated that perhaps the City and/or County could provide these funds if the schools provide the building. Chairman Rembert stated that she was sure this would be the type of matter that would be considered by the Joint Use Planning Committee.

Updates/Future Meetings

Joyce Gillon with the Planning Commission gave an update on the current issues and activities of the Planning Liaison Committee on behalf of David Hughes, Chairman of the Planning Commission who was absent.

It was noted that at the last meeting of Planning Liaison the topics discussed were 1) the Regional Planning Alliance, 2) a planning initiative with the Town of Huntersville regarding Mount Holly/Huntersville Road and Beatties Ford Road, and 3) the selection process for a new planning director.

Chairman Cox noted that a joint meeting would be held between the Board of County Commissioners and the Board of Education on Tuesday, September 30, 2003 at 1:00 p.m. regarding school long range capital needs.

Chairman Rembert noted that the next Elected Leaders Forum meeting would be December 16, 2003 hosted by the Planning Liaison Committee and the Towns.

There being no further business, the meeting was declared adjourned at 12:57 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Meeting Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center on Tuesday, September 16, 2003 at 1:30 p.m.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners  
Dumont Clarke, H. Parks Helms, Bill James  
Norman A. Mitchell, Sr., Jim Puckett  
Dan Ramirez, Ruth Samuelson  
and Valerie Woodard  
County Manager Harry L. Jones, Sr.  
Clerk to the Board Janice S. Paige  

Absent:  None  

Commissioner Puckett was absent when the meeting was called to order and until noted in the minutes.  

The meeting was called to order by Chairman Cox. The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

County Manager Jones made opening remarks regarding the process to be followed in conducting the reviews and assessments, which would be taking place over the next few months. He then called upon General Manager John McGillicuddy to begin the discussion.

General Manager McGillicuddy addressed the County’s Community and Corporate Scorecard FY 2003 Performance Measures View document with the four focus areas being: 1) Social, Education & Economic Opportunity, 2) Effective & Efficient Government, 3) Community Health & Safety, and 4) Growth Management & Environment.

He noted that the Board would have an opportunity for full and more in depth debate at its January Strategic Planning Conference regarding County services and the various strategies and measures indicated on the Scorecard.

Commissioner Helms asked for clarification on the meaning of the different lights as it related to the various measures.

It was explained that a “green light” means the County is on target. A “yellow light” means there are mixed results, we’re moving towards the target but not quite there yet. A “red light means there are reasons for concern, that we are below the threshold. A “gray light” means there were problems in coming up with the data, or there’s a lack of sufficient data, which could mean perhaps this is not a reasonable measure.

It was also noted that in this first year of the Scorecard the County was in “green” at roughly 45 – 50 percent of the 36 measures that have been established.

General Manager McGillicuddy then proceeded to review the focus areas of Community Health & Safety, Effective & Efficient Government, and Growth Management & Environment, which
included discussion of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

**DISCUSSION HIGHLIGHTS**

*Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

**Community Health & Safety**

Commissioner Clarke asked if the measure listed under the Desired Outcome of “Reduced Violence, Injury, and Emotional Harm” – Abused Adults & Children Rates addressed neglect? The response was yes it includes the abused and the neglected.

Commissioner Mitchell asked staff to include as part of the Scope information under the Desired Outcome of “Reduced Preventable/Communicable Diseases and Other Health Problems,” HIV/AIDS.

**Effective & Efficient Government**

Commissioners Samuelson and Ramirez asked for more clarification regarding the desired outcome of “Increased Employee Knowledge, Skills and Abilities.”

It was explained that from a corporate perspective it may be difficult to measure “increased knowledge, skills, and abilities” and that what’s listed in the Board’s handout as a measure is an industry standard, which may or may not be a good measure. It was noted that this would be one of those areas that the Board may decide to reconsider as a desired outcome. Additionally, it was noted that what staff was currently doing was building into work plans and evaluations a set of competencies that would be expected of employees. These evaluations will perhaps provide a better means of measuring “increased knowledge, skills, and abilities.”

Commissioner Clarke asked for staff’s definition of corporate measure.

It was explained that “corporate measure” means those key measures that the Board and the County Manager would use to make funding decisions. It was noted that the Corporate Scorecard is what the Board is saying it wants to be held accountable for and likewise the measures. It was noted further that there were things on the Community and Corporate Scorecard where the County is not the primary service provider and in a few instances, areas that not only is the County not the primary service provider, but also not a player in the field. This is another matter that will have to be discussed in January.

Commissioner Clarke noted that he viewed “corporate measure” as being something like a set of consolidated financial statements of a large corporation that may have multiple subsidiaries in different business segments. From this perspective he viewed it as a consolidated financial result, rather than a measure of performance of an individual department or division. He said he thought it was an attempt to say, “we’re looking at how County government as a whole is performing on this measure and the programs that we’re looking at may actually be spread in a number of different departments.”

General Manager McGillicuddy said that Commissioner Clarke was correct in his thinking.

Commissioner Samuelson asked about the “property tax revenue rate” measure that is under the Desired Outcome of “Reduced Reliance on Property Tax.” She asked what was the target percentage of revenue that comes from property taxes that we’re trying to reach?

Leslie Johnson, Planning and Evaluation Director stated that the target as established to date is to a half percentage decrease on an annual basis from the baseline year of 2001.

Commissioner Clarke suggested that turnover rate be added as a measure under the Strategy: Seek
citizen participation in policy development and decision-making.

Social, Education & Economic Opportunity

It was noted that there were several Desired Outcome Measures that fall under the Social, Education and Economic Opportunity focus area that the County is not the primary service provider and in some instances the County is not even a player. It was noted further that this was another area that the Board would need to discuss in some detail in January as to whether this was something the Board wanted to be held accountable for.

Commissioner Mitchell noted regarding the Desired Outcome of Affordable Housing that it would be his hope that the County would become a “player” in this area, even if it’s only in the area of providing land.

Commissioner James asked for clarification of the term “affordable housing.” He feels the term is not descriptive enough.

Director Johnson noted that for Scorecard purposes “affordable housing” means more than low income or subsidized housing that it includes available housing in general that is affordable based on someone’s income.

Commissioner James suggested that “free and reduced lunch” (FRL) be a measure under the Desired Outcome of “Increased Citizen Self-Sufficiency.”

Chairman Cox suggested that “workforce preparation” be a measure under the Desired Outcome of “Increased Literacy and Knowledge.”

Community Health & Safety

Deputy County Manager Russ Crider review the Community Health & Safety focus area, which included discussion of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s). He then called upon Dr. Michael Sullivan, Medical Examiner,

Morgue and Medical Examiner

Dr. Michael Sullivan addressed his services and questions from the Board.

Commissioner Puckett entered the meeting during this time.

It was noted that the percentage listed in the third bullet under the Service Directive to attain Scorecard 2015 goals and targets, autopsy performance should be 60 percent and not 55 percent of the national standard.

Commissioner Samuelson suggested that the data collected by the Medical Examiner could be a “value added” in some aspects to Health and Safety.

Chairman Cox suggested that in addition to the autopsies per capita that Dr. Sullivan’s strategy for preserving the continuity of his services should somehow be incorporated.

Growth Management & Environment

General Manager McGillicuddy addressed Growth Management & Environment Outcomes.

The Board took a break at 3:20 p.m. and reconvened at 3:30 p.m.

Deputy County Manager Russ Crider continued with a review of the Community Health & Safety focus area.
Domestic Violence

Deputy County Manager Crider introduced the following persons to address Domestic Violence efforts within their respective agency/departments: Karen Parker with United Family Services/Shelter for Battered Women, Daniel “Chip” Bailey with the Sheriff’s Office, Richard Jacobsen, director of Social Services, Pat Grigg, director of the Women’s Commission, and Wayne Weston, director of Park and Recreation.

Each presenter addressed services provided and questions from the Board.

Commissioner Samuelson noted to staff that on the “number of County employees per customers served” she noticed that this was being calculated differently on several of the programs. She suggested that perhaps there should be a standard way of calculating this.

It was noted by staff that this has been a challenge because of the different types of customers served by various departments.

It was noted that the services provided by the Shelter for Battered Women were not duplicative of what’s being done by the Women’s Commission.

Chairman Cox asked Ms. Parker with the Shelter for Battered Women was it safe to say that the County’s cost will probably remain flat for the next few years and the response was yes.

Clarification was given regarding services of the New Options for Violent Actions (NOVA) program, which is an educational program that conducts court, ordered and identified abusers training, 32 sessions over a year’s time. A fee is charged for the program and is required of all participants.

Commissioner James inquired about TANF Domestic Violence Services and the one position that is in the Women’s Commission and the $10,000 in County funding that is provided for client benefits. He suggested that perhaps there is another way of providing this service, such that the service could be provided by someone else and not the Women’s Commission.

Commissioner Samuelson expressed concern for the “performance results” under the Women’s Commission program category of Domestic Violence Protection and Prevention. She said that it appears to be a problem or error when it comes to correlation because the information provided shows costs are going down, clients are going up, but the cost per client doesn’t appear to correlate. She stated that she would follow up with staff regarding this.

Chairman Cox noted as a result of reviewing the information provided on the Women’s Commission that in other programs/services there has been a total County dollars number and a total dollars number and the difference in many cases was the revenue. He stated in his opinion that if staff is going to use revenue to reduce total County dollars in one place it should be reduced everywhere it occurs. He stated that it doesn’t matter if it comes into the general fund or not, that it is a fee/revenue that is linked to this particular service.

Commissioner Samuelson questioned the accuracy of the amounts on page 28 for the NOVA program, FY05 Current Service Level, the $519,608. She asked why if the current service level for FY06 is only $494,865 and for FY05 it was $519,608, why is there a decrease between FY05 and FY06?

Commissioner James suggested that perhaps Programa Confianza and Domestic Violence Victim Services programs could be merged in order to have more full time bi-lingual staff. Chairman Cox suggested to Commissioner James that he discuss this with staff off-line.

As stated earlier, the Board took no formal action and the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.
Commissioners were asked to submit any additional questions they may have to General Manager John McGillicuddy.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 5:17 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

SEPTEMBER 23, 2003  2:30 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in
Special Session at Mecklenburg County Jail Central in the Stancil Conference Center Room located
at 801 East Fourth Street on Tuesday, September 23, 2003 at 2:30 p.m.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms, Bill James
Norman A. Mitchell, Sr., Jim Puckett
Dan Ramirez, and Valerie Woodard
County Manager Harry L. Jones, Sr.
Clerk to the Board Janice S. Paige

Absent: Commissioner Ruth Samuelson

Commissioners Clarke, Helms, and Woodard were absent when the meeting was called to order
and until noted in the minutes.

The meeting was called to order by Chairman Cox. The purpose of the meeting was to conduct
program reviews and assessments of County services, and to take action regarding a Park and
Recreation request for a special exemption from County Policy in connection with the Friends of
Fourth Ward Fall Festival.

(1) FRIENDS OF FOURTH WARD FALL FESTIVAL

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and carried 5-0
with Commissioners Cox, James, Mitchell, Puckett, and Ramirez voting yes, to approve an
exemption from County policy that would allow the Friends of Fourth Ward to sell and consume
alcoholic beverages on county park property (Fourth Ward Park) during their annual Fall Festival.

The festival is scheduled for October 4, 2003.

(2) PROGRAM REVIEWS AND ASSESSMENTS

County Manager Jones made opening remarks regarding the process to be followed in conducting
the reviews and assessments.

Manager Jones noted to the Board the recommended changes to the Program Review process that
was outlined in the September 19, 2003 edition of the Board Bulletin. The recommendations are as
follows:

1. Establish a minimum dollar threshold for presentation

For any service that has a net County cost of $50,000 or less, the Board would receive the
service form but would not receive a presentation on the service. This would allow the Board to
spend more time on services with larger investments, as needed. Excluded from this threshold
would be services funded largely by fees, such as those in Land Use & Environmental Services.
Presentations on these services would be provided unless the total cost of the service were
$50,000 or less.
2. Provide staff with detail questions, suggestions in advance or as follow up:
Because this is a new process, there may be a number of details or information listed on the service forms for which Board members would like clarification but which are not necessarily vital to the strategic review. In addition, Board members may have suggestions for evaluating alternatives to service delivery or organizational structure. It is recommended that such questions and/or suggestions be provided to staff either in advance of the Board’s meeting and/or as a follow up to the meetings, rather than during the meeting. This also would allow the Board more time to consider the key strategic questions. Such questions and suggestions should be directed to John McGillicuddy.

3. Suggested key strategic questions:

Given the volume of information provided, one of the challenges is maintaining the strategic focus intended in this review. As a result, below are some suggested questions Board members may wish to consider in reviewing program information. These questions are tied to the stated goals of the review. This is not intended as a complete or exhaustive set of questions but does provide an opportunity to maintain a consistent focus throughout the review.

Goal: To evaluate the link between County programs and the County’s core responsibilities

**Suggested Key Questions to Consider:**
- What need/issue is this addressing?
- Does law or other “mandate” require this service?
- Is this service based on a Board policy?
- Should we be in this “business” (e.g., is it consistent with the Board’s goals)?

Goal: To determine the appropriate service directive for each program, based on the link to the County’s core responsibilities and based on the level of program funding choice (i.e., mandated versus discretionary)

**Suggested Key Questions to Consider:**
- If we should be in this business, does the strategy and approach seem appropriate?
- Does this level of service seem appropriate to address the need?
- Are there gaps in service or overlap/redundancy in service?
- What is the net cost to the County in providing this service?

Goal: To evaluate the results achieved relative to the respective department scorecard and relative to the Board’s Community & Corporate Scorecard

**Suggested Key Questions to Consider:**
- How do we know if this service is successful?
- What results have been achieved so far?
- What value does this service provide?

It was the consensus of the Board to accept the Manager’s recommended changes, effective with today’s meeting.

**DISCUSSION HIGHLIGHTS**

*Note: the Board took no formal action. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

General Manager Bobbie Shields addressed the Community Health & Safety focus area, specifically Building Safety and Code Enforcement.

*Commissioner Woodard entered the meeting during this time.*
He then introduced Dave Canaan, Director of Storm Water Services and Jim Bartl, Director of Code Enforcement.

Director Canaan addressed Flood Hazard Mitigation and Director Bartl, Code Enforcement. Each presenter addressed services provided and responded to questions from the Board.

Comments

Flood Hazard Mitigation

Commissioner James asked if the retained earnings ($3.4 million) noted by Director Canaan was refreshed each year or was it an accumulation over recent years? The response was that it was an accumulation over recent years.

Commissioner James asked if staff knew the volume houses or property that the County needs to acquire? The response was that this would be determined per the Flood Hazard Mitigation Plan, which should be completed in December 2003. This will allow the County to evaluate the total flood loss potential and what options should be considered and the associated costs, to address existing and future flooding conditions.

Chairman Cox asked what geography does the Flood Hazard Mitigation cover? The response was that it covered all the flood plains in all the seven municipalities. It was noted also that the County has interlocal agreements with all seven municipalities to provide this service.

Chairman Cox also asked if the six towns had individual stormwater fees, like the City of Charlotte. The response was yes.

Commissioner Helms entered the meeting.

Chairman Cox posed the question for the Board’s thinking, should the County be in this business. He clarified that he was not suggesting that the County get out of this service area, but rather was making the point that one of the underlying purposes of these reviews is the question of whether or not the County should be providing certain services; should we be in a particular business; and how does the County and/or the community benefit.

Director Canaan responded as it relates to the Flood Hazard Mitigation program that the community benefits were:

- It prevents routine flooding of roads and personal property
- Provides more green space
- Pollutants are removed

Commissioner Puckett asked staff to take a look at the “cost per customers served” to make sure the figures listed were correct. He noted that they appear to be low.

Chairman Cox asked for an update on the property up on Mountain Island Lake that there has been some controversy about. The response was that the City of Charlotte adopted the maps as staff (City and County) recommended, which was that there should be this flood elevation plus two feet of freeboard. The maps were then sent to FEMA and immediately after that an appeal period was started whereby 90 days after a certain starting date anyone with technical information opposing the maps should submit that information to FEMA, which stops the process. It was noted further that on September 9, 2003 the 90-day appeal period ended and no one other than staff submitted an appeal. Staff appealed because of an error on one of the maps but it was not related to the river. He concluded by saying the property owners along the river did not appeal to FEMA. The next step in the process is that the maps will become effective in early April 2004, which would be the first time they would impact insurance rates. It was noted also that the developbility of the land is limited once the municipalities have land use control and adopt the maps.

Code Enforcement
Jim Bartl addressed Code Enforcement services.

Questions were raised regarding satellite offices, which Mr. Bartl addressed.

**Commissioner Clarke entered the meeting during this time.**

Chairman Cox suggested that perhaps the data from the permits and inspections system could be of value to Charlotte-Mecklenburg Schools when it comes to developing their numbers for growth.

Commissioner Puckett noted also that CMUD data could also possibly help.

**Growth Management and Environment - MTC Funding**

General Manager Shields addressed MTC Funding.

Commissioner James asked about the proximity index and asked why was there no proximity standard in the measures? The response was that the proximity index, which has a gray light, has not been fully developed. Secondly, staff also has questions regarding the components of the index. General Manager Shields stated that he agreed with Commissioner James that it should include something regarding transit and increasing density and should be tied closer to CATS program and corporate scorecard.

Commissioner James also asked if there was going to be a change in the structure or governance of CATS. It was noted that the MTC would be bringing forth recommendations in June 2004.

Commissioner Helms asked what about the maintenance of effort figures in CATS budget. Mr. Shields stated that the maintenance of effort amount for the City of Charlotte was $18.4 million and $17,000 for the Town of Huntersville.

**Effective and Efficient Government – Partnership/Underwriting Development**

General Manager John McGillicuddy addressed the program category of Partnership / Underwriting Development.

Commissioner James asked about the status of discussions regarding the possibility of merging the City of Charlotte’s Communications department with the County’s Public Service and Information Department.

General Manager McGillicuddy stated that a presentation was made by he and Public Service and Information Director Danny Diehl before Charlotte City Council’s Restructuring Government Committee. He noted that the Committee concluded at the end of its meeting that there was no reason for the Committee to recommend to the full Council that there would be any benefit to pursuing this matter further.

He then called upon Danny Diehl, director of Public Service and Information and Carol Myers, interim Public Library Director to address their respective services provided in the area of Partnership/Underwriting Development.

Carol Myers addressed the library’s endowment, which she said was about $2 million. It was clarified that the endowment funds are not used for operating costs, however, they do hope to get a 5% interest off the endowment, which would then go to programs.

Commissioner Helms asked if the County would be able to secure grants as addressed under the Program Category of Partnership/Underwriting Development if these types of investments were not made?

General Manager McGillicuddy response was no, the County could not. He stated that it takes a focused effort to go out and research grants, to find out how they line up with what the County’s
purposes are, and to do the grant writing using technical expertise.

Chairman Cox suggested that the Board give thought to perhaps having a service directive, which would state that the proceeds raised, should be used to cover the cost.

It was the consensus of the Board that further presentations were not needed regarding the Partnership / Underwriting Development Program Category.

**Effective and Efficient Government**

General Manager McGillicuddy addressed the Program Category: Advisory Committee Management.

He noted to the Board that when staff originally perceived this program category it was thought that staff would end up with a good understanding of what the County spends on the whole process of managing advisory boards. However, what staff found was that the management of advisory boards in various departments is looked upon as being an addition to the job of those employees assigned with this task and not a specific role. The response from the various departments indicated that managing the advisory boards on the departmental level was considered a small portion of someone’s job.

It was noted further that staff feels it cost more to manage the advisory boards then the $51,718 indicated in their material, but unless a very detailed analysis is done job-by-job analysis of time studies, it will not be possible to get to that dollar figure.

What has been identified in the Board’s material is the overall management of advisory boards performed by the Manager’s Office via the Clerk and via a position in the Court Services Department.

Commissioner James expressed concern for the number of vacancies on some committees. He also posed the question of whether or not all of the existing boards were accomplishing anything.

It was noted to the Board that thought needs to be given by the Board regarding the relativeness of some of the Advisory Boards.

Commissioner Helms noted that it’s hard to measure the effectiveness of this in standard terms. He stated that what the Board was doing through the advisory board process was giving citizens an opportunity to be “engaged.” He stated that the Board should not look for any specific outcome, other than participation.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

As stated earlier, the Board took no formal action and the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Motion was made by Commissioner Helms, seconded by Commissioner Puckett and unanimously carried with Commissioners Cox, Clarke, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:45 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, October 8, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

Note: The meeting was called to order at 5:33 p.m. The Board was late in getting started because of a previous meeting that did not end until 5:23 p.m.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION - LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunenmer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax Parcel #071-143-40 located at 1125 E. 4th Street
- Tax Parcel # 071-078-02 at Gesco Street
- Tax Parcel #125-213-16 at 500 and 508 South Kings Drive
- Tax Parcel #125-227-01 and Tax Parcel #125-227-03 at the Midtown Mall site
- Tax Parcel 125-201-47 on Kenilworth Avenue
- Tax Parcel #125-093-06 and a portion of Tax Parcels #125-093-01 & -05, the Midtown Cinema site on South Independence Boulevard
- Tax Parcel #151-112-26 on Jamestown Drive at Little Sugar Creek

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelsen, and Woodard voting yes, to go into Closed Session to discuss land acquisition.

Note: The Personnel Matter that was scheduled was conducted during the Board’s Special Meeting, which was held prior to this meeting.

The Board went into Closed Session 5:35 p.m. and came back into Open Session at 6:05 p.m.

Note: When the Board came back into Open Session Commissioner Clarke was not present. He
left the meeting during Closed Session and was absent until noted in the minutes.

(3) REMOVAL OF ITEMS FROM CONSENT

There were no items to be removed from Consent.

Commissioner Clarke returned to the meeting.

-FORMAL SESSION-

Invocation was given by Commissioner Clarke, which was followed by the Pledge of Allegiance to the Flag.

Prior to the start of the business portion of the meeting, a special tribute was paid to former County Commissioner James F. Richardson in honor of his memory and distinguished service to the community. Commissioner Richardson died on September 28, 2003. The tribute consisted of a video put together by staff and remarks by County Manager Jones and Commissioner H. Parks Helms, long time friend and colleague of Commissioner Richardson.

Chairman Cox thanked County Manager Jones for preparing the tribute. He also thanked Commissioner Helms for his remarks and noted that they echoed the sentiments of the entire Board, as well as the community.

(1B) EDWIN M. GILL AWARD

The Board recognized Bruce Gledhill, Director of Solid Waste for receiving the Edwin M. Gill Award. Director Gledhill was named winner of the award during graduation exercises for the 2002-2003 County Administration Class of the Institute of Government at UNC-Chapel Hill. The award is presented each year to the graduate with the most distinguished record. It honors Edwin M. Gill, former State Treasurer and chairman of the N.C. Local Government Commission.

Ron Aycock, Executive Director of the N.C. Association of County Commissioners, presented the award.

(1A) PROCLAMATION SUBSTANCE ABUSE AWARENESS MONTH

Motion was made by Commissioner Woodard, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating October 2003 as Substance Abuse Awareness Month.

The proclamation was read by Commissioner Woodard and accepted by Russ Daniel, Substance Abuse Services of Carolinas, Inc., Winona Chestnut, Fighting Back, and Robert Martin, Alcohol and Drug Abuse Programs Administrators’ Association.

A copy of the proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE

The following persons appeared during the Public Appearance portion of the meeting:

John Jop a former Medic employee addressed his dismissal. Mr. Jop stated that he was told his dismissal was the result of his failing to act while on a call. According to Mr. Jop, it was his partner who failed to respond to his request for assistance while on a particular call. He asked the
Board to request an investigation of the circumstances that lead to his dismissal. Mr. Jop said Medic did not conduct an investigation.

Chairman Cox asked Manager Jones to follow up on this matter and report back to the Board. County Attorney Bethune noted for the record that Mecklenburg County does not directly control the actions of Medic. He stated that Medic was a separate entity created by an Interlocal Agreement between Mecklenburg County and Carolinas Health Care System.

Nancy Bryant and Mark Boggs addressed a Resolution to N. C. Attorney General Roy Cooper urging him to file a petition for review against the EPA’s “Routine Maintenance” Rule Change in the New Source Review provision of the Clean Air Act and urging the entire N. C. congressional delegation to co-sponsor legislation in Congress to repeal the EPA’s “Routine Maintenance” ruling. They appeared before the Board as representatives of the Carolinas Clean Air Coalition and the Central Piedmont Sierra Group. They asked the Board to consider adopting this resolution.

A copy of the resolution is on file with the Clerk to the Board.

It was the consensus of the Board that this matter be referred to the Board’s Natural Resources Committee for review and a report back to the Board at its October 21, 2003 meeting.

Henry Gunn, Code Enforcement Chairman for the Plaza-Eastway Partners, a coalition of neighborhoods in the northeastern corridor, addressed the need for more zoning inspectors.

Susan Lindsay representing the Charlotte-East Community Partners, an umbrella for the east area also addressed the need for more zoning inspectors and support staff for better code enforcement. She stated that there needs to be better communication between staff and those that submit complaints. Also, that more public awareness is needed regarding the differences between the zoning code enforcement, which is under the County and the community improvement code enforcement, which is under the City.

Ms. Lindsay also shared written comments that were submitted by Nancy Pierce Shaver, Merry Oaks Neighborhood advocate.

A copy of Ms. Shaver’s comments is on file with the Clerk to the Board.

Commissioner Clarke noted that zoning inspectors determine when new construction is going up and whether zoning laws are being complied with. Further, they also enforce the violations of zoning within the City of Charlotte. He said that the arrangement with the City of Charlotte was not a good one. He asked County Manager Jones to keep this issue high on the priority list, so that this matter can continue to be addressed with the City of Charlotte. He also asked for clarification as to whether or not a zoning inspector position was eliminated during the budget process. He stated that zoning enforcement was extremely important because of the continuing growth in Mecklenburg County.

Commissioner Samuelson left the dais and was away until noted in the Minutes.

(2A1) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the purchase of Tax Parcel #071-143-40, 1.94-acre at Stewart Creek from Adams Outdoor Advertising in exchange for giving Adams Outdoor Advertising a two-year time extension (without payment of rent) on the billboard at 1125 East Fourth Street (said use has an $8,000 value) for the Stewart Creek Restoration Project at Rozzelles Ferry Road.
(2A2) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the purchase of Tax Parcel # 071-078-02, 2.502-acre on Stewart Creek at Gesco Street from Duke Energy Corporation for $29,000 for the Stewart Creek Restoration Project.

Commissioner Samuelson returned to the dais.

(2A4) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and carried 8-1 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes and Commissioner James voting no, to approve the purchase of the following from Home Depot for $7,500,000 for the Little Sugar Creek Greenway in the Midtown area:

- 3.43-acre portion of Tax Parcel #125-227-01 and .10-acre Tax Parcel #125-227-03 at the Midtown Mall site;
- 2.64-acre Tax Parcel 125-201-47, the Midtown Sundries site on Kenilworth Avenue;
- 1.65-acre Tax Parcel #125-093-06 and .65-acre portion of Tax Parcels #125-093-01 & -05, the Midtown Cinema site on South Independence Boulevard.

(2A5) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of the .337-acre rear portion of Tax Parcel #151-112-26 on Jameston Drive at Little Sugar Creek for $4,000 from Cherryl G. Cosper.

The above property will be part of the open space and stream restoration area along Little Sugar Creek between Freedom Park and Park Road Shopping Center.

(3) APPOINTMENTS

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Citizen’s Capital Budget Advisory Committee:

Heath Gilbert    Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard
Tim Morgan    Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Heath Gilbert and Tim Morgan were appointed to the Citizen’s Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2004.

They are replacing Keith Butler and Samuel Stigler, Jr.

HUMAN SERVICES COUNCIL

It was noted that although a nomination occurred at the September 16, 2003 meeting, the nominee, Ms. Julie Adams has since asked that her name be removed from consideration.
WOMEN’S COMMISSION

The vote was taken on the following nominee for appointment to the Women’s Commission:

Tammy Bridges

Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard

Chairman Cox announced that Tammy Bridges was appointed to the Women’s Commission to fill an unexpired term expiring October 31, 2005.

She replaces Susan Jetton.

(4A) PUBLIC HEARING STREET LIGHTING – OPERATION ASSESSMENT ROLLS – CLAYBROOKE SUBDIVISION

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all the property owners in the Claybrooke Subdivision.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on Street Lighting Operation Preliminary Assessment Rolls for the Claybrooke Subdivision.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on Street Lighting Operation Preliminary Assessment Rolls for the Claybrooke Subdivision and adopt the Final Assessment Roll Resolution.

Resolution recorded in full in Minute Book 42-A, Document #

(4B) STREET LIGHTING – FIXTURE ASSESSMENT ROLLS – COFFEY CREEK/AYRSHIRE GLEN SUBDIVISION

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all the property owners in the Coffey Creek/Ayrshire Glen Subdivision.

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing on the Street Lighting Fixtures Preliminary Assessment Roll for the Coffey Creek/Ayrshire Glen Subdivision.

No one appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on the Street Lighting Fixtures Preliminary Assessment Roll for the Coffey Creek/Ayrshire Glen Subdivision and adopt
Final Assessment Roll Resolution for the street lighting fixtures costs.

Resolution recorded in full in Minute Book 42-A, Document #

(5A) ADVISORY COMMITTEE REPORT MINORITY AFFAIRS ADVISORY COMMITTEE

Motion was made by Commissioner Ramirez, seconded by Commissioner Puckett, to approve the removal of a member of the Minority Affairs Advisory Committee (Mary Boyd), at the request of the committee.

Commissioner Helms noted that although the Board has authority to remove persons from advisory boards, this may be setting a bad precedent.

Substitute motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to defer consideration of the removal of a member of the Minority Affairs Advisory Committee, until such time that the Board has had an opportunity to address this matter with the member (Mary Boyd). Secondly, to direct the Clerk to the Board to notify Ms. Boyd as to when this matter will be on the Board’s agenda and extend to her the opportunity to come and appear before the Board. Thirdly, that the Board also hear from the Minority Affairs Advisory Board Chairman.

Commissioner Samuelson asked that more information be provided to the Board regarding the request for removal, noting that the explanation given in the Board’s agenda packet was not sufficient enough.

Commissioner Woodard asked to be notified of when the committee meets. She noted that she would like to attend one of the meetings and possibly speak with some of the Board members.

Chairman Cox asked the Chairman of the Minority Affairs Advisory Committee, Gilberto Bergman who was present, to contact Commissioners Samuelson and Woodard regarding their requests for additional information and share those responses with the entire Board.

(6) MANAGER’S REPORT - NONE

Commissioners Clarke and Woodard left the dais and were away until noted in the minutes.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and carried 7-0, with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to approve the following item(s):

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held September 16, 2003; Special Meetings held September 16, 2003 and September 23, 2003; and Closed Session Minutes of September 16, 2003.

(8) DESTRUCTION OF DOCUMENTS – LUESA

Approve the disposal of LUESA Permitting and Inspections records (5 boxes) dated July and August 2003 that have been imaged on optical disk and verified, and Plans of commercial projects (528) permitted in July and August of 2001 in accordance with North Carolina records
retention policies.

(9) **INSURANCE REIMBURSEMENTS**

Recognize, receive and appropriate funds in the amount of $4,413.00 for Land Use & Environmental Services, $17,334.00 for Park & Recreation, $1,783.00 for Area Mental Health, $3,381.00 for General Services and $2,254.00 for the Health Department to provide necessary budgetary recognition of insurance funds to cover cost of replacements.

*All reimbursements are for stolen and damaged property.*

(10) **TANF DOMESTIC VIOLENCE REVENUE - DSS**

Recognize, receive, and appropriate $23,894 (Tanf Domestic Violence Revenue) from the NC Division of Social Services.

*The Department of Social Services has received from the NC Division of Social Services a revised Federal allocation for domestic violence services to TANF recipients. The State initially allocated $28,093 for this program, which was approved during the fiscal year 2004 budget process. This allocation provides an additional $23,894, for a total of $51,987. The funds are used to offset the salary of one Domestic Violence position in the Women's Commission budget that works with TANF recipients exhibiting domestic violence issues.*

(11) **FAMILY CAREGIVER SUPPORT PROGRAM REVENUE - DSS**

Recognize, receive, and appropriate State revenue in the amount of $31,149 from the NC Division on Aging to be used to expand services for caregivers of older adults who require substantial assistance with routine daily activities.

(12) **DSS RURAL GENERAL TRANSPORTATION REVENUE**

Recognize, receive, and appropriate State revenue in the amount of $7,675 from the NC Department of Transportation to provide transportation services to elderly and disabled citizens living in rural areas of Mecklenburg County.

*Note: A County match of $768 is required and will be provided through existing budget allocations.*

(13) **ADULT DAY CARE REVENUE - DSS**

Recognize, receive, and appropriate Federal and State revenue in the amount of $48,040 from the NC Division of Social Services to be used to expand adult day care and day health services for the elderly.

*A County match of $6,863 is required and will be provided through existing budget allocations*

(14) **URBAN AND COMMUNITY FORESTRY GRANT – PARK AND RECREATION**

Recognize, receive and appropriate $2,350 from the NC Division of Forest Resources’ Urban and Community Forestry Grant Program for the development of an interpretive forest habitat trail at Latta Plantation Nature Preserve.

(15) **GRANT APPLICATION – NC DIVISION OF WATER RESOURCES**

Adopt a resolution approving grant application to the North Carolina Department of Environment and Natural Resources, Division of Water Resources, for the Little Sugar Creek
Environmental Restoration Initiative, Phase 3, Westfield Road Stream Restoration & Greenway Trail; and recognize, receive and appropriate grant funds, if awarded.

Resolution recorded in full in Minute Book 42-A, Document #

(16) HAZARD MITIGATION PROGRAM – FLOODPLAIN ACQUISITION OF SUBSTANTIALLY DAMAGED STRUCTURES

1) Appropriate an additional $83,013 from Storm Water Fund Balance for the acquisition of floodprone structures from the June 7, 2003 Flood.

2) Accept the “Offer Of Sale Of Land” for the following property: Mike Loeffler at 3020 Manor Rd for $153,239.00; and

3) Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition of the structures purchased by Mecklenburg County.

Resolution recorded in full in Minute Book 42-A, Document #

(17) MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE - AMEND

Adopt the Mecklenburg County Solid Waste Fee Ordinance as amended.

A second reading will be required because all Commissioners were not present at the time of the vote. The second reading will occur at the October 21, 2003 meeting.

This amendment would set prices for several new-bagged products to be offered for sale and correct certain redundancies in sale prices from the previous amendment to the Solid Waste Fee Ordinance.

(18) STREET NAME CHANGE – SET PUBLIC HEARING

Set a public hearing at 6:30 p.m. on November 5, 2003 on the request to change the name of Kem Way to Kem Arbor Way.

(19) SHERIFF’S SPECIAL REVENUE FUND

Recognize, receive and appropriate $24,789, proceeds from Inmate Commissary sales, to the Sheriff’s Special Revenue Fund.

(20) STREET LIGHTING ASSESSMENT PROJECT - SET PUBLIC HEARING

Adopt Preliminary Assessment Resolution setting a public hearing on Mecklenburg County’s participation in the Street Lighting Assessment Project for the Stewarts Crossing Subdivision on November 5, 2003 at 6:30 p.m.

Resolution recorded in full in Minute Book 42-A, Document #

(21) DRUID HILLS PARK CONDEMNATION

Adopt Resolution entitled: Mecklenburg County Board Of Commissioners Resolution Authorizing The Institution Of Condemnation Proceedings For The Acquisition Of Tax Parcel 077-076-13 Belonging To Nancy Huntley And Any Persons, Firms Or Corporations
With Interests Therein For A Neighborhood Park In The Druid Hills Neighborhood.  
Resolution recorded in full in Minute Book 42-A, Document #

(22) NEW COURTHOUSE PROJECT CONSTRUCTION CONTRACT

Award a construction contract to Cam-Ful Industries, Inc. for the Plumbing bid package in the amount of $3,119,000 for the construction of the New Courthouse Project.

(23) NEW GOVERNMENT DISTRICT PARKING DECK

1) Authorize the County Manager to execute Right-of-Way Abandonment form for a portion of East Trade Street.

2) Authorize the County Manager to execute the Memorandum of Agreement between Self Help Ventures Fund (Aunt Stella Center) and Mecklenburg County.

3) Adopt Resolution Declaring Intent to Enter Into Parking License Agreement with Self Help Ventures Fund.

Resolution recorded in full in Minute Book 42-A, Document #

(24) LAND EXCHANGE LAMBETH DRIVE SCHOOL/PARK SITE AT HIDDEN VALLEY

Approve exchange of 3.1772 acres from Charlotte-Mecklenburg Schools (CMS) to Mecklenburg County and 3.1756 acres from Mecklenburg County to CMS at Lambeth Drive school/park site at Hidden Valley.

(25) APPOINTMENT OF TAX ASSESSOR

Appoint Harry L. Jones, Sr., County Manager, as Tax Assessor to complete the term vacated by John Petoskey and authorize the Clerk to the Board to administer the oath of office.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioners Woodard and Clarke returned to the dais.

(26) CARBON MONOXIDE ALARM REGULATION REVISION

Motion was made by Commissioner Ramirez, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept revisions to the Mecklenburg County Carbon Monoxide Alarm Regulation and adopt the revised Mecklenburg County Carbon Monoxide Alarm Regulation as amended.

Note: The amended regulation includes civil penalties and not criminal. The civil penalty is a $50.00 per day penalty after the first 30 days of notice for a period of five days and $10.00 per day for any time after that. The revised regulation goes into effect January 1, 2004 and requires all dwelling units in Mecklenburg County to have a carbon monoxide alarm. Alarms installed after this effective date must be battery powered or a/c powered with a battery backup.

Regulation recorded in full in Minute Book 42-A, Document #
The Board will have the opportunity to further discuss the sizing when staff brings back to the Board the requirement for a public hearing and other authorizations as required by general statutes for the COPs. The COPs authorization is required to go to the Local Government Commission for approval.

The recommended amount of the bond sale is $205 million. This includes $145 million for CMS, $45 million for Courts, $10 million for CPCC, $2 million for Libraries and $3 million for Park & Recreation. This issuance is estimated to provide enough cash to fund projects until the January 2005 bond sale.

The estimated amount of the COPs issuance is $18 million, not including an amount for CPCC. This includes $9 million for CMS, $7.5 million for Area Mental Health facilities, $5.5 million for Caroline Love Myers facility and $1 million for Park & Recreation facilities. This estimate has been revised by removing the Cooperative Extension renovation. In addition, CPCC staff has discussed with County staff the funding requirements for two projects, Belk Building renovations and a parking structure. Their projects also require funds from this January sale. CPCC representatives will be at the October 8 meeting to make a formal request. The next issuance of COPs is also scheduled for January 2005 at which time some additional amount will be issued for projects approved for CMS facilities, CPCC, Park & Recreation and the Courthouse.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize staff to move forward with a January 04 General Obligation Bond Sale in the amount of $205 million and $18 million in Certificates of Participation (COPs) sales.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:35 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Meeting Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center on Wednesday, October 8, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None

Commissioners Puckett, Clarke, Helms, Samuelson, and Woodard were absent when the meeting began and until noted in the minutes. Chairman Cox directed staff to proceed with their presentations, noting however, that the meeting could not officially be called to order until at least one other Commissioner arrived.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

General Manager John McGillicuddy introduced the topics to be discussed: the Focus Areas of 1) Community Health & Safety Program Categories of Community Violence Protection and Prevention and Personal Injury Protection and Prevention; 2) Growth Management & Environment Program Category of Regional Planning; and 3) Efficient and Effective Government Program Category Legal Counsel.

General Manager McGillicuddy reviewed the focus area of Effective & Efficient Government Program Category Legal Counsel, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).

Deputy County Manager Russ Crider reviewed the focus area of Community Health & Safety Program Categories of Community Violence Protection and Prevention, which included discussion of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

Deputy County Manager Crider then introduced the following persons to address Community Violence Protection and Prevention efforts within their respective agency/departments: Carol Myers, Interim Library Director, Leon Miller, Director of General Services, Sheriff Jim Pendergraph, Sarah Greene of Area Mental Health, and Dr. Wynn Mabry, Director of Homeland Security.

Each presenter addressed services provided and questions from the Board.

Deputy County Manager Russ Crider reviewed the focus area of Community Health & Safety Program Category Personal Injury Protection and Prevention, which included discussion of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.
Deputy County Manager Crider then introduced the following persons to address Community Violence Personal Injury Protection and Prevention efforts within their respective agency/departments: C.W. McIver, Park and Recreation Safety Compliance Coordinator.

It was noted that presentations were not needed on behalf of the Marine Commissions.

General Manager McGillicuddy then reviewed the focus area of Growth Management & Environment Program Category of Regional Planning, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).

General Manager McGillicuddy then introduced Carl Gullick with Voices and Choices of the Central Carolinas to address Regional Planning.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Community Health & Safety

Questions asked of Interim Library Director Myers:

*Commissioner Helms entered the meeting during Interim Director Myers’ presentation.*

The meeting was then officially called to order.

Interim Director Myers was asked questions regarding the Library’s criteria for responding when an event occurs and the types of incidents that have occurred, which she addressed.

Chairman Cox commented on the strategy for the Program Category of Community Violence Protection and Prevention. He suggested that perhaps thought needs to be given to incorporating into the strategy some type of criteria for responding when an event occurs in the future and when citizens call upon the County to “make them feel protected.” He said that this was something that needed to be thought about and pursued prior to any occurrences because the consequences in terms of costs are substantial. He suggested also whether or not after the initial response of responding to an event and there are no other events, whether the increased security measures would need to be maintained.

Chairman Cox noted also that he feels the strategies for security should be coordinated and linked regardless of the area of coverage. He stated that standards were needed that would be applicable to everyone.

Commissioner Mitchell suggested consideration be given to using the Sheriff Deputies for security or County Security at libraries?

Questions asked of General Services Director Leon Miller:

*Commissioners Woodard and Samuelson entered the meeting during General Services Director Miller’s presentation.*

Director Miller was asked about County Security’s hours of operation and the types of incidences that occur requiring their services, which he addressed.

Commissioner James asked about the rate of pay for County Security Officers and whether it was comparable to other Security Officers. He stated that he was interested in the average salary for security officers in the private sector; their benefits; and the average hourly rate.

The response was that staff would look into this and report back. It was noted, however, that County
Security Officers are sworn law enforcement officers and not “security guards.”

Questions asked of Sheriff Pendergraph:

Sheriff Pendergraph noted that he has suggested in the past to the County Manager, the possibility of merging County Security into the Sheriff’s Office. He said the officers could help the Sheriff’s Office with serving papers and still provide security to County facilities since they are out in the field anyway.

Commissioner Mitchell noted that he would like to see County Security increased by six or seven additional officers.

Chairman Cox asked if there was any opportunity for automation in the permitting area that would improve the productivity of staff?

The response was that probably what can be automated has been done, however, the problem lies with the State files because a lot of their files are not automated.

Commissioner Samuelson commented on the registration waiting area. She noted that she has heard from some constituents that the area makes them uncomfortable.

The response was that staff was aware of this, however, space is limited.

Other

Sarah Greene in her presentation indicated to the Board that she would provide them with some case examples to help the Board better understand what it is that they do in the Child Development-Community Policing program.

Commissioner Helms suggested using some of the federal Homeland Security funds that will be received for a communication system.

Chairman Helms suggested that when it comes to Regional Planning that regional mission be redefined in terms of what can be done. He suggested a narrowing of the scope based on what can be done.

As stated earlier, the Board took no formal action and the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

The Board took a break at 3:15 p.m. and reconvened at 4:00 p.m.

Commissioners Puckett and Clarke entered the meeting.

Motion was made by Commissioner Woodard, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to add an item to the agenda, Closed Session Personnel Matter.

Motion was made by Commissioner Puckett, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 4:00 p.m. and came back into Open Session at 5:23 p.m.

There being no further business to come before the Board the meeting was immediately adjourned by common consent at 5:23 p.m.
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session at Mecklenburg County Jail Central in the Anthony Stancil Conference Center Room on Tuesday, October 14, 2003 at 2:30 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Jim Puckett, Dan Ramirez, Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James and Norman A. Mitchell, Sr.

Commissioners Helms, Puckett, and Woodard were absent when the meeting began and until noted in the minutes.

Chairman Cox directed staff to proceed with their presentations, noting however, that the meeting could not officially be called to order until at least one other Commissioner arrived.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

General Manager Bobbie Shields reviewed the Focus Areas of Growth Management & Environment Program Categories of Air Quality, Water Quality, and Land Quality, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under Water Quality were Land Development, Ground Water Quality, Surface Water Quality, and the Marine Commissions.

The services addressed under Land Quality were Solid Waste Disposal, Waste Reduction and Recycling, Yard Waste, Zoning Code Enforcement and Neighborhood Services.

General Manager Bobbie Shields introduced the following persons to address the above reference Program Categories: Don Willard, Dave Canaan, and Cary Saul.

It was noted that presentations were not needed on the Marine Commissions.

Each presenter addressed services provided and questions from the Board.

Commissioners Woodard and Helms entered the meeting during Mr. Willard’s presentation.

The meeting was officially called to order upon the arrival of Commissioner Woodard.

Commissioner Puckett entered the meeting during Mr. Canaan’s presentation.

General Manager McGillicuddy reviewed the focus area of Effective & Efficient Government Program Category Employee Resource Management, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).
County Manager Jones addressed the “check-in” review of the process to date.

**DISCUSSION HIGHLIGHTS**

*Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

**GROWTH MANAGEMENT AND ENVIRONMENT AIR QUALITY, WATER QUALITY, AND LAND QUALITY**

**Air Quality - Don Willard Presenter**

Commissioner Clarke asked for clarification regarding the County’s legal authority to adopt mandatory controls.

Response: Mecklenburg County has a “certified” local program, which means the County has a level of independence. The County’s certification comes from the N. C. Environmental Management Commission. Further, that it is staff’s belief that because the County has a “certified” program, the Board has the authority to enact local rules that would benefit the environment. Thus, the County is not restricted to just implementing state rules by reference. Local changes would, however, have to been approved by the N. C. Environmental Management Commission if the changes are new and no one else has them.

Commissioner Clarke also asked for feedback on the statement that is often made that the way to approach the air quality problem is through a regional strategy.

Response: Ideally it would be great if all parties in the region would agree on a regional strategy, which would result in having cleaner air quicker. The hurdle is implementing this idea throughout the region because each county has a different agenda, interest, and priorities. Staff is an advocate of a regional strategy, however, it’s felt that at this time the County’s best role was to be a leader and show others in the region how things can be done on a local level to reduce emissions and contribute to cleaner air in hopes of that this would lead to a regional solution.

Commissioner Helms asked for comment regarding the New Source Review Provisions of the Clean Air Act. He asked whether the County should join in with the Governor in calling on Congress to review its recent legislation that seems to be contradictory to the Clean Smoke Stacks bill.

Response: The Board should not because it would not make a difference, but Board could if it wanted to. This issue is more complicated than its appears. Per conversations with state officials, the legislation would not affect the Clean Smoke Stacks legislation, nor has there been a decision regarding what course of action the state will take. There are states, however, that are suing the Environmental Protection Agency.

Commissioner Helms asked that staff report back to the Board regarding this matter with an analysis of the impact of the EPA rulings and if the County should take any action either as a Board or as individual Commissioners.

It was suggested that if the Board decides to take action that it should be to place the burden on the State since they have the expertise to have a much broader view. Also, that the Board would want to urge the State Attorney General evaluate the effect of the new EPA Rules and that if he finds that they are detrimental to North Carolina then the State should join the suit.

In response to a question that was raised concerning the Charlotte Area Transit System (CATS) it was noted that staff was working with CATS and was aware of their various initiatives.

Chairman Cox asked Board members to give thought to the strategy listed for air quality and whether it’s aggressive enough.

Mr. Willard acknowledged that staff has not been assertive enough when it comes to mobile sources to effect the emissions reductions from mobile sources.
Several Commissioners encouraged staff to be more aggressive when it comes to control of mobile sources.

Chairman Cox stated that the County’s regional strategy when it comes to air quality should be to “lead by example.”

**Water Quality – Dave Canaan Presenter**

It was noted that Mecklenburg County was the only entity besides Huntersville that has actually adopted a Water Quality Goal. County staff is working with City staff to help them develop a Water Quality Goal that is very similar to the County’s.

Commissioner Helms said there’s difficulty in developing a strategy when it comes to air, water, and land quality when you’re dealing with so many different entities, including state and federal governments. He stated that this was a complex problem. Also, that he would like to see staff come back to the Board in the future with a presentation regarding the various policies and procedures the County has for the purpose of reviewing and evaluating those policies and procedures to see if they can be enhanced.

Commissioner Helms asked why was the County putting half a million dollars in the land quality budget when the total revenue from fees and other sources was $12 million?

Response: Traditionally the County has been providing building services, not only the permitting side but neighborhood side and that this was an inequitable situation. It was noted that the Towns share in enforcing their zoning ordinances to a higher degree than the City of Charlotte.

There have been discussions with the City of Charlotte regarding their enforcement of zoning ordinance violations, however, nothing has resulted.

It was noted also that the only way the County generates revenue when it comes to enforcing zoning ordinances is when it’s associated with a permit, otherwise, the cost of that enforcement comes out of property taxes. Commissioner Samuelson asked if based on this, is this where the half million dollars referenced by Commissioner Helms comes in and the response was yes.

Commissioner Helms asked if the six towns had their own development policies and if so, what role does the County play when it comes to enforcement, inspections, and regulations?

Response: Yes, the Towns do have their own development policies. It was explained that what occurs is that before land is subdivided, especially if it is an engineer that doesn’t work in this area or has a recent development in the town, that engineer consults with the County regarding the unique things the County would be looking for as a part of plan review. It was noted that County staff reviews plans for approval and conducts inspections throughout the project.

Other points noted:

- The City and County report to the State when it comes to erosion control.
- Drinking wells do not have to be tested, however, when there is a real estate transaction the buyer and/or seller usually requires that one be done.
- Last year out of the wells tested 25% of the test came back positive for bacteria.
- Staff estimates that 20% -30% of the community is served by groundwater.

**Waste Reduction and Recycling – Cary Saul**

Commissioner Samuelson asked if recycling participation had increased?

Response: Yes.
Employee Resource Management – General Manager McGillicuddy

It was noted that some of the measures listed under Employee Resource Management may be recommended for deletion now that staff has experienced them for the first year and found that they may not be appropriate measures for this area. The example referenced was the turnover rate, which is used as a measure for employee motivation and satisfaction, however, it’s a better measure for retention.

Commissioner Samuelson asked if staff had considered going to a system of “paid time off” instead of the County’s current separate system of vacation, sick, and holiday leave?

Response: Human Resource Director Susan Hutchins noted that she was familiar with the “paid time off” system, however, the problem that the County has in going to this type of system is that County sick leave is tied to the State Retirement System.

Program Review “Check-In – County Manager Jones and General Manager McGillicuddy

County Manager Jones addressed the status of the Board Program Review process to date and asked for feedback.

County Manager Jones posed the following questions:

1. Overall, is this effort providing strategic information that will be useful to the Board and therefore worth continuing?
2. What information should be eliminated from or added to the Service Detail Form?
3. Should the oral presentations provide more executive-level information or more service details or both?
4. Do the Program Category summary presentations add value (e.g., provide context for and/or complement the service detail form information)? How could these presentations be improved?
5. Have the process changes already put in place improved the process for the Board?

He noted that for him personally the reviews have been very valuable and serve as an opportunity for the Board to learn more about County services.

General Manager McGillicuddy presented the following recommendations:

Recommended Changes to Service Form
- Eliminate the following items from Performance Results: Operating cost per capita and Customers served per County employee
- Combine Return on Investment/Service Justification and Value Added Components to be: Service Value (e.g., return on investment, service justification, value added)
- Maintain other changes already made to the Form (e.g., providing a net County expense table.)

Changes to Presentations
- Continue to provide enhanced Program Category Summary that explains the business strategy associated with the services listed within the category.
- Provide business strategy in writing as cover sheet to Program Category blue pages.
- Department/Service presentations should be consistent with the style of the October 8 and October 14 meetings, whereby presentations are structured to indicate how the service fits into the overall business strategy and Program Category. Services that provide redundant or repetitive information should include individual oral presentation, but should be mentioned in the Program Category summary presentation.
- Maintain other process changes already adopted by the Board (e.g., no presentations for services with a County cost of $50,000 or less).
Note: There were no objections to the recommendations presented by staff concerning changes to the Service Form or to the Presentations.

Feedback

Commissioner Puckett suggested perhaps just having one category under Performance Results and that being Total Cost Per Capita, however, there was not full support of the Board to do this.

Commissioner Ramirez suggested that presenters when making their presentation inform the Board of how they think they can make changes to enhance their services.

Commissioner Woodard asked if the Program Review process would take place annually or just when there was a new Board.

The response was that the current review would encompass all County services and funding relationships and subsequent to this, a review would be conducted annually with only one-third of the services being reviewed, so that every three years there would have been a full review.

It was noted that it would be the Board’s decision regarding how involved it wanted to be in the annual one-third reviews. The Board would have to decide if those reviews should be a management review or full board review.

Commissioner Samuelson asked how soon could the Board receive a hard copy of the program review information?

The response was Monday afternoon.

Commissioner Samuelson also asked staff when preparing future materials for program review discussions to indicate again what the various colors mean.

Commissioner Helms noted the following:

- He doesn’t need all of the information that staff has been providing.
- He is concerned about the amount of staff time that is required to pull all of the information together.
- However, if it’s helpful to staff and to those Board members who have only gone through the budget process a limited number of times, then the review process should continue.
- Sometimes during the reviews, in his opinion, the Board has gotten into management issues.
- The Board should not micro managing staff.
- He doesn’t need to receive all of the finer details as outlined in the information that has been provided to the Board.
- He prefers receiving information in broad, general categories and if he needs more detail then he would then go to staff directly.
- He would like to see the presentations streamlined.
- The advantages and disadvantages of the review process need to be weighed, especially when it comes to staff time.

Chairman Cox asked County Manager Jones whether the information provided to the Board during the review process was over and above what staff would be doing for the balanced scorecard process?

The response was no.

Commissioner Ramirez noted that for him the process has been very helpful to him, especially being new to the Board.

Commissioner Clarke commented on the fact that in this process the County is starts off with baseline numbers on all of the tables with the current year’s budget.

Commissioner Clarke stated that he knew that the purpose was to look forward but with the
reductions from the State and the lost reimbursements he has wondered how different things would be if staff went back a budget year and that’s a piece of information that would add a whole new category. He stated that he thought this new category was going to be incorporated in the process. He stated that “the trend line is the current year and just sort of projected out one or two years.

The response was that the process does start off with the current service level, which is the same amount of dollars for this fiscal year. However, what staff was trying to say was that if the County continued with this same service level without applying any other assumptions, then what would it look like generally over the next two years. It was noted further that through this process departments were being asked to respond to the question of if the department needs a different service level to reach the scorecard goals what would those needs be. Also, that perhaps staff has not communicated this very well.

Commissioner Clarke stated that he was not sure if the Board has been receiving exactly what it needs from departments regarding what’s needed to meet the goals and what has happen to impede meeting those goals.

Discussion continued regarding goals being met and customer service.

Commissioner Clarke left the meeting and was absent for the remainder of the meeting.

General Manager McGillicuddy stated that in some instances presenters have not been as candid with the Board regarding the issues they are faced with as perhaps they should have, that departments are trying to paint the best picture possible.

Chairman Cox noted that this was to be a strategic process. Chairman Cox noted the following as an example of what the process should be about:

- A department should appear and address the services they provide, which is information the Board needs to know.
- A department should indicate why they’re in the business that they’re in and to accomplish what purpose?
- A department should report on how they’re doing on accomplishing that purpose, the positive, not so positive, changes that need to occur, and if they desire to continue providing a service.

Chairman Cox noted, as well, that the Board needed to ask the departments to:

- Tell us more about that purpose
- Help us to understand why it is difficult for you to have good customer service satisfaction numbers.

He noted that the Board would then discuss at its Strategic Planning Conference the issues that they heard and determine the best solution for moving forward.

Chairman Cox noted that these sessions were not designed to be the budget discussion that takes place in the spring.

Chairman Cox suggested skipping a week in between the program reviews to allow those after having received their information in hard copy to obtain any additional information they may need prior to the session being held. In other words, information for a particular session would be received say eight days in advance.

Commissioner Helms noted that the service details should be in the written materials but that the presentations should be at the executive level and anyone needing more information can refer to the written material, ask their question during the meeting or at a later date directly to staff.

Commissioner Helms noted that he has concerns also with only using the current service level because it does not tell the Board if that’s enough or too much, only that this amount is currently being spent on a particular service. He noted that the question then becomes how does the Board make that decision of whether it’s too much or not enough. He said that he feels the Board would
have an opportunity to address these questions through the information that will come out of these session in January at the Strategic Planning Conference.

Commissioner Puckett stated that he feels the County is a year ahead of where it needs to be. He said that it seems to him that what is occurring with the Balanced Scorecard is a very detailed process that starts with the goals and trickles down and measures what it is; when it comes to the performance piece it takes a while to determine what the performance level is. In summary he thinks there hasn’t been enough time to determine or to adequately measure how the County is measuring up with some of the goals. Commissioner Puckett said that he would feel better about the process if it took place after the County Manager had come before the Board and stated that he was ready to present the Balanced Scorecard and its measurements and staff’s rollout to that. He doesn’t feel the County is prepared enough at this stage of the balanced scorecard process and that perhaps the process should be stopped or delayed until “we are better prepared.” He noted that he doesn’t think the Board should necessarily “quit,” but he questions the decision making without knowing the true balance scorecard results.

Commissioner Woodard noted that although the process has been helpful to the Board and to the Manager, that perhaps it needs to be more for management and what it needs to move forward, after which management would then report to the Board. She stated that she still feels there’s a lot of uncertainty as it relates to what individual Commissioners want to know and what they don’t want to know. She noted also that she feels departments may not be comfortable with being candid with the Board but that they should be with senior management, whose job is to be candid with the Board.

Commissioner Samuelson noted that sometimes she feels she’s getting information that staff needs more so then the Commissioners. She stated that the general information received was helpful, and noted as an example, that it was good to know that the County was involved in Domestic Violence in four different areas. She noted that she likes the basic overviews, the basic future views, but that some of the detail being provided was more than what she needs.

Commissioner Helms suggested that consideration be given to meeting every other week.

Chairman Cox stated that he would not want the Board as a result of changing the meetings to every other week, find that it does not have enough time to complete this process prior to getting prepared for the Strategic Conference.

County Manager Jones reminded the Board that it was stated at the outset that this would be a time consuming process. He suggested that the Board take a week off and in that interim staff would go back and retool the process to make it better.

County Manager Jones noted to the Board that if the Board decides to abandon the review process that he and his executive staff would continue from a management standpoint.

This concluded the discussion.

As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 5:40 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 21, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

Note: The meeting was called to order at 5:30 p.m. The Board was late in getting started because of a previous meeting that did not end until 5:20 p.m.

-INFORMAL SESSION-

(1) STAFF BRIEFING- CENTRAL PIEDMONT COMMUNITY COLLEGE REQUEST FOR CERTIFICATES OF PARTICIPATION (COPS)

The Board received a presentation from Kathy Drumm, Vice-President of Central Piedmont Community College (CPCC) regarding CPCC’s request for capital funds.

Highlights:
- CPCC requested that the Board authorize up to $24 million in future capital funds for two projects on its Central Campus: A new parking deck ($9 million) and a new building adjacent to the existing Belk Building ($15 million).
- Revenues from the College’s parking operations would be used to pay the debt services costs for the portion of funds related to the deck.
- The new parking deck would be located on the northeastern corner of the intersection of Fourth Street and Independence Boulevard and would accommodate 600-800 vehicles.
- The new building would be located on the northwestern corner of the intersection of Elizabeth Avenue and Independence Boulevard. It would primarily house classrooms, laboratories, and offices for health and medical services programs.
- If the $15 million is not received then CPCC will not be able to drawn down $5 million from the State for the renovation project.
- The critical need is the $24 million with some of the funds being needed in 04 and the remaining in 05; at least $1 million is needed now for design fees.

County Finance Director Harry Weatherly stated that his concern was that if the County issued
any debt in January for whatever reason “we may not need it during our calendar year even though CPCC demonstrated a potential need.” He stated if the Board wants to consider CPCC’s request, he would like an opportunity to work with CPCC on refining the numbers. Director Weatherly said he felt the County could “up front” what CPCC needs in calendar 04 until January 05 arrives. He stated, however that he, as well as CPCC, needed some type of commitment from the Board that the County will fund these projects with future financings in some way. Director Weatherly said he did not think the January 04 sale needed to be increased.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive the capital needs request from Central Piedmont Community College and agree in principle to provide Central Piedmont Community College $24 million in capital funds to be allocated based upon an analysis of need by their staff and County staff, which would be brought back to the Board; and to provide up to $1 million in capital/planning funds during calendar year 2004.

(2) CLOSED SESSION - NONE

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The item identified was Item 13.

-FORMAL SESSION-

Commissioner Helms was away from the dais when the Formal Session was called to order and until noted in the minutes.

Invocation was given by Commissioner Clarke, which was followed by the pledge of allegiance to the flag and the introduction of those at the dais.

Commissioner Helms entered the meeting at this time.

(1B) NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating the week of October 20-24, 2003 as National Childhood Lead Poisoning Prevention Week.

The proclamation was read by Commissioner Clarke and accepted by Peter Safir, Health Director and Dennis Salmen of his staff.

A copy of the proclamation is on file with the Clerk to the Board.

(1A) PROCLAMATION PARENT ON THE MOVE DAY/YOUTH SUMMIT DAY

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating October 25, 2003 as Parent on the Move Day/Youth Summit Day.

The proclamation was read by Commissioner Ramirez and accepted by Blanche Penn.

A copy of the proclamation is on file with the Clerk to the Board.

(2) PUBLIC APPEARANCE
The following persons appeared to speak during the public appearance portion of the meeting:

John Woodlief expressed opposition to an approved four home subdivision of new construction behind Museum Drive and Twiford Place. Mr. Woodlief lives at 1633 Twiford Place, which has severe flooding problems. Mr. Woodlief feels this subdivision only adds to the flooding problem. He asked that the Floodplain Ordinance be enforced and that the Board look into the “sequential, uncontrolled development of floodplain” where the Floodplain Ordinances have not been enforced.

At the suggestion of Commissioner Helms, it was the consensus of the Board to ask staff to review the issue raised by Mr. Woodlief and the County’s role in enforcing floodplain regulations and report back to the Board on options or alternatives that are available to the Board to address the concerns that have been expressed by Mr. Woodlief and others at previous meetings.

Vincent Frisina representing Windsor Park Neighbors stated that they would like the area behind Eastway Middle School reviewed for a possible park.

Commissioner Clarke noted that the master plan for the Evergreen Park was approved with certain stipulations. He asked that the Clerk provide the minutes of that approval to Board members as a reminder of what occurred.

William Chandler, Chairman of the Park and Recreation Commission addressed the Eastway District Park known as the Evergreen Forest Park in the Eastway Specialty Park. He noted the following:

- Bonds were passed and $2 million was set aside to build a district park in the Eastway community.
- After meetings with the community it was determined that the site selected by Park and Recreation, the Evergreen Cemetery site, should not be disturbed and left in its natural state.
- Park and Recreation decided not to develop this area and proceeded to move over to the school and to talk with Charlotte-Mecklenburg Schools regarding obtaining some active components at that location.
- The amount of components that would have had to be placed there was not acceptable.
- Since it was realized that the Eastway community still needed active recreation, Park and Recreation staff moved further down the road and located land on which recreational intensive projects, such as soccer fields and baseball fields could be located that could not be located at the original site.
- $500,000 was set aside as Phase One to develop the Evergreen Nature Park.
- Active parks require more of an investment.
- $1.5 million was set aside to develop the active park.
- The community is now at odds with each other and Park and Recreation staff is trying to work out this district park issue.
- The new location does sort of straddles the Northeast Park district, which is where the confusion is coming from.
- Persons in the Eastway community feel that they are losing their park, however this is not the case.
- Park and Recreation is trying to locate an active park as close as possible to the folks that need it.

THIS CONCLUDED THE PUBLIC APPEARANCE PORTION OF THE MEETING.

Commissioner Samuelson left the dais and was away until noted in the minutes.

(4) PUBLIC HEARING– COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION
Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to open a public hearing to receive comments on the County’s intent to submit a 2004 Community Development Block Grant Scattered Site Housing Application.

No one appeared to speak.

Motion was made by Commissioner Ramirez, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to close the public hearing on the County’s intent to submit a 2004 Community Development Block Grant Scattered Site Housing Application and approve submittal of the County’s 2004 Community Development Block Grant Scattered Site Housing Application.

Commissioner Samuelson returned to the dais.

(5) ADVISORY COMMITTEE REPORT-REGION F AGING ADVISORY COMMITTEE ANNUAL REPORT

The Board received the Region F Aging Advisory Committee Annual Report, which was given by Albert Lyles and Carrie Wilkinson.

Report Highlights:
Three issues of concern that the committee brought to the Board’s attention:

1. Prescription Drugs for Seniors – Assistance with prescription drugs continues to be a large area of concern for older adults.

2. Funding for Older Adult Services – Much of the funding for older adult services in Mecklenburg County comes from federal and state funds received from the NC Division of Aging. This year the General Assembly reduced funding to the Home and Community Care Block Grant by one million dollars statewide. There is a need for more funding for local services.

3. Family Caregiver Support Program – Region F has experienced much success with the implementation of the Family Caregiver Program in the region. There is a need for more funding to expand this program.

Commissioner Helms asked the Committee to recommend to the Board some additional initiatives that the Board could undertake to address the concerns presented by the Committee.

Chairman Cox thanked the Committee for their report and the work they do.

A copy of the report is on file with the Clerk to the Board.

(3A) NOMINATIONS/APPOINTMENTS

HOUSING AND DEVELOPMENT COMMITTEE

The following persons were nominated for appointment to the Housing and Development Committee:

Sabrina Brown by Commissioner Helms
Patricia Harris by Commissioner Helms
Unithia McGruder by Commissioner Samuelson
Larry Ross by Commissioner Helms
An appointment will occur on November 5, 2003.

HUMAN SERVICES COUNCIL

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Robert Abramowitz to the Human Services Council as a Mental Health Professional representative.

The following persons were nominated for appointment to the Human Services Council by Commissioner James: Evelyn Berger, Caroline Elliot, Alfie Harry, and Ruby Odom.

An appointment will occur on November 5, 2003.

MOUNTAIN ISLAND LAKE MARINE COMMISSION

The following persons were nominated for appointment to the Mountain Island Lake Marine Commission:

Daniel DuVall  by Commissioner Helms
Gregory Shelton  by Commissioner Samuelson

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close nominations for appointment to the Mountain Island Lake Marine Commission.

An appointment will occur on November 5, 2003.

REGISTER OF DEEDS ADVISORY COMMITTEE

The following person was nominated for appointment to the Register of Deeds Advisory Committee by Commissioner Helms: Ralph McMillan.

An appointment will occur on November 5, 2003.

(3B) SCHEDULE OF UPCOMING APPOINTMENTS

The Board received as information upcoming Nominations/Appointments for November 2003.


Adult Care Home Advisory Committee
Alcoholic Beverage Control Board
Architectural Selection Committee (General Contractor Needed)
Area Client Rights Committee (Mental Health Professional)
Building Development Commission
Community Relations Committee
Domestic Violence Advisory Committee
Human Services Council (Social Services Committee)
Minority Affairs Advisory Committee
Nursing Home Community Advisory Committee
Storm Water Advisory Committee
Waste Management Advisory Board
Women’s Commission
CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Item 13 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held October 8, 2003 and Closed Session Minutes of October 8, 2003.

(8) AMENDMENT TO COUNTY FLOODPLAIN REGULATIONS – SET PUBLIC HEARING

Set a public hearing for November 5, 2003 to receive comments concerning proposed changes to the County Floodplain Regulations.

(9) RESOLUTIONS - SOLID WASTE AND RECYCLABLE COLLECTION SERVICES

Adopt Joint Resolutions authorizing Interlocal Agreements Concerning Solid Waste and Recycling Collection Services with Central Piedmont Community College and The Charlotte-Mecklenburg Board of Education.

*Resolutions recorded in full in Minute Book 42-A, Documents #*

(10) INTEREST INCOME – SHERIFF’S OFFICE

Recognize and appropriate interest earned of approximately $939.00 from the 2001 Local Law Enforcement Block Grant.

*Note: The 2001 Local Law Enforcement Block Grant provided for additional equipment for law enforcement functions for the Mecklenburg County Sheriff’s Office. The interest revenue will fund additional equipment for the field units and the detention facilities.*

(11) AMEND SCHOOL CAPITAL PROJECT ORDINANCES

Amend the following Capital Project Ordinances:

- School Facilities Approved in November 4, 1997 Referendum Capital Project Ordinance,
- School Facilities Approved in November 7, 2000 Referendum Capital Project Ordinance and
- School Facilities Approved in November 5, 2002 Referendum Capital Project Ordinance.

*Ordinances recorded in full in Minute Book 42-A, Documents #*

(12) NEW COURTHOUSE PROJECT

A) Amend Court Facilities Approved in November 2, 1999 Referendum Capital Project
Ordinance.

B) Award construction contracts for the following bid packages to the contractors shown and in the amounts indicated:

<table>
<thead>
<tr>
<th>Bid Package</th>
<th>Contractor</th>
<th>Amount</th>
<th>%MBE</th>
<th>%WBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Masonry</td>
<td>Pyramid Masonry Contractors, Inc</td>
<td>4,319,200</td>
<td>10</td>
<td>7.4</td>
</tr>
<tr>
<td>Aluminum Windows</td>
<td>Juba Aluminum Products Company, Inc.</td>
<td>5,346,455</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>Drywall</td>
<td>Cleveland Construction, Inc.</td>
<td>11,987,000</td>
<td>9.0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>21,652,655</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Ordinance recorded in full in Minute Book 42-A, Document #*

(14) **AREA MENTAL HEALTH AUTHORITY FIRST QUARTER FY 2004 REPORT**

Receive as information the First Quarter FY 2004 Area Mental Health Authority Report with the Financial Management portion being included in the minutes as required.

**III. Financial Management:**

**Revenues**

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budgeted Revenue</th>
<th>Actual Revenue</th>
<th>% Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid</td>
<td>19,685,899</td>
<td>4,789,952</td>
<td>24%</td>
</tr>
<tr>
<td>Medicaid - CAP</td>
<td>2,947,524</td>
<td>330,803</td>
<td>11%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>18,036,784</td>
<td>37,809</td>
<td>0%</td>
</tr>
<tr>
<td>State – CTSP</td>
<td>2,699,013</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>State - MR/MI</td>
<td>2,206,445</td>
<td></td>
<td>0%</td>
</tr>
<tr>
<td>Third Party/Other</td>
<td>513,183</td>
<td>49,425</td>
<td>10%</td>
</tr>
<tr>
<td>Grants</td>
<td>3,463,838</td>
<td>481,165</td>
<td>14%</td>
</tr>
<tr>
<td>County</td>
<td>35,822,451</td>
<td>6,696,121</td>
<td>19%</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>85,375,337</strong></td>
<td><strong>12,385,275</strong></td>
<td><strong>15%</strong></td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budgeted Expenditures</th>
<th>Actual Expenditures</th>
<th>% Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children's Developmental Services</td>
<td>5,814,759</td>
<td>922,783</td>
<td>16%</td>
</tr>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>19,767,567</td>
<td>1,859,558</td>
<td>9%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>10,523,015</td>
<td>1,553,075</td>
<td>15%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>10,649,350</td>
<td>1,943,488</td>
<td>18%</td>
</tr>
<tr>
<td>Centralized Services</td>
<td>4,419,671</td>
<td>767,638</td>
<td>17%</td>
</tr>
<tr>
<td>BHC Randolph</td>
<td>10,954,212</td>
<td>2,038,327</td>
<td>19%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>16,489,276</td>
<td>2,405,009</td>
<td>15%</td>
</tr>
<tr>
<td>Administration Services</td>
<td>6,757,487</td>
<td>895,378</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>85,375,337</strong></td>
<td><strong>12,385,275</strong></td>
<td><strong>15%</strong></td>
</tr>
</tbody>
</table>

State Revenues are not reflected on this report. AMH has been paid 1,387,012 through September 30, 2003 for Federal, State, CTSP and MR/MI. The funds are being held in an account by County Finance awaiting data to distribute the funds to the appropriate budget organizations and revenue accounts. Due to HIPAA regulations, the format we receive electronic payment data from the Department of Health and Human Services has changed and AMH programmers have almost completed this conversion.

*A copy of the report is on file with the Clerk to the Board.*

(15) **MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE – AMEND – SECOND READING**
Adopt the Mecklenburg County Solid Waste Fee Ordinance as amended. (Second Reading)

Note: Integral to Mecklenburg County achieving its waste reduction goals as set forth in the Solid Waste Management Plan – 2003 Update is the recycling of yard waste received at several collection points. This yard waste is ground at these locations and processed into a number of mulch and compost products. A number of these products are blended and bagged under the County’s contract with New Solutions Inc. These products are distributed to various retail outlets and are also sold at County sites according to the approved Solid Waste Fee Ordinance. Revenues received from these sales help to offset the cost of yard waste operations. This amendment sets prices for several new-bagged products to be offered for sale and correct certain redundancies in sale prices from the previous amendment to the Solid Waste Fee Ordinance.

Ordinance recorded in full in Minute Book 42-A, Document #

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13) GRANT AGREEMENT WITH THE NC CLEAN WATER MANAGEMENT TRUST FUND

Motion was made by Commissioner Samuelson, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) Recognize, receive and appropriate $1.2 million in grant funds with the North Carolina Clean Water Management Trust Fund for the Little Sugar Creek Environmental Restoration Initiative, Phase 4, Belmont Branch Stream and Wetland Restoration project. 2) Authorize the County Manager to execute that contract. 3) Recognize, receive and appropriate up to a maximum of $325,000 from the City of Charlotte and authorize the County Manager to execute a funding agreement.

Commissioner Samuelson removed this item from consent for more public awareness.

(16) NEW SOURCE REVIEW RESOLUTION

On October 8, 2003 Nancy Bryant and Mark Boggs appeared before the Board representing the Carolinas Clean Air Coalition and the Central Piedmont Sierra Group. They asked the Board to consider adopting a Resolution to N. C. Attorney General Roy Cooper urging him to file a petition for review against the EPA’s “Routine Maintenance” Rule Change in the New Source Review provision of the Clean Air Act and urging the entire N. C. congressional delegation to co-sponsor legislation in Congress to repeal the EPA’s “Routine Maintenance” ruling.

Background: On August 27, 2003, the USEPA signed its final new rule that changes the definition of "routine maintenance" for power plants in determining the continuation of their grandfathered status under the Clean Air Act's New Source Review provisions. These industries can now replace up to 20% of each facility every year without having to install modern emission control systems.

It was the consensus of the Board on October 8, 2003 that this matter be referred to the Board’s Natural Resources Committee for review and a report back to the Board at its October 21, 2003 meeting.

Commissioner Samuelson, Chair of the Board’s Natural Resources Committee reported on behalf of the Committee and made the following motion:

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to send the matter of the EPA’s “Routine Maintenance” Rule Change in the New Source Review to the Air Quality Commission for a
response back to the Board on the following question: Is it reasonably likely that the adoption of the New Source Review Change regarding Routine Maintenance will adversely impact air quality in Mecklenburg County, and if so, how and to what degree?

(17) PLANNING COMMISSION INTERLOCAL AGREEMENT

Chairman Cox discussed endorsing changes to the City-County Planning Commission Interlocal Cooperation Agreement as outlined in the attached document entitled: Outline Of Proposed Amendments To Planning Commission Interlocal Cooperation Agreement.

He noted the following:

In the current agreement the County participates in the hiring of a new planning director but not expressly in the Planning Department once process is completed. The proposed amendments would change the relationship from one of participating in the hiring to one of participating in an expressed way in the work of any land use ordinances, such as zoning and subdivision regulations that would affect the County’s interest. There should be a period of time after the final submission of a plan for input from the Board of County Commissioners and the Board of Education on the final drafts of the plan created by the City’s Planning Department.

Chairman Cox asked the Board to consider the proposed amendments. He stated that no action was needed at this and that the matter would come back before the Board.

It was the consensus of the Board that staff work with City staff on clarifying and addressing the concerns expressed by the Board. Also, that staff ask for a presentation from the City on the General Development Policies.

The concerns noted were:

- Clarification is needed on the statement in the proposed outline that states: “Similarly, the Board of County Commissioners and the School Board shall use the same process for soliciting input from the City Council on issues relating to the location of new school and park sites.”

- Clarification is needed on the statement in Attachment A, 7th bullet that states: “The City Manager will present the characteristics of the finalists to the Mayor and City Council in closed session.” The question was whether it should be that they will present a list of the finalists and not a list of characteristics.

- Will there be joint focus groups or separate focus groups?

- Wording in the third paragraph of the outline concerning the Interlocal Cooperation Agreement being revised to create a formal procedure for obtaining Mecklenburg County’s input, that it should also include input from the Charlotte-Mecklenburg Board of Education.

- It was noted also that to the extent possible the County should have similar types of agreements with the Towns.

- It was suggested City staff be reminded that the County Commission has no input on where schools will be located only the price paid for the land.

- Clarification is needed on what is meant by the statement in the outline “shall give consideration to.” (It was noted that this was a comprise from the original proposal, which stated that City Council “would not be required to make any changes that might be suggested by the Board of County Commissioners and the Board of Education.”)

- Clarification on school and park sites.
Does the new agreement address appointments to the Planning Commission?

What broad goals do the General Development Policies want to achieve?

If implemented as conceptualized, what affects would the General Development Policies have on public sector revenues and infrastructure costs, for example, will it increase or decrease?

What public sector incentives and investments are required to achieve the General Development Policy goals?

**ADJOURNMENT**

Motion was made by Commissioner Helms, seconded by Commissioner Clarke, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:20 p.m.

____________________

Janice S. Paige, Clerk

____________________

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session at Mecklenburg County Jail Central in the Anthony Stancil Conference Center Room on Tuesday, October 28, 2003 at 2:30 p.m.

ATTENDANCE

Present:  Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent:  None

Commissioners Clarke, Helms, Puckett, and Woodard were absent when the meeting was called to order and until noted in the minutes.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

Deputy County Manager Russ Crider reviewed the Focus Area of Community Health and Safety Program Category of Jail and Detention Facility Operations, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).

The services addressed under Jail and Detention Facility Operations were the Gatling Juvenile Detention Facility and Detention and Rehabilitative Services.

Deputy County Manager Crider introduced Sheriff Jim Pendergraph to address the above referenced Program Category.

Commissioner Clarke entered the meeting during Sheriff Pendergraph’s presentation.

Commissioners Woodard, Puckett, and Helms entered the meeting during the question and answer (Q&A) portion of the Sheriff’s presentation.

General Manager John McGillicuddy reviewed the Focus Area Effective and Efficient Government Program Categories of E/Government/Technology Investments, IT Resource Management, and Land/Property and Records Management, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under E/Government/Technology Investments were Library Public Access Computer Systems and Infrastructure, IST Applications/Data, GIS Applications, CJIS, DSS Information Services, Human Resource Management System, and Sheriff’s Office Information Services Division.

The services addressed under IT Resource Management were Area Mental Health IT Applications Management & Help Desk and Technical Services; LUESA IT Resource Management, Library Computer and Web Support; IST Information Security Group, Data Center Operations, Internet Infrastructure Management, Radio Services, Telecommunication Services, Enterprise Network Services, and Enterprise Computer Help Desk; County Manager’s Office Information Systems
Management and Support; DSS Information Services-Business Resource Team; Park and Recreation
IST-Support; Sheriff’s Office Information Services Division; and General Services IT Support.

The services addressed under Land/Property and Records Management were Register of Deeds
LUESA Mapping, GIS, Land Records, Personal Property, and Real Estate Appraisal; DSS Records
Room Contract.

General Manager McGillicuddy introduced Carol Myers, Interim Library Director, Jerry Pinkard,
Director of IST, Peter Cook, Director of Court Services, Richard “Jake” Jacobsen, Director of Social
Services, Susan Hutchins, Director of Human Resources, Sheriff Jim Pendergraph, Judy Gibson,
Register of Deeds, and Cary Saul, Director of LUESA to address the above referenced Program
Categories respectively.

Each presenter addressed services provided and entertained questions from the Board.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights
of the discussion. It is not inclusive of every comment and/or question asked but reflects key points
and requested follow-up.

COMMUNITY HEALTH AND SAFETY

Jail and Detention Facility Operations

- It was noted that the U.S. Marshall’s rate was expected to increase from $91.66 to $109.07
  per day, which would result in an increase in revenue of around $545,000.

- The two main issues of concern noted in the area of Jail and Detention Facility Operations
  were pay/benefits and lack of sufficient staffing to allow for adequate rotation of officers.

- The turnover rate for Detention Officers is 11.6 percent.

- The jail population continues to rise and at a rate increase of at least 10% annually.

- The Sheriff’s Office will continue to advocate for a felony court set. It was noted that the
  Pre-trial Release court set has had minimal impact on the jail population.

Commissioner Samuelson asked why would the Sheriff’s Office ask for more staff when it is
experiencing difficulty in filling positions already authorized?

Response: The department is currently working on filling vacant positions and on new and better
ways of recruitment. It was noted that the hiring process takes time and is difficult because often
those that apply end up getting eliminated for various reasons.

Commissioner Samuelson asked since it was stated that the misdemeanor court set has had minimal
impact on the jail population that rather than creating another one, would it not be more logical to
get rid of it and move it somewhere else where it can be more effective?

Response: It was noted that with the adoption of the budget the Board approved changing the
misdemeanor court set to a felony court set and that staff would follow up to see why this has not yet
occurred.

Chairman Cox expressed concern for the continued increase in the jail population. He stated that he
would like to see an effective strategy to decrease the jail population.

Response: Sheriff Pendergraph stated that his philosophy as it relates to the jail population was not
in conflict with the philosophy of Court Services. He noted that there were a lot of factors
concerning the jail population that his Office has no control over because of State mandates. He
noted that he was supportive of any efforts aimed at reducing the jail population.

Commissioner James said that he would like to see an analysis done on what it would cost to fully fund and prosecute the felony cases that are backlogged. Also, what it would specifically cost the various units of the justice system. He stated that all felonies should be addressed in a timely manner.

Commissioner Clarke suggested that perhaps increasing the amount of funds allocated towards substance abuse prevention and treatment would serve as a strategy for reducing the jail population.

Response: It was noted that substance abuse was a contributor to the jail population and that there were programs within the jail system to address the problem of substance abuse. It was noted further that one of the problems is that there is no system of tracking persons that have participated in the substance abuse program once they are released from jail in order to refer them to follow up programs.

Commissioner Clarke asked what was the rate of incarceration per capita?

Staff will get a response to this question.

Commissioner Samuelson asked who would be the appropriate person to take the lead on conducting a study of the justice system needs, including the Sheriff’s Office and Court Services? Also, what would be the impact on these needs if additional resources were available?

Response: County Manager Jones stated that he would be the one to initiate such a study if that’s the Board’s desire.

General Manager McGillicuddy noted that the Board would also need to look beyond just that one component as it relates to the jail. He said the Board would need to look at all factors that influence the jail population, as well as, what factors the County has some control over. Further, that in order for the Board to make an informed decision on what to invest in, it would need to know all of its options over the things the Board has control over in terms of the jail population.

Commissioner Samuelson suggested that in conducting such a study the Board and/or staff should also think “out of the box” and even recommend things that the County may not have control over currently but could seek such authority.

Commissioner Woodard asked what was the percentage of felonies that take a plea to misdemeanors in order to be released?

Staff will get a response to this question.

Commissioner Woodard asked the Sheriff if he encouraged Work Release?

Response: Yes and that Work Release is probably one of the most successful programs when it comes to dealing with repeat offenders.

Commissioner Clarke asked what percentage of the jail population was the result of solely drug possession?

Staff will get a response to this question.

- Sheriff Pendergraph noted that one long-term strategy for reducing the jail population would be to begin prevention efforts early on in the lives of children, especially those that are exposed to behaviors that often result in persons being incarcerated.

- Sheriff Pendergraph noted also that there have been discussions with State officials regarding the State possibly taking over Gatling. He stated that there was interest on the part of the State, especially since the State is short on beds for juveniles.
E/Government/Technology Investments

Commissioner James asked about the status of the Time Warner Cable contract as it relates to the dark fiber locations network.

Response: Discussions with Time Warner Cable have gone well. Staff and Time Warner are currently working on coming up with a design that would be agreeable to all parties.

Commissioner Ramirez asked if the County had any input in Time Warner rates?

Staff will get a response to this question.

Commissioner James asked that staff get with the appropriate City staff regarding upfitting the electronic components of the Meeting Chamber, so that agendas can be viewed electronically at the dais and the projection screen for those in the audience. Commissioner James stated that this would reduce the amount paper that goes to the Board.

Chairman Cox noted staff’s work with the City of Charlotte as it relates to the 311 Call Center and GIS. Chairman Cox asked that staff, likewise work with all municipalities within the County on these same types of matters, as a part of the County’s strategy for delivering services to the entire County.

Commissioner Clarke was away from the meeting during the presentation made by Director of Court Services Cook. He returned during the presentation made by Director of Social Services Jacobsen.

Court Services CJIS

Chairman Cox asked staff to provide an analysis of cost avoidance on the following matters, which were listed on page 10 of the handouts:

- The integrated Social Services Information (ISSI) application for DSS will show a return of $2.87 for every $1.00 invested with a payback period of 2.8 years. (He noted, however, that this analysis be sent to other Board Members but not to him to avoid a conflict of interest.)
- The Criminal Justice Information System (CJIS) application for Court Services will achieve cost avoidance of $16 million over 2 years.
- Human Resource Management System will show a cost avoidance of $4,714,465 over 3 years.

Chairman Cox noted that he was particularly interested in the hardness of the benefit, whether it is imagined growth and costs or real hard costs, or “labor out the door” type of costs.

Commissioner Clarke was away from the meeting during the presentation made by Director of Social Services Jacobsen. He returned after the conclusion of the presentation.

Human Resource Management System

- It was noted that staff is working with the Library on integrating their payroll system into the County’s and that hopefully this would occur in the first quarter of 04.

Chairman Cox asked for a breakdown of the commodities figure listed for Human Resource Management System on page 23 of the handouts. He wants to know if it includes license fees, ongoing support or both.

IT Resource Management

- It was noted that staff was in the beginning stages of re-organizing the way in which IT is managed in order to have a centralized approached with shared services.

Commissioner Samuelson asked about old PC’s. The response was that they’re sent to Torrence
Lytle and eventually auctioned off.

**Commissioner Ramirez** asked about the number of PC’s needing to be replaced. The response: 1,612.

Commissioner Ramirez also asked if the County buy’s or leases PC’s. The response was buy rather than lease.

**Land/Property and Records Management**

**Register of Deeds**

**Commissioner Samuelson** asked if the integrity of documents in the Register of Deeds office were in jeopardy? The response was yes because over the years the intent for preservation was declined. It was noted that there were a lot of aging records dating back to 1763 and that some preservation has occurred but not nearly enough, thus funding is needed for the preservation of records.

Commissioner Samuelson asked about the lack of security at the Register of Deeds office. The response was a lack of funding to provide the level of service desired.

**Chairman Cox** noted that it would be interesting know the level of service the County was required to provide by statute and the cost of providing additional services compared to the allocation of revenues received. Also, whether integration with the other information databases that the Register of Deeds provides information to might be supported by the fees received.

Chairman Cox also raised the question of whether it was time to do an assessment of where the County was on the process of the various land transactions, including Data Warehouse availability. Also, the cost of providing information services to people that make money off of those services, as well as, an analysis of opportunities for efficiency through the integration of the Register of Deeds office and land records.

**Land Use and Environmental Services**

**Commissioner James** asked about vehicle assessment and how values were assessed. He asked was there a way to get an analysis of how the mass appraisal system works? He also asked if it was possible to get legislation so that the value was based on when the vehicle was purchased or its registration date?

This concluded the discussion.

*As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

*A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.*

There being no further business to come before the Board the meeting was declared adjourned at 5:45 p.m.

Janice S. Paige, Clerk  
Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Wednesday, November 5, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, and Ruth Samuelson County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioner Valerie Woodard

The meeting was called to order at 5:20 p.m. The Board was late in getting started because of a previous meeting that did not end until 5:15 p.m.

-INFORMAL SESSION-

(1) STAFF BRIEFING - CAPITAL FINANCING UPDATE

County Manager Jones along with Deputy County Manager Russ Crider, and Finance Director Harry Weatherly addressed Capital Financing (General Obligation Bonds and Certificates of Participation).

They presented a recommendation on the proposed bond and COPs sales amounts and timing, beginning with the January 2004 sales. The Board also received an update of the debt policy and recommendations from Public Resources Advisory Group (PRAG) as to the effect of the proposed January bond and COP's sales on those recommendations. This was in response to the Board’s September 3, 2002 directive to staff per the following motion:

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) receive updated Capital and Investment Fund model (CIF) as information. 2) Advise the County Manager to report to the Board of County Commissioners its recommendations for capital spending for non-CMS projects over the three fiscal years following 2003-2004 -- based on the assumption that the total funds available for non-CMS capital investments would be $100 million fiscal 2003-2004 and $50-60 million in each of the following two fiscal years. 3) Advise the Board of County Commissioners representatives to the School Liaison Committee to express its willingness to receive information about the CMS capital needs in a mutually agreeable time and format.
A schedule (Attachment A), was provided which showed the purposes and the proposed amounts for the January 2004 bonds and COPS. The Bond sale amount is $205 million and the COPS amount is $18 million based on previous Board action. Staff is proceeding with all the steps necessary to effect this sale. The COPS amount includes the Board of Education request.

Also included on this schedule is an estimated amount for both a January 2005, and January 2006 bond and COPS sale. The COPS amount reflected in the sale of 2005 includes an amount for CPCC as presented at the last Board of County Commissioners meeting. These amounts are based on preliminary estimates provided by County departments and agencies and will be reviewed and updated prior to each sale. The schedule includes only financing for projects already approved by the Board.

These bonds provide continuation funding for projects already underway or planned with previously approved General Obligation Bonds.

The projects to be funded with COPS that have been previously approved by the Board of County Commissioners: The Children’s Learning Center (library) and courthouse projects have begun and the funding from COPS will allow completion of the projects.

Based on the current construction and acquisition schedule, if the Board chooses to impose a lower limit from what is projected to be spent on bond sales beginning in 2005, present projects would need to be stopped or delayed.

Based on dialogue with the various departments/agencies regarding what they see their needs being over the next three years, it’s felt that it would be early 07 before the County could look at a “strict” limit on its debt issuance, bond sales.

A number of commitments were made, one of which was to CMS last December (2002) that the County would commit between $152 million - $160 million to the school system this fiscal year.

The January 2004 bond sale including COPS proposes about $154 million for CMS.

There would be some hardship imposed on agencies that have begun work if the County were to stop construction or delay projects.

County Manager Jones stated that although he had presented staff’s suggestions that he would do whatever the Board instructed him to. Also, that if the Board had a firm number for 2005 – 06 that it wanted staff to reach then staff would work towards that.

It was noted that staff would need to come back to the Board no later than the 2nd meeting in December with the final COPS documents. Also, that the General Obligation Bond number can be changed but it needs be firmed up no later than mid December.

Commission Comments

Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Several Commissioners expressed their desire to see those projects that are underway continue.

Chairman Cox noted the following:

- He thought what the Board had requested of staff was to report back on the consequences of a $60 million sale beginning in 2005. County Manager Jones shared the directive/motion that was passed in regards to this.
- Personally, he was okay with the 04 bond sale with the exception of the $9 million for school facilities. He said he knew this amount was for the two high schools. He stated
further that the reason he was uncomfortable was because he felt the schools were saying, “we need what we need to spend.” He feels that this is a long-term strategy that will “get us in trouble.” “If we’re not in trouble now we will be in trouble if we continue down that path.” He feels CMS needs to give a better explanation of its needs then what has been given.

- He is concerned about $112 million for COPS without a vote of the public.
- He feels the Board should spend the next couple of weeks trying to see if the Board can build the high schools and defer some of the spending of authorized but unissued.
- He feels the information given to the Board was based on the “need” premise of “if I can spend it, I need it.”
- The Board of Education needs to provide the BOCC more information regarding its needs that is rationale and sustainable.

Commissioners Puckett and James noted also that they would like CMS to provide information regarding what their plan is, the dollar amount and the rationale of it.

Commissioner James noted that he felt CMS needed to reprioritize.

Commissioner James suggested that staff go back and take 05 and 06 and try to reprioritize the non-CMS items within the range of $50-$60 million.

Commissioner Helms noted the following:

- Staff may have to redefine some its priorities in order to determine what the consequences are.
- He feels that staff’s recommendation is within all of the parameters of the PRAG recommendations. Also, that the numbers presented by staff are within the parameters that the rating agencies agree with.
- He noted that the rating agencies have said that it is important that the County keeps current on its infrastructure. Further, that the basic infrastructure need the County deals with is the public school system.
- He feels the information received from CMS and CPCC are based upon “genuine demonstrated needs.”

Following continued discussion of this matter, it was the consensus of the Board to direct the County Manager to report back to the Board on November 18, 2003 with the “consequence” issue defined for 2005 of defined limits, if the Board does not wish to move forward with staff’s recommendation as it was presented today, November 5, 2003; the County Manager is to give the Board his best approach for dealing with the spending limit on non-CMS items in the $50-$60 million range.

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent so that staff could be notified if it was necessary for them to remain at the meeting. The items identified were Items 9, 12, and 13.

(2) CLOSED SESSION LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the
following land acquisition matter to be discussed in Closed Session:

Tax Parcel 045-391-12 Perkins Road Property at Nevin Community Park

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to discuss Land Acquisition.

*The Board went into Closed Session at 6:25 p.m. and came back into Open Session at 6:35 p.m.*

-**FORMAL SESSION**-

*This portion of the meeting was called to order at 6:40 p.m.*

Invocation was given by Chairman Cox, which was followed by the Pledge of Allegiance to the Flag.

1) **PROCLAMATION HOMELESS AWARENESS MONTH**

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to adopt a joint proclamation designating November as Homeless Awareness Month in Charlotte and Mecklenburg County.

The proclamation was read by Commissioner Samuelson and accepted by Kristen Sikkelee, Vice Chairman of the Homeless Services Network and Executive Director of the YWCA Women in Transition Program, and Ann Dalton of the Health Department.

*A copy of the Proclamation is on file with the Clerk to the Board.*

2) **PUBLIC APPEARANCE**

No one appeared to speak during public appearance.

*Commissioner James left the dais and was away until noted in the minutes.*

3) **APPOINTMENTS**

**HOUSING AND DEVELOPMENT COMMITTEE**

The vote was taken on the following nominees for appointment to the Housing and Development Committee:

<table>
<thead>
<tr>
<th>Round One</th>
<th>Round Two</th>
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<tbody>
<tr>
<td>Sabrina Brown</td>
<td>None</td>
</tr>
<tr>
<td>Patricia Harris</td>
<td>None</td>
</tr>
<tr>
<td>Unithia McGruder</td>
<td>Commissioners Cox, Mitchell, Puckett, and Samuelson</td>
</tr>
<tr>
<td>Larry Ross</td>
<td>Clarke, Helms, and Ramirez</td>
</tr>
</tbody>
</table>

Sabrina Brown | None |
Chairman Cox announced that Unithia McGruder was appointed to the Housing and Development Committee for a three-year term expiring November 7, 2006.

*She replaced Donald Howard.*

**HUMAN SERVICES COUNCIL**

The vote was taken on the following nominees for appointment to the Human Services Council:

<table>
<thead>
<tr>
<th>Evelyn Berger</th>
<th>None</th>
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</thead>
<tbody>
<tr>
<td>Caroline Elliott</td>
<td>Commissioners Clarke, Cox, Helms, Puckett, Ramirez, and Samuelson</td>
</tr>
</tbody>
</table>

Voting Ceased

Chairman Cox announced that Caroline Elliot was appointed to the Human Services Council as a general public representative on the Social Services Committee.

*She replaced Thad Brown.*

**MOUNTAIN ISLAND LAKE MARINE COMMISSION**

The vote was taken on the following nominees for appointment to the Mountain Island Lake Marine Commission:

**Round One**

<table>
<thead>
<tr>
<th>Daniel DuVall</th>
<th>Commissioners Helms, Mitchell and Puckett</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gregory Shelton</td>
<td>Commissioners Clarke, Cox, Ramirez, and Samuelson</td>
</tr>
</tbody>
</table>

**Round Two**

| Daniel DuVall | Commissioners Cox, Helms, Mitchell, Puckett, Ramirez, and Samuelson |

Voting Ceased

Chairman Cox announced that Daniel DuVall was appointed to the Mountain Island Lake Marine Commission for a three-year term expiring October 1, 2006.

*He replaced Scott McClure.*

**REGISTER OF DEEDS ADVISORY COMMITTEE**

The vote was taken on the following nominee for appointment to the Register of Deeds Advisory Committee:
Ralph R. McMillan    Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, and Samuelson

Chairman Cox announced that Ralph R. McMillan was appointed to the Register of Deeds Advisory Committee as an attorney representative for a three-year term expiring July 31, 2006.

He replaced David Whelpley.

(4A) PUBLIC HEARING COUNTY FLOODPLAIN REGULATIONS

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and carried 7-0 with Commissioners Clarke, Cox, Helms, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to open a public hearing to receive comments on proposed amendments to the Mecklenburg County Floodplain Regulations.

No one appeared to speak.

Motion was made by Commissioner Mitchell, seconded by Commissioner Ramirez and carried 6-1 with Commissioners Clarke, Cox, Helms, Mitchell, Ramirez, and Samuelson voting yes and Commissioner Puckett voting no, to close the public hearing on proposed amendments to the Mecklenburg County Floodplain Regulations and adopt changes to the Mecklenburg County Floodplain Regulations.

Note: The major changes include:

1. Prohibit solid and hazardous waste facilities from being located in the 100-year floodplain
2. Require Critical Facilities to be located outside of the 500-year floodplain
3. Require that new or substantially improved buildings on the Catawba River be elevated at least two feet above the 100-year flood elevation.
4. Recognize the latest revised floodplain maps as the official maps for Mecklenburg County
5. Delete the Interim Floodplain Policy, which was in force until all new maps were completed.

Mecklenburg County Floodplain Regulations only apply to an approximate one square mile of land area near the Town of Pineville, outside of any municipalities’ extra-territorial jurisdiction. The revision to the flood ordinance is required to ensure that flood insurance will be available in that one square mile area.

Regulations recorded in full in Minute Book 42-A, Document #

Commissioner James returned to the dais.

(4B) STREET LIGHTING ASSESSMENT PROJECT – STEWARTS CROSSING SUBDIVISION

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to acknowledge receipt of certification that a copy of the Preliminary Assessment Resolution and notice of the public hearing were mailed by first class mail to each property owner in the Stewarts Crossing Subdivision.

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to open a public hearing on Mecklenburg County’s participation with installing and operating street lighting on the streets in the Stewarts Crossing Subdivision.

Bob Binford of Real Estate Services addressed this matter.
The following persons spoke in opposition to the assessment and the need for street lights in the area: Troy Fullwood and Melanie Byrd. They indicated that they were not aware of the assessment at the time of their purchase. They also expressed opposition to the amount of the assessment and said that lights were not needed because crime was not a major issue for their community.

The following persons spoke in support of the assessment and the need for street lights in the area: Ellen Peer and Wendell Dixon. They indicated that residents were aware of the assessment and that there were many homeowners in support of the lights being installed. They indicated that crime was a concern for the community.

Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and failed 7-1 with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, and Ramirez voting no and Commissioner Samuelson voting yes, to defer taking action regarding the County’s participation with installing and operating street lighting on the streets in the Stewarts Crossing Subdivision until the November 18, 2003 meeting.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to close the public hearing on Mecklenburg County’s participation with installing and operating street lighting on the streets in the Stewarts Crossing Subdivision and adopt the Final Assessment Resolution on the street lighting assessment project; and appropriate $15,600 for the installation costs of these street light fixtures.

Resolution recorded in full in Minute Book 42-A, Document #

(4C) PUBLIC HEARING STREET NAME CHANGE – KEM WAY TO KEM ARBOR WAY

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to open public hearing to hear comments on the road name change of Kem Way to Kem Arbor Way.

The following person spoke in favor of the street name change: Dianne R. Brady.

No one appeared to speak in opposition.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to close the public hearing on the road name change of Kem Way to Kem Arbor Way; to waive the $300 fee for street name change; and approve the street name change of Kem Way to Kem Arbor Way.

(5) ADVISORY COMMITTEE REPORT AIR QUALITY COMMISSION – NEW SOURCE REVIEW

The Board received a response from Steve Weber, Chairman of the Air Quality Commission regarding changes to the New Source Review Provisions of the Clean Air Act, per the following question that was asked of the Air Quality Commission by the Board at its October 21, 2003 meeting:

Is it reasonably likely that the adoption of the new source review change regarding routine maintenance will adversely impact air quality in Mecklenburg County, and if so, how and to what degree?

Response:
The Air Quality Commission met on October 27, 2003 and decided that they couldn’t answer the question because available information regarding the new rule is inconclusive and conflicting. Also on October 27, EPA published their final rule and thereby began the sixty-day period for interested parties to respond to the ruling. North Carolina must act either by accepting the rule or implementing rules which are as stringent as EPA’s final rule. The AQC reemphasized the need to improve air quality in Mecklenburg County, as recommended by the BREATHE report, and believe Mecklenburg County’s efforts should be applied towards that end.

Chairman Cox thanked Mr. Webber for his report.

(6) MANAGER’S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to approve the following item(s) with the exception of Items 9, 12, and 13 to be voted upon separately:

(7) APPROVAL OF MINUTES


(8) TAX REFUNDS

Approve refunds to be made by the Finance Department as requested by the Tax Assessor in the amount of $ 68,471.66 to taxpayers, resulting from clerical errors, audits and other amendments.

A list of the taxpayers is on file with the Clerk to the Board.

(10) NEW GOVERNMENT DISTRICT PARKING DECK

Adopt Resolution Authorizing Parking License Agreement with Self Help Ventures Fund.

Note: The Parking License Agreement is necessary to get approval of Self Help Ventures Fund for abandonment of a portion of East Trade Street and changes to property lines necessary for the overall site design of the New Government District Parking Deck.

Resolution recorded in full in Minute Book 42-A, Document #

(11) FEDERAL GRANT AWARD – CRIMINAL JUSTICE INFORMATION SYSTEM (CJIS)

Recognize, receive and appropriate CJIS grant award from the Office of Justice Programs under the FY03 Bureau of Justice Assistance (BJA) Congressionally Mandated Awards in the amount of $173,863.

Note: The grant includes a match of $5,821, which has been previously budgeted in Capital Reserve for the project.

(14) APPLICATION - KEEP AMERICA BEAUTIFUL AFFILIATE – LUESA
Approve and endorse the submission of an Application for Certification of Mecklenburg County as an affiliate of Keep America Beautiful (KAB).

Note: Becoming an affiliate of KAB would enhance coordination of cleanup events and maximize litter prevention campaigns in the unincorporated areas of the County and the participating Towns in the County Solid Waste Management Plan, Cornelius, Davidson, Huntersville, Mint Hill and Pineville. The new County KAB affiliate would partner with the existing KAB affiliate, Keep Charlotte Beautiful, to represent the litter prevention interests of the entire Mecklenburg County Solid Waste Planning Area. Participation in KAB engages the County in the national efforts of the KAB program. It also provides guidance in applying the Litter Index, the measurement tool used in the Balanced Scorecard.

(15) 2003 MEMORANDUM OF UNDERSTANDING – MECKLENBURG – UNION METROPOLITAN PLANNING ORGANIZATION (MUMPO)

Approve MUMPO - Memorandum of Understanding September 2003 and authorize the Chairman of Board of County Commissioners to sign the document.

Note: Expansion of the Urban Boundary included additional area in the Urban Planning responsibility of the MUMPO. The City of Monroe and four towns have joined MUMPO requiring the Memorandum of Understanding (MOU) to be updated. The voting structure will change. Mecklenburg County will have two votes. Under the current MOU Mecklenburg has 3 votes.

Agreement recorded in full in Minute Book 42-A, Document #

(16) ABANDONMENT OF STATE MAINTAINED ROADS NEAR AIRPORT

Approve the abandonment of State Maintenance of SR 1359 (Freeman Drive), SR 1360 (Cathy Drive), SR 1361 (Hillcrest Drive), SR 1563 (Midwood Drive), and SR 1593 (Trexler Avenue).

(17) LAW ENFORCEMENT VEHICLE PURCHASES

Approve the establishment of a unit price contract with Vic Bailey Ford of Spartanburg, SC for standard and special option, turnkey law enforcement vehicles.

Note: The City/County Procurement Services Division has determined that a unit price contract for Sheriff vehicles should be in place so, that as funds become available and/or as wrecked vehicles are required to be replaced, they are obtained in an expedient manner without the necessity of an informal bid or otherwise exceeding a $100,000 threshold requiring a formal process. The contract will allow for model year and option cost adjustments as required. There is no specific quantity or total dollar value guaranteed. The contract will be for one year with options to renew for two one-year terms.

Vic Bailey Ford was the low bid at $23,901.00 per unit for Item A, the turnkey version. Harrelson Ford was the low bid at $19,810.00 for Item B, the standard version. However, Harrelson Ford did not comply with insurance requirements, therefore the next low bid of $19,941.00 submitted by Vic Bailey Ford was recommended.

(18) SUNSET HILLS PUBLIC GOLF COURSE SITE IMPROVEMENTS

1) Adopt a Resolution declaring intent to extend the Management Agreement for Sunset Hills Public Golf Course that would allow the construction of a new 9-Hole Learner’s Course and maintenance building to replace the current aging structure.
2) Approve extension options to allow the Course Operator time to recoup the associated costs, modify the current fee structure to include the Learner’s Course and allow for a $.25 per round surcharge to be contributed to Partners for Parks and dedicated to Junior Golf.

Resolution recorded in full in Minute Book 42-A, Document #

(19) LEASE AGREEMENT – TOWN OF HUNTERSVILLE – DAVID B. WAYMER CENTER

Approve revised Lease Agreement with the Town of Huntersville for the David B. Waymer Center.

The Town of Huntersville currently leases property known as the David B. Waymer Recreation Center and associated buildings (A, B, E, and F - refer to Attachment-Exhibit A) for the purposes of providing recreational, athletic, and leisure services, maintenance and operations, and general storage. The original lease included both buildings and adjacent parkland (David B. Waymer Park) but the park property component was removed from the original lease on January 20, 2003 via a new lease agreement due to requirements for a PARTF State Recreational Grant Application. Lastly, this revised lease agreement designates Buildings E and F as the only building components that the Town desires to lease. Buildings A and B are no longer needed.

Agreement recorded in full in Minute Book 42-A, Document #

(20) NAMING OF PARK FACILITY

Approve Berewick District Park as the name of the 195-acre park located on Dixie River Road.

(21) LAND PURCHASE - MANOR ROAD AT WESTFIELD ROAD

Approve purchase of Tax Parcel #175-178-03 at 3021 Manor Road from Kelly Terry for $105,000.

The subject parcel is a vacant corner lot within the floodplain of Little Sugar Creek and is contiguous to other properties acquired through the buy-out program managed by County Storm Water Services.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(9) MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to approve opening a public review and comment period beginning November 5, 2003 for the proposed revisions to the Mecklenburg County Air Pollution Control Ordinance (MCAPCO), and setting a public hearing on December 16, 2003 to receive public comments.

Note: This action initiates the process necessary to adopt revisions to MCAPCO in response to State and USEPA requirements and to increase fee revenue.

Commissioner Samuelson removed this item from consent for more public awareness.
(12) **SURPLUS PROPERTY AUCTION**

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to declare the list (Exhibit A) as surplus, and adopt a Resolution Authorizing Sale of Personal Property by Public Auction.

Auction Date & Time: Wednesday, November 19, 2003 10:00 a.m.
Auction Location: 15401 Holbrooks Road Huntersville, N.C.

*Chairman Cox removed this item from consent for more public awareness.*

*Resolution and Exhibit A recorded in full in Minute Book 42-A, Document #*

(13) **CDC REACH 2010 FUNDING**

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to recognize, receive and appropriate $359,260 from Carolinas HealthCare System for the fourth year funding of the CDC REACH 2010 grant.

*Note: Year four funding of the CDC REACH 2010, Lay Health Advisor Program, is effective October 1, 2003 through September 30, 2004. Through community advisors, this program provides education to reduce the risk factors associated with diabetes and hypertension in the Northwest corridor of Mecklenburg County.*

*Commissioner Mitchell removed this item from consent for more public awareness.*

(22) **RESOLUTION - INTEREST RATE SWAP**

Commissioner James introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE COUNTY TO ENTER INTO INTEREST RATE SWAP AGREEMENTS AND RELATED AGREEMENTS AND AUTHORIZING THE COUNTY TO FILE AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION FOR THE APPROVAL THEREOF

BE IT RESOLVED by the Board of Commissioners of the County.

Section 1. The Board of Commissioners has determined and does hereby find and declare as follows:

(a) The County has issued the following variable rate general obligation bonds: its $50,000,000 Variable Rate General Obligation Bonds, Series 2000E (the “2000E Bonds”) and its $40,000,000 Variable Rate General Obligation Bonds, Series 2003B (the “2003B Bonds” and together with the 2000E Bonds, the “Bonds”).

(b) The Board of Commissioners has determined that the County could achieve economic benefits from converting the Bonds to bear interest at a fixed rate for a period of approximately four years and entering into a swap agreement related to the Bonds for such period pursuant to which the County would pay a variable rate of interest to the swap counterparty and the swap counterparty would pay a fixed rate of interest to the County.

Section 2. Subject to the limitations set forth in this resolution, the Director of Finance of the County is hereby authorized to negotiate on behalf of the County an arrangement for one or more
swap agreements as described above and related agreements. The Director of Finance is hereby
authorized to execute and deliver the final agreements on behalf of the County.

Section 4. The Director of Finance is hereby authorized to file an application of the County
with the North Carolina Local Government Commission for approval of the County entering into
swap agreements and related agreements, and the North Carolina Local Government Commission is
hereby requested to approve the same. In connection with the Local Government Commission’s
consideration of such application, the Board makes the following findings and determinations:

(a) The annual audits of the County show the County to be in strict compliance
with debt management policies and that the budgetary and fiscal management
policies are in compliance with law.

(b) That entering into the swap agreements and related agreements is necessary
or expedient.

(c) No increases in taxes are expected to be necessary to enable the County to
make the payments expected to be required with respect to the swap agreements
or related agreements.

Section 5. The Director of Finance is authorized to hire a swap advisor for the County
relating to the swap agreements discussed herein. In consultation with such swap advisor, the
Director of Finance is authorized to determine the counterparty or counterparties.

Section 6. All officials and staff members of the County are each hereby authorized to
execute on behalf of the County the various certificates, proofs, instruments or other documents to
be executed in connection with the delivery of the swap agreements and related agreements. All
actions previously taken by the County and its representatives in connection therewith are hereby
ratified and approved.

Section 7. This resolution shall take effect upon its passage.

The foregoing resolution was adopted by the following vote:

AYES: Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson

NAYS: None

Commissioner James introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE COUNTY TO ENTER INTO INTEREST
RATE SWAP AGREEMENTS AND RELATED AGREEMENTS AND AUTHORIZING THE
COUNTY TO FILE AN APPLICATION WITH THE LOCAL
GOVERNMENT COMMISSION FOR THE APPROVAL THEREOF

BE IT RESOLVED by the Board of Commissioners of the County.

Section 1. The Board of Commissioners has determined and does hereby find and declare as
follows:

(a) The County has issued the following variable rate general obligation bonds: its
$50,000,000 Variable Rate General Obligation Bonds, Series 2000E (the “2000E
Bonds”) and its $40,000,000 Variable Rate General Obligation Bonds, Series
2003B (the “2003B Bonds” and together with the 2000E Bonds, the “Bonds”).

(b) The Board of Commissioners has determined that the County could achieve
economic benefits from converting the Bonds to bear interest at a fixed rate
for a period of approximately four years and entering into a swap agreement
related to the Bonds for such period pursuant to which the County would pay
a variable rate of interest to the swap counterparty and the swap counterparty would pay a fixed rate of interest to the County.

Section 2. Subject to the limitations set forth in this resolution, the Director of Finance of the County is hereby authorized to negotiate on behalf of the County an arrangement for one or more swap agreements as described above and related agreements. The Director of Finance is hereby authorized to execute and deliver the final agreements on behalf of the County.

Section 4. The Director of Finance is hereby authorized to file an application of the County with the North Carolina Local Government Commission for approval of the County entering into swap agreements and related agreements, and the North Carolina Local Government Commission is hereby requested to approve the same. In connection with the Local Government Commission’s consideration of such application, the Board makes the following findings and determinations:

(a) The annual audits of the County show the County to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law.

(b) That entering into the swap agreements and related agreements is necessary or expedient.

(c) No increases in taxes are expected to be necessary to enable the County to make the payments expected to be required with respect to the swap agreements or related agreements.

Section 5. The Director of Finance is authorized to hire a swap advisor for the County relating to the swap agreements discussed herein. In consultation with such swap advisor, the Director of Finance is authorized to determine the counterparty or counterparties.

Section 6. All officials and staff members of the County are each hereby authorized to execute on behalf of the County the various certificates, proofs, instruments or other documents to be executed in connection with the delivery of the swap agreements and related agreements. All actions previously taken by the County and its representatives in connection therewith are hereby ratified and approved.

Section 7. This resolution shall take effect upon its passage.

The foregoing resolution was adopted by the following vote:

AYES: Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson

NAYS: None

* * *

Commissioner James introduced the following resolution, the title of which was read:

RESOLUTION AMENDING THE EXHIBITS RELATING TO THE COUNTY’S $50,000,000 VARIABLE RATE GENERAL OBLIGATION BONDS, SERIES 2000E AND THE COUNTY’S $40,000,000 VARIABLE RATE GENERAL OBLIGATION BONDS, SERIES 2003B AND AUTHORIZING THE CONVERSION OF SUCH BONDS TO A LONG-TERM INTEREST RATE FOR A PERIOD OF APPROXIMATELY FOUR YEARS AND RELATED DOCUMENTATION;

BE IT RESOLVED by the Board of Commissioners of the County.

Section 1. The Board of Commissioners has determined and does hereby find and declare as follows:
(a) The County has issued its $50,000,000 Variable Rate General Obligation Bonds, Series 2000E (the “2000E Bonds”) and its $40,000,000 Variable Rate General Obligation Bonds, Series 2003B (the “2003B Bonds” and together with the 2000E Bonds, the “Bonds”), which heretofore have borne interest at a weekly interest rate.

(b) The Board of Commissioners has determined that the County could achieve economic benefits from converting the Bonds to bear interest at a fixed rate for a period of approximately four years and entering into a swap agreement relating to the Bonds for such period pursuant to which the County would pay a variable rate of interest to the swap counterparty and the swap counterparty would pay a fixed rate of interest to the County.

(c) By amending Exhibit 1 to the resolution relating to the 2000E Bonds adopted on September 19, 2000 (the “2000E Resolution”) and Exhibit 1 to the resolution relating to the 2003B Bonds adopted on January 7, 2003 (the “2003B Resolution” and together with the 2000E Resolutions, the “Resolutions”) to (i) eliminate the requirement for liquidity support for the approximately four-year period during which the Bonds will bear interest at a fixed rate and (ii) make other appropriate changes consistent with the purposes expressed herein, the County would reduce significantly the liquidity and remarketing fees related to the Bonds.

Section 2. Exhibit 1 of the 2000E Resolution is amended as set forth in Exhibit 1 hereto, together with such changes consistent with the general tenor hereof and thereof as the County Manager and Director of Finance, with the advice of counsel, may deem appropriate, their execution of the closing certificates in connection with the conversion of the interest rate on the Bonds to evidence conclusively the authorization and approval thereof. Such amendments shall become effective upon the consent of the holders of the 2000E Bonds.

Section 3. Exhibit 1 of the 2003B Resolution is amended as set forth in Exhibit 2 hereto, together with such changes consistent with the general tenor hereof and thereof as the County Manager and Director of Finance, with the advice of counsel, may deem appropriate, their execution of the closing certificates in connection with the conversion of the interest rate on the Bonds to evidence conclusively the authorization and approval thereof. Such amendments shall become effective upon the consent of the holders of the 2003B Bonds.

Section 4. All officials and staff members of the County are each hereby authorized to execute on behalf of the County the various certificates, proofs, instruments or other documents, including the related offering and remarketing documents, to be executed in connection with the amendment of the Resolutions, the conversion of the interest rate on the Bonds, the remarketing of the Bonds at the converted interest rate and related agreements. All actions previously taken by the County and its representatives in connection therewith are hereby ratified and approved.

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

The foregoing resolution was adopted by the following vote:

AYES: Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson

NAYS: None

Resolutions and extract recorded in full in Minute Book 42-A, Documents #

(23) CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES AND CHARLOTTE-MECKLENBURG SCHOOLS FACILITIES CAPITAL FUNDING

No action was taken on this matter. It will be rescheduled for the November 18, 2003 meeting.
(24) RESOLUTION - RENAMING A PORTION OF HIGHWAY 29 IN HONOR OF DR. BONNIE CONE

Motion was made by Commissioner Puckett, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson, voting yes, to adopt a resolution entitled, Resolution to Request Naming a Portion of Highway 29 in Honor of Dr. Bonnie Ethel Cone.

Chairman Cox brought this matter before the Board.

Resolution recorded in full in Minute Book 42-A, Document #

(25) RESOLUTION SUPPORTING STATEWIDE INITIATIVE FOR ENHANCED AND IMPROVED PASSENGER RAIL SERVICE IN N.C.

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson, voting yes, to adopt resolution entitled: Resolution in Support of a Statewide Initiative for Legislative and Funding Support for Enhanced and Improved Passenger Rail Service for the State of North Carolina.

Resolution recorded in full in Minute Book 42-A, Document #

(26) PLANNING COMMISSION INTERLOCAL AGREEMENT

Motion was made by Commissioner James, seconded by Commissioner Samuelson, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to endorse changes to the City-County Planning Commission Interlocal Cooperation Agreement as outlined in the document entitled: Outline Of Proposed Amendments To Planning Commission Interlocal Cooperation Agreement.

Attorney Bethune addressed this matter in detail.

Agreement recorded in full in Minute Book 42-A, Document #

(2) CLOSED SESSION PERSONNEL MATTER

Motion was made by Commissioner James, seconded by Commissioner Samuelson, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, to go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 8:00 p.m. and came back into Open Session at 8:17 p.m.

Commissioner Helms noted upon the Board’s return from Closed Session that the Board had spent time, even aside from tonight’s Closed Session, reviewing the work of County Manager Harry L. Jones, Sr. He stated on behalf of the Board that the Board was impressed with the work performance of County Manager and with his plans for the coming year. The following motion was then made:

Motion was made by Commissioner Helms, seconded by Commissioner James, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, that the compensation package for County Manager Harry L. Jones, Sr. consist of the following:

- A base salary $168,000 per year
• $10,000 in deferred compensation
• A $12,000 bonus for the last fiscal year
• Continuation of his expense allowance in the amount of $8,400
• $1,500 in longevity pay

for a total compensation package in the amount of $199,900, effective July 1, 2003.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Mitchell, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Samuelson voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:20 p.m.

Janice S. Paige, Clerk  Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 5, 2003 1:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Wednesday, November 5, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr. Dan Ramirez and Ruth Samuelson County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioners Jim Puckett and Valerie Woodard

Commissioners Clarke and Samuelson were absent when the meeting was called to order and until noted in the minutes.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

General Manager John McGillicuddy reviewed the Focus Area Effective and Efficient Government Program Categories of Program/Asset Management and Maintenance, Financial Management/Fiscal Control, Affordable Housing Monitoring and Promotion, and Aging-in-Place Support Services, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under Program/Asset Management and Maintenance were General Services Building Management/Maintenance, Fleet Management and Maintenance, and Spirit Square.

The services addressed under Financial Management/Fiscal Control were Area Mental Health Utilization Management and Tax Collection and Customer Services Units.

The services addressed under Affordable Housing Monitoring and Promotion were Charlotte-Mecklenburg Housing Partnership and Social Services.

The services addressed under Aging-in-Place Support Services were Council on Aging and Social Services.

General Manager McGillicuddy introduced Leon Miller, Director of General Services, Judie Allen with Spirit Square, Grayce Crockett, Director of Area Mental Health, Neal Dixon, Director of Revenue Collections, Pat Garrett with Charlotte-Mecklenburg Housing Partnership, Richard Jacobsen, Director of Social Services, and Kate Satchwill with Council on Aging to address the above reference Program Categories.

Each presenter addressed services provided in their respective area and entertained questions from the Board.

Commissioner Clarke entered the meeting during General Manager McGillicuddy’s presentation.
Commissioner Samuelson entered the meeting during Director Miller’s presentation.

Commissioner Helms left the meeting during Director Miller’s presentation regarding vehicle maintenance and returned during Assistant to the County Manager Bright’s presentation.

Commissioner Clarke left the meeting during Director Miller’s presentation regarding vehicle maintenance and returned during Director Crockett’s presentation. He left again during the MWBE Program presentation and returned during the Council on Aging presentation.

Chairman Cox left the meeting during the presentation on the MWBE Program and was absent for the remainder of the meeting.

Vice-Chairman Ramirez presided for the remainder of the meeting.

General Manager Bobbie Shields reviewed the Focus Area Growth Management and Environment Program Categories of Real Estate Purchasing and Economic Development, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under Real Estate Purchasing were Real Estate Management Services.

The services addressed under Economic Development were Advantage Carolina, Charlotte Regional Partnership and the Office of Minority Affairs/MWBE.

General Manager Shields introduced Emmy Lou Burchette with Advantage Carolina, Kenney McDonald with Charlotte Regional Partnership and Deborah Bright, Assistant to the County Manager to address the above reference Program Categories.

Each presenter addressed services provided in their respective area and entertained questions from the Board.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Building Management/Maintenance

Commissioner Clarke said he hopes the County is maintaining equipment on a replacement schedule and not continuing to use equipment and/or systems until they stop functioning.

Commissioner Ramirez suggested General Services work with GIS staff on getting an automated tracking system of facilities and the management of those facilities.

Chairman Cox encouraged staff to develop a good strategy for addressing preventive maintenance and the replacement of equipment and systems.

Commissioner Helms suggested allocating five cents on the tax rate to a capital reserve account, which could be used for maintenance costs.

Vehicle Maintenance

Staff indicated that a strategy would be developed for vehicle maintenance.

Commissioner Samuelson suggested staff give thought to whether or not there was something that could be done with County equipment that would allow the County to begin to be more responsive when it comes to improving air quality. She suggested staff consider the use of hybrid vehicles to improve fuel efficiency and whose warranties are usually up to 100,000 miles.

Commissioner Samuelson asked staff to provide a response to the question of what would be the savings if vehicle warranties for repairs were covered up to 100,000 miles versus the current
Chairman Cox asked for the number of take-home vehicles.

Staff indicated that they would get this information to the Board.

Commissioner James inquired about the type of policy being used to determine what types of vehicles were needed.

Director Miller stated that they work with departments to determine their needs.

**Spirit Square**

Commissioner Samuelson asked for clarification regarding the rental subsidy, which was given.

Commissioner James asked Ms. Allen to comment on how she sees Spirit Square continuing to evolve over time. He noted that personally he doesn’t feel it fits into the County’s Mission and that the County should not be an owner of Spirit Square. He suggested that perhaps it should be owned by the Schools or Discovery Place or a combination of facilities.

Commissioner Samuelson asked Ms. Allen to comment on community partnerships including with local churches downtown and the Great Aunt Stella Center.

It was noted that conversations had taken place with the Great Aunt Stella Center, however, now that its ownership has changed, the status of any possible partnerships was unknown at this time.

Chairman Cox asked for information regarding where members or attendees of Spirit Square reside.

Commissioner Samuelson asked for information regarding the impact of the Children’s Learning Center once it’s built.

Ms. Allen stated that she would get this information to the Board.

**Area Mental Health Utilization Management**

Commissioner James requested information on the top 20 counties in N. C. and what Area Mental Health services they provide compared to the services provided by Mecklenburg County.

During her presentation Director Crockett noted that if services were cut, the Board would see these customers on the streets and an increase in the jail population. She noted that this was the most fragile part of the community.

**Tax Collection and Customer Services Units**

Commissioner Samuelson asked Director Dixon to comment on the credit card payment option for paying taxes. She noted that she has heard some complaints from constituents regarding the fee associated with paying on-line.

It was noted that when this payment option was set up it was done so with no cost to the County and that was a self-supporting system by having the convenience fees. The outside company providing the software, the security and the service rolls the credit card company fees into their costs for providing the service. It was noted further that the fee was based on a sliding scale based on the dollar amount paid. Director Dixon stated that the usage, although it has increased, has not reached the point where staff can justify a budget expense to cover the cost to operate it free. He said that staff was aware of the concern and that this was an E-Government customer service initiative that was being considered.

**Council on Aging**
Commissioner Samuelson asked how was it that the County ended up funding 68 percent of the Council on Aging’s budget and was anything being done to change that percentage?

Ms. Satchwill noted that one of the things the Council on Aging has done was to put in place a development committee to work on a development plan because they realize that dependency upon one funding source is not the best position to be in.

In response to the question regarding the percentage of County funding, Director Jacobsen noted that years ago the United Way reduced its funding to the Council on Aging and the County increased its funding.

Commissioner Samuelson requested copies of minutes of the Council on Aging’s Development Committee meetings. She noted that she was interested in knowing what types of strategies were being discussed regarding their funding sources in hopes of reducing their dependency on County funding.

Commissioner Helms noted that he does not have a problem with the 68 percent of County funding, but wants to know whether or not all efforts have been exhausted for possible grant funding from foundations that provide funding for advocacy groups and that perhaps this was something that should be pursued.

Ms. Satchwill noted that this was one of the things the Development Committee will be looking into. She noted also that the Council on Aging applied for a grant in partnership with the Charlotte Housing Partnership to offer senior advocate programs in their public housing.

Commissioner Samuelson asked Ms. Satchwill to at some point provide the Board with a response on how advocacy, “in and of itself” improves the quality of life or in some way does something for seniors so that the County doesn’t have to do something else. In other words, how does it help the County? Does it save the County money or avoids cost?

Commissioner Samuelson stated that she knows the connection is there but it needs to be made clear to the Board.

**DSS-Aging Support Services**

Commissioner James requested a breakdown of the number of congregate meals being delivered and served and where in the County is being done

This concluded the discussion.

*As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

*A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.*

There being no further business to come before the Board the meeting was declared adjourned at 5:15 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman

Vice-Chairman Ramirez
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 11, 2003 2:30 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session at Mecklenburg County Jail Central in the Anthony Stancil Conference Center Room on Tuesday, November 11, 2003 at 2:30 p.m.

ATTENDANCE

Present: Vice-Chairman Dan Ramirez, Commissioners
          Dumont Clarke, H. Parks Helms
          Norman A. Mitchell, Sr., Jim Puckett
          Ruth Samuelson and Valerie Woodard
          County Manager Harry L. Jones, Sr.
          Clerk to the Board Janice S. Paige

Absent: Chairman Tom Cox and Commissioner Bill James

Commissioners Helms, Samuelson, and Woodard were absent when the meeting was called to order and until noted in the minutes.

Vice-Chairman Ramirez, in the absence of Chairman Cox, instructed staff to proceed with the meeting although a quorum was not present. He noted that the meeting would be officially called to order upon the arrival of another Commissioner.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

Deputy County Manager Russ Crider reviewed the Focus Area of Community Health and Safety Program Category of Child Abuse/Neglect Prevention and Protection and Adult Abuse/Neglect Prevention and Protection, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under Child Abuse/Neglect Prevention and Protection were Youth and Family Services Adoption Assistance, Youth and Family Services Grants, Youth and Family Services Child Abuse/Neglect Prevention and Protection. The service addressed under Adult Abuse/Neglect Prevention and Protection was Adult Protective Services/Guardianship.

Deputy County Manager Crider introduced Richard “Jake” Jacobsen, Director of Social Services to address the above referenced Program Categories.

Commissioner Samuelson entered the meeting during Director Jacobsen’s presentation.

The meeting was then officially called to order.

Commissioner Woodard entered the meeting during Director Jacobsen’s presentation.

Matt Williams, Budget Director reviewed the Focus Area Social, Education and Economic Opportunity Program Category of Homelessness Services, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).

Commissioner Helms entered the meeting during Director Williams’ presentation.
The services addressed under Homelessness Services were The House of Grace, the Uptown Men’s Shelter, the Salvation Army, Charlotte Emergency Housing, Health Department Services, and Area Mental Health Services.

Director Williams introduced George Smith with The House of Grace, Bill Noonan with the Uptown Men’s Shelter, Major Ward Matthews with the Salvation Army, Karen Montaperto with Charlotte Emergency Housing, Peter Safir, Health Director and Paul Walker with Area Mental Health to address the above referenced services respectively.

Each presenter addressed services provided and entertained questions from the Board.

General Manager John McGillicuddy reviewed the Focus Area Growth Management and Environment Program Category of Historic Preservation, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s).

The services addressed under Historic Preservation were Charlotte-Mecklenburg Historic Landmarks, Historic Latta Plantation, Catawba Valley Scottish Society & Historic Rural Hill Farm, and Historic Landmarks Project Management.

General Manager McGillicuddy introduced Dan Morrill, Director of Historic Landmarks Commission and Duane Smith with Latta Place, Inc. to address the above referenced services respectively.

Presentations regarding the Catawba Valley Scottish Society & Historic Rural Hill Farm and Historic Landmarks Project Management were not required.

**Commissioner Clarke left the meeting during Mr. Smith’s presentation and was absent for the remainder of the meeting.**

**DISCUSSION HIGHLIGHTS**

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

**COMMUNITY HEALTH AND SAFETY**

Commissioner Clarke asked Director Jacobsen what impact would Area Mental Health’s transition to an LME have on DSS’s ability to coordinate with the providers of mental health services?

Director Jacobsen stated that he has had conversations with Director Crockett and State officials regarding this matter. He noted further that he, along with counterparts in all of the counties in N. C. have encouraged the State to make the Child Welfare children a priority.

Commissioner Clarke asked about the status of the mediation project that Judge Trosch had addressed in the past.

Director Jacobsen stated that a proposal was expected soon for his review. He stated that the project had value, and that although it does not work in every case, it does keep some cases out of the court system. He noted further that he expected the cost associated with the project to be a little over $100,000.

Commissioner Samuelson noted that on page 4 of the information on the Adult Protective Service/Guardianship Partnerships/Funds Leveraged, the Inc. in Love, Inc. should be in all Caps. She noted that the INC was not for incorporated, nor should there be a comma after Love.

Commissioner Samuelson noted further that Love INC had added another program that staff may want to inquire about, an Elderly Care program.
SOCIAL, EDUCATION AND ECONOMIC OPPORTUNITY

Homelessness Services

Commissioner Helms said he hoped the County would as it looks ahead find a way to address the gap in services for the homeless.

Commissioner Helms suggested to staff that it take a look at all of the agencies that provide services to the homeless population to see how they are interconnected, including services provided by the County.

Commissioner Mitchell requested a breakdown of the homeless population, particularly the number of two parent families and single parent families.

Major Matthews stated that the Salvation Army would like assistance with the Center of Hope, a family emergency shelter located on Spratt Street.

Commissioner Samuelson asked if there was a way or should there be a way to regionalize some of the services addressed by Major Matthews, since persons from other parts of the region come into Mecklenburg County for services.

Major Matthews noted that the Salvation Army was international in scope and that referrals could and were made from one Salvation Army system to another.

Major Matthews stated that there was probably no way to stop persons from other areas from coming to Mecklenburg County because folks perceive that there are greater opportunities in bigger cities.

He noted that Commissioner Samuelson’s question regarding regional services was an interesting one and one all providers of services to this population would perhaps be interested in discussing.

Uptown Men’s Shelter

Commissioner Mitchell asked if the City of Charlotte provided any funding to the Uptown Men’s Shelter? The response was no.

Commissioner Samuelson asked Mr. Noonan what was the Shelter’s return rate? Mr. Noonan stated that they were just beginning to track this type of information, however, his guess was that it was around 17%.

Commissioner Samuelson asked if the substance abuse services provided by the Shelter close enough to what the County was doing for it to become a contract agency? Staff’s response was that this would be a policy decision of the Board.

Commissioner Puckett suggested to Mr. Noonan that they consider utilizing one specific Temporary Agency to work with them in locating employment opportunities for day labor.

It was noted that problems were experienced in past with multiple day labor services coming on the premises.

House of Grace

Mr. Smith clarified that the House of Grace was not affiliated with any church. It is a non-profit organization and House of Grace stands for “House of a Second Chance.”

Commissioner Samuelson asked if it was possible for the House of Grace to apply to become a contract agency of Area Mental Health?

Director Crockett said that it might be possible as it relates to their 16-week outpatient treatment program, but that they would have to meet Medicaid criteria. It was noted that Area Mental Health
had recently negotiated a contract with the House of Grace for case management.

GROWTH MANAGEMENT AND ENVIRONMENT

Historic Landmarks Commission

Commissioner Samuelson asked for clarification regarding the Historic Landmark Commission’s (HLC) proposed request for $10 million of historic preservation bonds to be placed before voters in a bond referendum in November 04.

Mr. Morrill noted that the current amount in the Revolving Fund was $9 million, but that $4 million of the $9 million was tied up in one project, the Charlotte Cotton Mills.

Commissioner Samuelson asked why was the $10 million needed? Was it because things were revolving more slowly than anticipated or were there more properties that have been identified for the $10 million? Mr. Morrill stated that more properties have been identified.

He noted further that if the primary purpose of the revolving fund becomes to make money, than that would destroy the program. Also that the properties pursued by the Historic Landmarks Commission were the most difficult to do, otherwise the private sector would take care of them. He stated that it was very difficult for the HLC to generate enough profit from a revolving fund in order for the HLC to meet the on-going needs of the community.

Commissioner Samuelson noted as an example that if the HLC broke even on everything and rolled the $9 million over fast enough then in theory the additional $10 million would not be needed. She stated that her question was not regarding the profit issue but rather was the $10 million needed because the HLC was not rolling over the $9 million fast enough to be able to purchase the properties HLC is contemplating?

Mr. Morrill stated that it was because there were so many endangered historic landmarks in the community endangered by the pace and rapidness of development in the community. He noted examples of properties the HLC have identified, the Carolina Theatre and Grace AME Zion Church on South Brevard Street.

Commissioner Samuelson asked would more staff be needed as a result of these additional funds if they were approved? The response, which was given by Bryan Turner, Project Manager, was no.

Commissioner Clarke asked about HLC relationship with the Schools.

Mr. Morrill stated that they work closely with the Schools and have secured the Historic Landmark designation for several schools, for example the Morgan School in the Cherry community, the Park Hutchinson School on North Graham Street. Mr. Morrill stated that there were others in the process of being designated.

Commissioner Puckett asked when did the Revolving Fund start? The response 1991 at $1 million.

Mr. Morrill noted that the fund’s biggest lost was the result of the purchase of the Croft School House.

Commissioner Puckett noted his support for the additional $10 million in bond funds and noted that in lieu of that consideration may need to be given to factoring in some type of way to bring the revolving fund back up to its $9 million just on the assumption of some lost. He stated that he would like to see it kept at the $9 million, if the $19 million was not possible.

Commissioner Helms inquired about the Carolina Theatre.

Mr. Morrill stated that the Carolina Theatre was one of the properties provisionally identified. He stated that the HLC would not be in a position to undertake a major renovation of the building, however, the HLC would try to get the kind of adaptive reuse studies to look at it and try to promote
and advertise it. He stated that they would try to “flip it” as fast as they could and would put restrictive covenants in the deed to assure that it would be preserved in perpetuity.

Commissioner Helms stated that the felt that if the HLC weren’t able to do this then the Carolina Theatre would not be preserved.

This concluded the discussion.

As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 6:23 p.m.

Janice S. Paige, Clerk

Dan Ramirez, Vice-Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 18, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

The meeting was called to order at 5:20 p.m. The Board was late getting started because of a previous meeting that did not end until 5:15 p.m.

-INFORMAL SESSION-

(1A) STAFF BRIEFING - CAPITAL FINANCING UPDATE

It was the consensus of the Board to receive the Capital Financing Update during the Formal Session.

Per the above decision, the Board dined only and indicated those matters to be removed from consent.

(2) CLOSED SESSION - NONE

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from consent and voted upon separately. The items identified were Items 16 and 17.

-FORMAL SESSION-

Commissioner Helms was absent when the Formal Session was called to order and until noted in the minutes.

Invocation was given by County Manager Harry L. Jones, Sr., which was followed by the Pledge of Allegiance to the Flag.
(1A) CHARLOTTE POST SPORTSPERSON OF THE YEAR

The Board recognized Anthony James, Athletic Coordinator, Mecklenburg Park and Recreation Department.

*Commissioner Helms entered the meeting during this time.*

The Charlotte Post selected Anthony James as the 2003 Sportsman of the Year. Mr. James was one of eight Charlotte-Mecklenburg citizens recognized at the Charlotte Post Annual Charlotte Best celebration on September 26, 2003.

A video was shown highlighting Mr. James’ dedication and significant contributions to the youth of the county.

*Jerri Thompson of the Charlotte Post addressed and presented the award.*

(1B) CHARLOTTE VISITOR’S GOLD AWARD

The Board recognized Mary Margaret Trexler, president of TRIP Hospitality Resources who presented the Charlotte Visitor’s Gold Award to the Park and Recreation Department for Best Recreation Activity.

*TRIP Hospitality Resources, Greater Charlotte Visitors Resource and The Greater Charlotte Hospitality News recognized the 2003 Gold Award Winners during their Gala, September 4, 2003. Mecklenburg County Park and Recreation Department was recognized as winner of the Best Recreational Activity - Parks and Greenways.*

Visitors to the Charlotte area chose the winners through ballots distributed in issues of TRIP magazine and online at TRIP’s web site. Balloting took place March 1 through August 15, 2003.

Peggy Brown, Public Information Coordinator of Park and Recreation accepted the award on behalf of the Department.

(1C) MECKLENBURG EMS AGENCY MONTH

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating November 2003 as Mecklenburg EMS Agency Month.

*The proclamation was read by Commissioner Mitchell and accepted by Joe Penner, Director of Medic.*

*A copy of the proclamation is on file with the Clerk to the Board.*

(1D) AMERICAN INDIAN HERITAGE MONTH

Motion was made by Commissioner Ramirez, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to adopt a proclamation designating November 2003 as American Indian Heritage Month.

*The proclamation was read by Commissioner Ramirez and accepted by Ms. Patrick Clark and Ms. Leitha Strickland.*

*A copy of the proclamation is on file with the Clerk to the Board.*

(2) PUBLIC APPEARANCE
The following persons appeared to speak during the public appearance portion of the meeting:

Abigail Adams addressed a tax foreclosure incident that occurred in 1993.

Larry Bumgarner addressed the need for more police protection in the unincorporated area of the County.

(3) APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Janet S. Ernst and Richard Brazil to the Adult Care Home Community Advisory Committee for three-year terms expiring November 6, 2006.

ALCOHOLIC BEVERAGE CONTROL BOARD

The following persons were nominated for appointment to the Alcoholic Beverage Control Board:

Kelly Alexander    by Commissioner Mitchell
Zerrick Bynum    by Commissioner Samuelson
Charles Knox    by Commissioner Helms
Danielle Obiorah    by Commissioner Ramirez
Don Reid    by Commissioner Puckett
Elton Shoemaker    by Commissioner Puckett
Dick Yoder    by Commissioner James

Nominations were closed by unanimous consent.

An appointment will occur on December 2, 2003.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to appoint Bryan Bennight to the Building Development Commission as the National Association of Remodeling Industry’s representative for a three-year term expiring November 18, 2006.

COMMUNITY RELATIONS COMMITTEE

The following persons were nominated for appointment to the Charlotte-Mecklenburg Community Relations Committee:

Gretchen Easton    by Commissioner Cox
Pablo Fernando    by Commissioner Mitchell
Hal Markowitz    by Commissioner Samuelson
Connie Vetter    by Commissioner Clarke

Nominations were closed by unanimous consent.

Appointments will occur on December 2, 2003.

DOMESTIC VIOLENCE ADVISORY COMMITTEE
The following persons were nominated for appointment to the Domestic Violence Advisory Committee by Commissioner Woodard: Donna Dukes, William Lowry, Madeline Makarow, Angela Pittman, Jewel Sowell, and Marilyn Young.

Appointments will occur on December 2, 2003.

MINORITY AFFAIRS ADVISORY COMMITTEE

The following persons were nominated for appointment to the Minority Affairs Advisory Committee by Commissioner Samuelson: Terri Consuelo, Gina Dalma, Sadrita Davis-Hasty, Sabine Desamour, Sierra Hernandez, Antonio Lizano, Curtis Mason, William Medina, John L. Moore, III, Aaliyah Wilson, and Asabi Yakini.

Appointments will occur on December 2, 2003.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the request from Joanna Presson for a change in membership from Adult Care Home Advisory Committee to Nursing Home Community Advisory Committee for a one-year term expiring, November 18, 2004.

Motion was made by Commissioner Samuelson, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to re-appoint Sharon Lawson-Davis to Nursing Home Community Advisory Committee for a three-year term expiring, December 3, 2006.

WASTE MANAGEMENT ADVISORY BOARD

The following persons were nominated by Commissioner James for appointment to the Waste Management Advisory Board: Henry Allison, Thomas Atwood, and Debrah Carl.

Appointments will occur on December 2, 2003.

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint Elaine Powell to the Waste Management Advisory Board for a three-year term expiring September 6, 2006.

WOMEN'S COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to waive the Board’s attendance policy and reappoint Maxine Eaves and Kimberly Owen to the Women’s Commission for three-year terms expiring October 31, 2006.

The following persons were nominated for appointment to the Women’s Commission by Commissioner Clarke: Marcia Harrison, Lawanda Horton, Ruby Odom, Jewel Sowell, Velia Watson, and Judy Williams.

An appointment will occur on December 2, 2003.

(4) PUBLIC HEARINGS - NONE
(5) ADVISORY COMMITTEE REPORTS - MEDICAL CONTROL BOARD REPORT

The Board received as information the 2003 Mecklenburg EMS Agency’s Medical Control Board Report.

The report was given by Dr. Tom Blackwell, Medic Medical Director and Dr. Mike Bosse, Chairman of the Medical Control Board.

The report addressed accomplishments, the number and types of patients treated; information regarding overall system performance and recommendations on how to further improve the system in the future.

Chairman Cox thanked them for their report.

A copy of the report is on file with the Clerk to the Board.

(6) MANAGER’S REPORT

The Board received under the Manager’s Report a Law Enforcement Service District Update given by Police Chief Darryl Stephens.

Chief Stephens addressed the work of the Committee that is looking at law enforcement services in the future, in particular, the unincorporated areas of the County. It was noted that the Committee consist of all the police chiefs within the County, Town Managers, the City and County Manager.

Highlights:

- The Committee anticipates having a final report ready for presentation by the first of January 2004.
- The Committee has determined that the best long-range plan for policing the unincorporated area of the County is through the continuation of the existing Police Services Agreement with certain modifications.
- The Committee has identified several areas of concern with the current status of services, such as costs, difficult areas to serve in the County, and the funding of specialized police services.
- The Committee anticipates recommending to Charlotte City Council and Board of County Commissioners that a cap be placed on the County’s costs based on the current level of $12.5 million for the next four years. This would allow the County an average savings of $400,000 annually using the current formula.
- The other issue of concern and discussion has been around the question of how to serve the unincorporated areas of the Town Spheres of Influence? The Towns of Davidson and Mint Hill have expressed much concern regarding this.
- Consideration is going to be given to letting the Town of Davidson be responsible for policing the unincorporated areas of the town Spheres of Influence for Davidson and Mint Hill. The proposal is that in exchange for Davidson providing police services in these areas, the Charlotte-Mecklenburg Police would provide to Davidson dispatch service and automated record keeping service through their records management system.
- The issue of specialized police services has been resolved by the Towns. They prefer to handle those services themselves.
- There is not a lot of interest at this time in tackling the issue of policing the lakes.
- The Towns would like to make use of the City’s Crime Lab. This matter is being explored with the State, such that Charlotte-Mecklenburg Police could become a regional lab. It was noted, however, that so far the State has not shown an interest in pursuing this possibility.
- The Towns would also like to use the Charlotte-Mecklenburg Police bomb squad and
helicopter services when needed. These matters are being looked into.

Chairman Cox thanked Chief Stephens for his report.

Commissioner James asked Chief Stephens to address in the Committee’s final report, the issue of annexation on the part of the Towns and the City of Charlotte. He stated that what he was interested in was knowing at what point would the Towns and the City of Charlotte anticipate being completely annexed.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 16 and 17 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held November 5, 2003; Special Meeting held October 14, 2003; and Closed Session Minutes of November 5, 2003.

(8) INCREASE REVENUE/TEMPORARY POSITIONS – REGISTER OF DEEDS

Recognize and appropriate $250,000 to facilitate processing increased volume of work.

Note: In the first quarter of FY04 Register of Deeds experienced a 28.4% increase in documents recorded and processed over FY03 first quarter. This increase will produce $250,000 in additional revenue. In order to meet the additional services required as a result of the increase in documents recorded and processed, the following appropriations are requested: $145,000 for casual labor and $105,000 for overtime. This request addresses minimum customer service needs and allows minimum statutory compliance for document processing.

(9) OFFENDER MANAGEMENT SYSTEM GRANT - SHERIFF’S OFFICE

Recognize, receive and appropriate Offender Management System (OMS) grant awarded to the Sheriff’s Office in the amount of $74,512 from the U.S. Department of Justice, Office of Justice Programs.

(10) FEDERAL AND STATE REVENUE ADJUSTMENTS - DSS

Recognize, receive and appropriate $234,615 from the State for increases in funding to the Social Services Block Grant and Home and Community Care Block Grant.

(11) DESTRUCTION OF DOCUMENTS - LUESA

Approve the disposal of the following LUESA records in accordance with North Carolina records retention policies:
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(12) **2004 BOCC MEETING SCHEDULE**

Approve the 2004 Board of County Commission Meeting Schedule.

*A copy of the schedule is on file with the Clerk to the Board.*

(13) **VEHICLE PURCHASES - DSS**

Approve the purchase of three Ford Cutaway Buses with wheelchair lifts and a seating capacity of
Note: The NC Department of Transportation provides funding for the capital requirements of the Mecklenburg County Department of Social Services’ Mecklenburg Transportation System. The purchase will be made through National Bus Sales & Leasing, Inc. on State Contract #000891, at a unit cost of $51,194. Funds granted by the State require the utilization of a State contract to qualify for reimbursement. These funds allow for the replacement of older vehicles in the fleet and provide trips to adult day cares, sheltered workshops for the disabled, and transportation related to the Senior Nutrition program. The total cost of these vehicles is $153,582 with a County match of $15,358, which will be met by existing allocations in the DSS FY04 budget.

(14) NCDOT COMMUNITY TRANSPORTATION GRANT APPLICATION – SET PUBLIC HEARING

Authorize Clerk to the Board to publish notice of intent to hold a public hearing on December 2, 2003 at 6:30 p.m. to receive comments on the Mecklenburg County Department of Social Services’ application for the NC Department of Transportation’s Community Transportation Grant for Fiscal Year 2004-2005.

(15) LAND BONDS – CHALLENGE GRANT PROGRAM

Authorize the County Manager to execute an interlocal agreement with the Town of Cornelius committing up to $5,000,000 in accordance with the land bond challenge grant program.

(18) SUNSET HILLS PUBLIC GOLF COURSE – RESOLUTION

Adopt a Resolution entitled: Resolution Authorizing Second Amendment To Management Agreement For Provision Of Golf Course Operations At Sunset Hills Public Golf Course.

Note: The Course Operator, Ratcliffe Golf Services, has proposed to fund the new 9-Hole Learner’s Course and a new maintenance building and pay to the County the minimum monthly rent authorized by the existing Agreement. In return, they will retain funds that exceed the monthly minimum rent. This will allow them to recover the improvement costs of over $448,500.00, plus interest at 4%, over the life of the Agreement, which is to be extended by allowing the Course Operator two additional five (5) year options to extend. This method of funding is consistent with earlier arrangements with the Course Operator that allowed for construction of the new clubhouse. All improvements will become the property of the County. Ratcliffe Golf Services has been the sole Course Operator since this facility was initially privatized and these improvements to the course will allow them to better market this facility to youth and beginner golfers.

Resolution recorded in full in Minute Book 42-A, Document #8

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(16) LITTLE SUGAR CREEK ENVIRONMENTAL RESTORATION - PHASE 3 ENVIRONMENTAL RESTORATION AND GREENWAY TRAIL - MYERS PARK MANOR

Motion was made by Commissioner Samuelson, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to:

1) Authorize the County Manager to execute a Funding Agreement with the City of Charlotte for construction of environmental and storm water components of the project up to maximum of $725,000.
2) Recognize, receive and appropriate up to a maximum of $725,000 from the City of Charlotte for construction of environmental and storm water components of the project.

3) Authorize the County Manager to negotiate and execute a contract with the North Carolina Clean Water Management Trust Fund for a grant awarded to the County.

4) Recognize, receive and appropriate $400,000 in grant funds from the North Carolina Clean Water Management Trust Fund.

5) Authorize the transfer of the local match funds from the Storm Water Special Revenue Fund to the Grants Fund.

6) Adopt capital project ordinance.

Commissioner Samuelson removed this item from consent for more public awareness.

Ordinance recorded in full in Minute Book 42-A, Document #

(17) ENDERLY RECREATION CENTER

Motion was made by Commissioner Woodard, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to award a construction contract in the amount of $2,895,300.00 to D. H. Griffin Construction Co. LLC. for the construction of a new 24,000 sq. ft. recreation center on Tuckaseegee Road (Endery Recreation Center).

Commissioner Woodard removed this item from consent for more public awareness and to note that their would be minority participation as it relates to the contract award.

Chairman Cox passed the gavel at this time to Vice-Chairman Ramirez, who presided until the completion of items (1A and 19).

(19) & (1A) CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES AND CHARLOTTE-MECKLENBURG SCHOOLS FACILITIES CAPITAL FUNDING AND CAPITAL FINANCING UPDATE

County Manager Jones gave an update on Capital Financing.

Highlights of Manager’s report:

Decision 1.

If the Board wishes to hold the total bond sale for the 3-year period to $220 million then $20.2 million in bonds would need to be deferred or not sold altogether. I do not believe the BOCC would recommend a “stop work” order on any of the ongoing projects. Therefore, the Board would need to select $20.2 million in projects that have not yet begun.

Consequences: If the Board holds the sale of debt to the $220 million there will be no need to have a Referendum in the Fall of 2004 since we would be unable to sell any of the new voted debt until 2007.

Decision 2.

If the Board wishes to limit the sale of non-CMS bonds to $100 million in 2004 and $60 million in 2005 and 2006 the BOCC would need to authorize the sale of an additional $31 million in bonds in 2004, select the elimination of $20.2 million in the bond sale from the projects list (same consequences as above) and move the sale of bonds to equalize the 2005 and 2006 sale.

Consequences: If the Board holds the sale of debt to the these specific amounts there will be no need to have a Referendum in the Fall of 2004 since we would be unable to sell any of the new voted debt until
Consequences: Selling an additional $31 million in 2004 will result in paying interest on bonds sold but not yet needed. Potential of altering the Board decision to sell once a year in January and delay the 2005 sale for non-CMS projects until early Spring 2005.

Consequences: $20.2 million would need to be deleted from the list.

County Manager’s Recommendation:

It is the recommendation of the Administration that the County sell the $69 million in GO Bonds and Certificates of Participation in January 2004, as originally outlined. It is further recommended that the size of the 2005 sale be determined by a cash flow analysis conducted in the Fall of 2004 that will determine the cash needed in 2005 for projects already underway or authorized to begin with the sale in 2004.

A copy of the Manager’s report is on file with the Clerk to the Board.

Motion was made by Commissioner Cox, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the issuance of bonds in January 2004 of $205 Million general obligation bonds and $18 million in certificates of participation for purposes identified in Attachment A, under the column headed January 2004 Bond and COPs Sale of the Weatherly memo dated October 30, 2003. Of the $223 million in total issuance, Charlotte-Mecklenburg Schools would receive $154 million.

Prior to the above vote the following persons addressed Charlotte-Mecklenburg Schools funding and support of the Schools’ request: Norm Gundel, Terry Belk, Dwayne Collins, Jim Bensman, and German DeCastro.

Commissioner Clarke noted for the record that he hoped the Board of Education would take into consideration the comments made at the Elected Leaders Forum luncheon held today, November 18, 2003 by officials in the northern part of the County regarding a possible alternative site for the middle school that is in some of the funding that is covered in the above motion. He encouraged the Board of Education to discuss this matter with officials in the northern part of the County.

Motion was made by Commissioner Cox, seconded by Commissioner Helms and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to request that the Chairman and County Manager communicate in writing to the Board of Education that the Board of County Commissioners desires to jointly affirm a Capital and Operating Funding Framework for fiscal 2005 before February 29, 2004 and that the Board of County Commissioners invites the Board of Education to discuss and present its proposal at the Strategic Planning Conference in January.

Commissioner Samuelson suggested that the Board give consideration in the future to setting aside a certain amount of the County budget, by internal policy, to give to Charlotte-Mecklenburg Schools (CMS) and Central Piedmont Community College (CPCC) every year based on the amounts they are receiving now. Commissioner Samuelson stated that it would be her recommendation that CMS and CPCC receive “a tad above” what they are currently receiving.

Commissioner Samuelson noted that it would be the decision of CMS and CPCC each year to decide how those funds would be used; what portion would be used towards a mortgage and what portion towards operating. She stated that this would be based on decisions made by CMS and CPCC in terms of bond issuance. She stated that in other words, if CMS and CPCC ask the County to issue bonds of a certain amount then CMS and CPCC need to be prepared to pay the mortgage on those the next year out of the same pot of money.

Motion was made by Commissioner Cox, seconded by Commissioner James and failed 5-4 with Commissioners Clarke, Helms, Mitchell, Samuelson, and Woodard voting no and
Commissioners Cox, James, Puckett, and Ramirez voting yes, to request that the Chairman and County Manager communicate in writing to the Board of Education and to other affected boards and parties that the Board of County Commissioners does not now intend to offer a November 2004 bond referendum.

Chairman Cox resumed chairing the meeting.

ADJOURNMENT

Motion was made by Commissioner Ramirez, seconded by Commissioner James, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:21 P.M.

____________________  ______________________________  __________________________
Janice S. Paige, Clerk                                  Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center on Tuesday, November 18, 2003 at 12:00 Noon.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms
Norman A. Mitchell, Sr., Dan Ramirez
and Ruth Samuelson
County Manager Harry L. Jones, Sr.
Deputy County Manager Russ Crider
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James, Jim Puckett and Valerie Woodard

The Board met with members of Charlotte City Council, the Charlotte-Mecklenburg Board of Education and Town Officials for the Quarterly Mecklenburg Elected Leaders Forum.

The meeting was called to order by host, Mayor Kim Phillips, Town of Huntersville on behalf of the Towns and the Planning Liaison Committee.

(1) CORNELIUS EAST AND DAVIDSON CONCORD ROAD VISION PLAN

The major topic of discussion was the Cornelius East and Davidson Concord Road Vision Plan, which was a collaborative effort between the Towns of Cornelius and Huntersville.

Karen Floyd, Planning Director for the Town of Cornelius addressed the history, purpose, and development process of the Cornelius East and Davidson Concord Road Vision Plan. The Plan serves as a tool for future development.

It was noted that the Plan was approved by the Town of Huntersville and was scheduled for consideration by the Town of Cornelius in December.

A handout regarding the Vision Plan is on file with the Clerk to the Board.

Mayor Randy Kincaid of Davidson referenced the school site shown on the map of the Vision Plan. He noted that an alternate site was proposed for a middle school located across from Davidson Elementary School, which would have walkability and proximity to a transit stop. The site shown on the map is at the end of a dead end road with no connection to Davidson-Concord Road.

Mayor Kincaid encouraged those present to support efforts for the alternative site.

Charlotte Mayor Patrick McCrory commented on the importance of school locations and the need for walkability and proximity to transit.

School Board Member Lee Kindberg asked for clarification regarding the rail line from the southern part of the County to the northern part. She asked if it was true that students from the south line would not be able to ride straight through to the north line without getting off and transferring to another station. The response was yes it’s true.
School Board Member Kindberg stated that this would be an impediment to the scenario of students in the southern part of the County being able to attend a magnet school in the northern part of the County.

It was noted that such transfers from one station to another was not uncommon. It was also noted that the route from Pineville to UNCC would be a straight through trip.

(2) **NC 73 STUDY**

Bill Coxe, Transportation Planner for the Town of Huntersville and Dennis Rash, consultant addressed cooperative transportation efforts, particularly the NC 73 Study.

Mr. Coxe noted that the goal of transportation planning today was to link roadway decision-making with land use decision-making with the first of such efforts being the NC 73 Corridor Study.

The NC 73 Corridor Study is a study of the 35-mile stretch between Lincolnton and Concord. It was noted that Mr. Rash’s purpose in the study was to discuss how multiple jurisdictions and the economic sector within the NC 73 corridor were going to find a way to bind themselves to each other to share those resources along the corridor.

Mr. Rash addressed the process being used in conducting the Study. He noted that one thing the Study has already shown was the importance and power of multiple jurisdictional collaboration, which was being recognized now by State DOT. It was noted further that the Study was a work in progress.

Mr. Rash noted the following points for thought:

- There will also be a very high need to integrate light rail use along 115.
- Light Rail has distinct transit oriented development opportunities, which was being seen by developers.
- There are competing interests to get on the TIP, which NC 73 is not on yet.
- How many modes of development will be along the 73 corridor in the future?

David Hughes, Chairman of the Planning Commission thanked each presenter for his or her presentation.

(3) **GENERAL DISCUSSION**

The floor was then opened for general discussion.

**Mayor Kincaid** asked were the Study implemented would it be done through Interlocal Agreements? If so, what would be the probability of those agreements being obtained? What could be done if someone was found to be in violation of the Interlocal Agreement?

Mr. Rash stated that Memorandums of Understanding (MOU) from the municipalities would provide greater support for getting this project on the TIP. He said the nature of the MOU would be left up to the municipalities but that the more definitive the MOU was for a municipality the higher the likelihood of DOT saying it was a worthy process and agree to fund it.

**Mayor Phillips** noted that she would like to see more joint planning between Huntersville and the City of Charlotte.

**Mayor McCrory** noted that he would welcome the opportunity to do more joint planning with the Town of Huntersville. He also suggested that the City and other municipalities identify other roads like NC 73 now rather than waiting, so that adequate planning could take place along those corridors.

Mayor McCrory noted to the Planning Commission staff that perhaps this was something that should be done as part of the Sustainable Environment for Quality of Life (SEQL) project.
Mr. Rash noted that if a list were formulated there would have to be some prioritization.

City Council Persons John Tabor and Malcolm Graham both expressed support for joint planning and regional cooperation. They noted that this should occur in advance of any rezonings.

**Commissioner Ramirez left the meeting and was absent for the remainder of the meeting.**

Jack Simoneau, Planning Director for the Town of Huntersville expressed support and emphasized the importance of joint planning but also the need to revisit adopted plans when requests come forward that were in conflict with already adopted plans. He stated that when there is a conflict time should be allowed for revisiting the plan before taking action. He noted, as past examples rezonings that occurred along Beatties Ford Road and Prosperity Church Road.

Mr. Simoneau also addressed at the request of Mayor Kincaid action taken by the Town of Huntersville to table and subsequently deny the rezoning process behind the Target for a shopping center. He noted that the Town tabled the request on a couple of occasions to see if some type of short analysis could be done for that particular area. The result was that it was too short of a time and it did not involve the corridor as a whole. Staff had also recommended denial because of the Corridor Study that was taking place on NC 73.

Commissioner Clarke noted that land use and transportation planning presents challenges when there are so many entities involved. He said the question becomes how do you institutionalize multiple jurisdictional planning as oppose to doing it on a case-by-case basis?

It was noted that the Town of Davidson was committed to the NC 73 Corridor Study and do not anticipate receiving or acting on any development plans until the Study was completed.

**Chairman Cox** spoke of the value of having MOU’s.

**Updates**

Mr. Hughes noted that the Centralina Council of Governments was working on putting a Planning Summit together that would be regional with the purpose being to discuss regional cooperation opportunities.

Mr. Hughes noted also that at the next meeting of the Planning Liaison Committee they would discuss plans for the next quarter, January – March. They plan to discuss issues related to planning opportunities in relation to the Schools, such as impacts on transportation, the environment, and school locations.

There being no further business to come before the Board, the meeting was declared adjourned at 1:30 p.m.

Janice S. Paige, Clerk Tom Cox, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 18, 2003 1:00 P.M.

NORTH CAROLINA MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber Conference Room CH-14 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Tuesday, November 18, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: None

Commissioners Clarke, Helms, Puckett, and Woodard were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order at 1:45 p.m. The delay was because of a previous Special Meeting.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

Budget Director Matt Williams reviewed the Focus Area Social, Education and Economic Opportunity Program Categories of County Education Services and Other Educational Services, Library Services, and Personal Responsibility/Self Sufficiency Training, Counseling and Case Management, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under County Education Services and Other Educational Services were Communities in Schools, Greater Enrichment Program, Inc., Arts and Science Council, Historic Charlotte, Inc., and NC Cooperative Extension (Park and Recreation)

The services addressed under Library Services were Library Services of the Public Library of Charlotte and Mecklenburg County and those in the Sheriff’s Office.

The services addressed under Personal Responsibility/Self Sufficiency Training, Counseling and Case Management were the following Outside Agencies: YMCA Strengthening Families Program, Charlotte/Mecklenburg Senior Center, Inc., Room At The Inn, Energy Committed to Offenders, Inc. Aftercare and Family Support Program, and Charlotte Area Fund, Inc. Specialized Seniors Program. The County services were Social Services Work First Employment Services, Sheriff’s Office WRRC and RISE Programs, and Veteran Service Office Claim Preparation, Counseling, Outreach, and Transportation Services.

Budget Director Matt Williams introduced Cynthia Marshall with Communities in Schools, Cathy McIlwain with the Greater Enrichment Program, Harriet Sanford with the Arts and Science Council Deborah Myatt with Cooperative Extension Service, Chip Bailey with the Sheriff’s Office, Carol Myers, Interim Library Director, Cynthia Flynn of the YMCA, Jeff Aten Senior Centers, Karen
Browning Charlotte Area Fund, and Richard “Jake” Jacobsen, Director of Social Services to address the above reference Program Categories.

Each presenter addressed services provided in their respective area and entertained questions from the Board.

It was noted that a presentation would not be received from Historic Charlotte, Room At The Inn, Energy Committed to Offenders, and RISE because funding for these services were under the $50,000 threshold established by the Board for receiving presentations.

Commissioners Helms and Clarke entered the meeting during Ms. Marshall’s presentation.

Commissioner Woodard entered the meeting during Ms. Sanford’s presentation.

Commissioner Helms left the meeting during Ms. Myatt’s presentation and returned during Ms. Flynn’s presentation.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Communities in Schools

It was noted that the Communities and Schools Program was in 8 elementary schools, 8 middle schools, and 8 high schools. Also, that Communities in Schools serves those students that are at more risk of dropping out of school.

Commissioner Helms asked how many children were eligible for the program and how many were going unserved? The response was that this was unknown at this time.

Director Jacobsen noted, however that 50% of TANF children drop out of school in their Junior and Senior year of High School.

Chairman Cox how do children get in the program? The response was that TANF children and children in Foster Care were automatically afforded the opportunity to participate and that other children are referred to the program by school personnel.

Commissioner Ramirez addressed the Latin American population noting that often they are more likely to drop out of school and asked if there were bi-lingual Site Coordinators. The response was that they were currently advertising for a bi-lingual Eastway Site Coordinator.

Commissioner Ramirez asked if Communities in Schools received funding from Smart Start. The response was yes.

Commissioner James asked if Communities in Schools have fixed commitments from their various funding sources? The response was no that Communities in Schools have to raise their whole budget every year.

Commissioner James noted that he was interested in the test scores of the students in the Communities in Schools program versus those on “free and reduced” lunch, TANF students and/or foster care students. The response was that Communities in Schools could provide information on those in their program but not on the others. It was noted that that information would have to be obtained from the School System.

Arts and Science Council-Cultural Education Collaborative

Commissioner James noted that he questions whether this program should be directly funded by the County. He noted that perhaps these funds should be rolled into CMS’s budget for them to decide
what services they want to fund.

Ms. Sanford noted that the distinction between their program and CMS is that “when you look at ways to enhance learning you’re looking at a collaborative model.” “If you don’t have the external opportunities provided by the cultural institutions then this model cannot be applied.” She noted further that CMS does not produce operas. They do not have a symphony orchestra. CMS does have some music instruction. They do not provide dance by enlarge. Their visual arts is specialized. The tools integrated into the curriculum by the Arts and Science Council were things that were designed with those external partners as the lead force.

It’s a collaborative effort to enhance the learning process.

Manager Jones noted that during budget discussions this amount was tied to the contractual agreement the County had with Spirit Square and that it was split out in this fiscal year. He noted that before Board consideration of providing these funds to CMS that the Board would need to have discussions with the Arts and Science Council and/or Blumenthal.

Cooperative Extension

Chairman Cox asked how much discretion does the County have to spend revenue that comes to County the County for Cooperative Extension? It was noted that AmeriCorps funds were program specific and that State funds were earmarked as well for specific purposes.

It was noted that the majority of County funding goes to benefits and salaries. It was noted also that Cooperative Extension could only charge to recoup the cost of doing a program, excluding salaries and benefits.

County Manager Jones posed the question of whether or not the State would allow the County to use the funds received for Cooperative Extension to be used for more urban programs.

Ms. Myatt stated that she would explore this with the State.

Library Services Sheriff’s Office

Commissioner Samuelson noted that she was recently made aware of a non-profit organization that is faith-based in Raleigh that provides reading materials for jails and prisons at no charge. She noted that she would pass this information on to the Sheriff’s Office.

Work First Employment Services

Commissioner James asked for the number of eligible persons that have applied for the program but were excluded because they exceeded the five-year requirement or rather they “termed out.”

Director Jacobsen stated that he was not sure if this data was available but that he would check.

This concluded the discussion.

As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 5:15 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
ATTENDANCE

Present:  Chairman Tom Cox, Commissioners
          Dumont Clarke, H. Parks Helms, Bill James
          Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez
          Ruth Samuelson and Valerie Woodard
          County Manager Harry L. Jones, Sr.
          Clerk to the Board Janice S. Paige

Absent:  None

Commissioners Clarke, Helms, Puckett, and Woodard were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order at 1:45 p.m. The delay was because of a previous Special Meeting.

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It was noted that a presentation would not be received from Historic Charlotte, Room At The Inn, Energy Committed to Offenders, and RISE because funding for these services were under the $50,000 threshold established by the Board for receiving presentations.

Commissioners Helms, Puckett, and Clarke entered the meeting during Ms. Marshall’s presentation.

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DISCUSSION HIGHLIGHTS

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Commissioner Helms asked how many children were eligible for the program and how many were going unserved? The response was that this was unknown at this time.

Director Jacobsen noted that 50% of TANF children drop out of school in their junior and senior year of high school.

Chairman Cox asked how do children get in the program? The response was that TANF children and children in Foster Care were automatically afforded the opportunity to participate and that other children were referred to the program by school personnel.

Commissioner Ramirez asked if there were bilingual Site Coordinators. The response was that they were currently advertising for a bilingual Eastway Site Coordinator.

Commissioner Ramirez asked if Communities in Schools received funding from Smart Start. The response was yes.

Commissioner James asked if Communities in Schools had fixed commitments from their various funding sources? The response was no and that Communities in Schools must raise their whole budget every year.

Commissioner James noted that he was interested in test scores of students in the Communities in Schools program versus those on “free and reduced” lunch, TANF students and/or foster care students. The response was that Communities in Schools could provide information on those in their program but not on the others. It was noted that information would have to be obtained from the School System.

Arts and Science Council-Cultural Education Collaborative

Commissioner James noted that he questioned whether the Arts and Science Council-Cultural Education Collaborative program should be directly funded by the County. He said that perhaps these funds should be rolled into CMS’s budget for them to decide what services they wanted to fund.
Ms. Sanford said the program was a collaborative effort to enhance the learning process. She noted that the distinction between their program and CMS’ was that “when you look at ways to enhance learning you’re looking at a collaborative model.” “If you don’t have the external opportunities provided by the cultural institutions then this model cannot be applied.” Also, that the tools integrated into the curriculum by the Arts and Science Council were things that were designed with those external partners as the lead force.

Manager Jones noted that during budget discussions the amount for the Arts and Science Council-Cultural Education Collaborative was tied to the contractual agreement the County had with Spirit Square and that it was split out in this fiscal year. He noted that before the Board considers providing these funds to CMS that the Board would need to have discussions with the Arts and Science Council and/or Blumenthal.

**Cooperative Extension**

Chairman Cox asked how much discretion the County had to spend revenue that comes to the County for Cooperative Extension? The response was that AmeriCorps funds were program specific and that State funds were earmarked as well for specific purposes.

It was noted that the majority of County funding goes to benefits and salaries. It was noted also that Cooperative Extension could only charge to recoup the cost of doing a program, excluding salaries and benefits.

County Manager Jones asked whether or not the State would allow the County to use the funds received for Cooperative Extension for more urban programs?

Ms. Myatt stated that she would explore this with the State.

**Library Services Sheriff’s Office**

Commissioner Samuelson noted that she was aware of a faith-based non-profit organization in Raleigh that provided reading materials for jails and prisons at no charge. She noted that she would pass this information on to the Sheriff’s Office.

**Work First Employment Services**

Commissioner James asked for the number of eligible persons that have applied for the Work First program but were excluded because they exceeded the five-year requirement or rather they “termed out.”

Director Jacobsen said that he would check to see if this data was available.

This concluded the discussion.

As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 5:15 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Tuesday, December 9, 2003 at 2:30 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners
Dumont Clarke, H. Parks Helms
Norman A. Mitchell, Sr., Jim Puckett
Dan Ramirez, Ruth Samuelson, and
Valerie Woodard
County Manager Harry L. Jones, Sr.
Deputy Clerk to the Board Tonette Spears

Absent: Commissioner Bill James

The meeting was called to order by Chairman Cox.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

Matt Williams, Budget Director reviewed the Focus Area Social, Education and Economic Opportunity Program Categories Economic/Financial Assistance and Job Training/Employment Assistance, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services under Economic/Financial Assistance were Indigent Care, MedAssist of Mecklenburg County, Legal Services of Southern Piedmont, Inc., and the following services under the Department of Social Services: General Assistance/Good Friends and Volunteer Funds, Medicaid Transportation, Mecklenburg Transportation System, Childcare Services/Smart Start, Aid Payments, and Public Assistance Programs.

The service under Job Training/Employment Assistance was the Women’s Commission Employment Services Resource Center, however there was not a formal presentation.

Director Williams introduced Richard Jacobsen, Director of Social Services, Susan Basini with MedAssist, and Kenneth Schorr with Legal Services to address the above referenced Program Categories.

Indigent Care was addressed by Director Williams and hospital representatives from Carolinas HealthCare System.

Each presenter addressed services provided in their respective area and entertained questions from the Board.

Deputy County Manager Russ Crider reviewed the Focus Area Community Health and Safety Program Categories of Communicable Illness and Disease Prevention and Treatment and Non-Communicable Illness and Disease Prevention and Treatment, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services under Communicable Illness and Disease Prevention and Treatment were Metrolina


Deputy County Manager Russ Crider introduced Joe Penner, Director of Medic and Peter Safir, Health Director to address the above referenced Program Categories.

A formal presentation was not made by Health Director Safir.

Prior to the start of the above presentations, Sheriff Jim Pendergraph addressed Work Release and the Restitution Center, originally scheduled for discussion at the last Program Review meeting.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Work Release

Commissioner Samuelson asked why weren’t more people on work release if it was such a successful program and cost less to operate? The response was that the goal was to have everyone that was eligible for work release on work release. It was noted, however that bed space and the number of people that qualify was limited. Also, many go into the program but break the rules and are removed and sent to the jail.

It was noted also that the sentenced population has been flat for a number of years but the pre-trial population goes up 10-15% annually.

Chairman Cox, as well as, other Board members requested a better explanation of the number of persons served that was referenced in the material. Also, the ratio of 52 employees for 100 inmates served in work release was questioned. A breakdown of the 52 employees was requested by numbers and positions.

DSS

Commissioner Helms asked if the County were not in partnership with Crisis Assistance Ministry what would this mean for those served by Crisis? The response was that the County would have to provide the service and at a much higher cost.

It was noted that this was case, as well, for Child Care Resources.

Commissioner Helms suggested that during the budget process that the pass through dollars in DSS’s budget be shown, which in the past has not been seen.

Indigent Care
It was noted that in FY05 the numbers shown on the material distributed shows the level of the County’s investment for indigent care remaining flat. It was stated that the hospitals could approach the County and ask for an increase in the County’s contribution for indigent care. It was noted that requests for an increase occurs about every three years and that 2005 would be the year.

Commissioner Clarke asked if any of the surrounding counties contributed anything to indigent care out of their budgets? The response was that most do not, however, some do fund the debt, such as Cleveland and Union counties. In Cleveland County they also help fund some community health centers.

Commissioner Clarke asked if the County’s contribution was a factor in the Hospital’s (Carolina HealthCare System) credit ratings. The response from hospital officials was yes.

**MedAssist**

It was noted that clients served by MedAssist were not eligible for Medicaid.

Commissioner Mitchell asked what was the budget for MedAssist in Buncombe County? The response was that this was unknown but would be obtained.

**Medic**

Commissioner Samuelson asked for clarification regarding the subsidy, which was given.

Chairman Cox asked what was the gross billings amount and out of the $14 million that comes from user fees or third party, how much of that came directly from citizens? The response was that this information would be provided. It was noted that the gross billings might be $30 million.

This concluded the discussion.

*As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.*

*A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.*

There being no further business to come before the Board the meeting was declared adjourned at 6:55 p.m.

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Janice S. Paige, Clerk  
Tom Cox, Chairman

Tonette Spears, Deputy Clerk
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

DECEMBER 2, 2003 5:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 2, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioner Ruth Samuelson

Commissioners Helms and Puckett were absent when the meeting was called to order and until noted in the minutes.

-INFORMAL SESSION-

(1) STAFF BRIEFINGS - NONE

(2) CLOSED SESSION - LAND ACQUISITION

Prior to going into Closed Session, Nancy Brunnemer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

Properties for two school sites P/o 199-361-01; 005-142-17; 005-142-14; 005-142-21; 005-142-18; 005-142-11 & 12; 005-142-09; and 005-142-20
Tax Parcel #043-011-40 at 6513 Rockwell Church Road
Tax Parcel # 123-041-26

Motion was made by Commissioner Mitchell, seconded by Commissioner James and carried 6-0 with Commissioners Clarke, Cox, James, Mitchell, Ramirez, and Woodard voting yes, to go into Closed Session to discuss Land Acquisition.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 6:05 p.m.

Commissioners Helms and Puckett were present when the Board came back into Open Session. They entered the meeting during Closed Session.

(3) REMOVAL OF ITEMS FROM CONSENT - NONE
-FORMAL SESSION-

Commissioner Woodard was absent when the Formal Session was called to order and until noted in the minutes.

Invocation was given by Commissioner Helms, which was followed by the Pledge of Allegiance to the Flag.

Commissioner Woodard entered the meeting.

(1A) ELECTION OF CHAIRMAN

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to elect Commissioner Tom Cox as Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 6, 2004.

Prior to the above vote, Chairman Cox announced that he would not seek re-election to the Board of County Commissioners next year.

(1B) ELECTION OF VICE-CHAIRMAN

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to elect Commissioner Dan Ramirez as Vice-Chairman of the Mecklenburg County Board of Commissioners for a one-year term expiring December 6, 2004.

(1C) HEALTH DEPARTMENT OFFICIALS REGARDING FLU SEASON

The Board received information from Health Department Officials Peter Safir, Director and Dr. Stephen Keener, Medical Director regarding the Flu Season.

Board Members were given the opportunity during the meeting to receive flu shots. Commissioners James and Puckett and County Manager Jones took advantage of this opportunity. Many of the other Commissioners had already received a flu shot.

(2) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

William Alligood, representing North Carolinians Opposed to the Outlying Landing Field proposed for a site in Washington County asked the Board to support the adoption of “Resolution Opposing An Outlying Landing Field At Any Site That Is Unacceptable To The State Of North Carolina.” Mr. Alligood distributed handouts regarding this issue.

A copy of the handouts is on file with the Clerk to the Board.

Commissioner Helms asked that the resolution presented by Mr. Alligood be placed on the Board’s December 16, 2003 agenda for consideration.

Commissioner Mitchell advised Mr. Alligood to also present this matter to the North Carolina Association of County Commissioners.
(3) APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

The vote was taken on the following nominees for appointment to the Alcoholic Beverage Control Board:

**Round One**

- Kelly Alexander, Jr.
- Zerrick Bynum
- Charles Knox
- Danielle Obiorah
- Don Reid
- Elton Shoemaker
- Dick Yoder

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Commissioner(s)</th>
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<tbody>
<tr>
<td>Kelly Alexander, Jr.</td>
<td>None</td>
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<tr>
<td>Zerrick Bynum</td>
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<tr>
<td>Elton Shoemaker</td>
<td>Commissioner Puckett</td>
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<tr>
<td>Dick Yoder</td>
<td>None</td>
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**Round Two**

- Kelly Alexander, Jr.
- Zerrick Bynum
- Charles Knox
- Danielle Obiorah
- Don Reid
- Elton Shoemaker
- Dick Yoder

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**Round Three**

- Kelly Alexander, Jr.
- Zerrick Bynum
- Charles Knox
- Danielle Obiorah
- Don Reid
- Elton Shoemaker
- Dick Yoder

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</tr>
<tr>
<td>Elton Shoemaker</td>
<td>None</td>
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<tr>
<td>Dick Yoder</td>
<td>None</td>
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</tbody>
</table>

**Round Four**

- Kelly Alexander, Jr.
- Zerrick Bynum
- Charles Knox
- Danielle Obiorah
- Don Reid
- Elton Shoemaker
- Dick Yoder

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</tr>
<tr>
<td>Charles Knox</td>
<td>None</td>
</tr>
<tr>
<td>Danielle Obiorah</td>
<td>Commissioners Clarke, Helms, James, Mitchell, and Woodard</td>
</tr>
</tbody>
</table>

Voting Ceased

Chairman Cox announced that Danielle Obiorah was appointed to the Alcoholic Beverage Control Board to fill an unexpired term expiring June 30, 2004.

She replaces the late and former County Commissioner James (Jim) F. Richardson.

COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment to the Community Relations Committee:
Chairman Cox announced that Gretchen Easton was appointed to fill an unexpired term expiring July 2, 2005. Pablo Fernando was appointed to fill an unexpired term expiring September 3, 2005 and Hal Markowitz to fill an unexpired term expiring September 1, 2004. They are replacing Jerry Chisolm, Behari Mehta, and Jill Smith.

DOMESTIC VIOLENCE ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Domestic Violence Advisory Board:

Round One

Donna Dukes
William Lowry
Madelaine Makarow
Angela Pittman
Jewel Sowell
Marilyn Young

Round Two

William Lowry
Madelaine Makarow
Angela Pittman

Voting Ceased

Chairman Cox announced that Donna Dukes was appointed to the Domestic Violence Advisory Board to fill an unexpired term expiring February 1, 2006 and Angela Pittman to fill an unexpired term expiring October 5, 2004. They are replacing Jatis Edmond and Marzella Ramirez.

MINORITY AFFAIRS ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Minority Affairs Advisory Committee:

Terri Consuelo
Gina Dalma
Sadrita Davis Hasty
Sabine Desamour
Sierra Hernandez
Antonio Lizano

Chairman Cox announced that Donna Dukes was appointed to the Domestic Violence Advisory Board to fill an unexpired term expiring February 1, 2006 and Angela Pittman to fill an unexpired term expiring October 5, 2004. They are replacing Jatis Edmond and Marzella Ramirez.
Chairman Cox announced that Gina Dalma and Curtis Mason were appointed to the Minority Affairs Advisory Committee to fill unexpired terms expiring February 6, 2005. Antonio Lizano was appointed to fill an unexpired term expiring February 3, 2004; John L. Moore, III to fill an unexpired term expiring January 22, 2006.

They are replacing Ken Burton, Michael Long, Stephen Neal, and Dr. Michelle Rivera.

WASTE MANAGEMENT ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Waste Management Advisory Board:

- Henry Allison (Commissioners Clarke, Cox, James, Mitchell, Puckett, Ramirez, and Woodard)
- Thomas Atwood (Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard)
- Debrah Carl (Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard)

Chairman Cox announced that Henry Allison was appointed to the Waste Management Advisory Committee to fill an unexpired term expiring October 3, 2006. Thomas Atwood was appointed to fill an unexpired term expiring March 14, 2004 and Debrah Carl to fill an unexpired term expiring November 7, 2004.

They are replacing Julie Treadway, Patrick Cotter, and Andrew Turnbull.

WOMEN’S COMMISSION

The vote was taken on the following nominees for appointment to the Women’s Commission:

- Marcia Harrison (None)
- Lawanda Horton (None)
- Ruby Odom (None)
- Jewel Sowell (Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard)

Voting Ceased

Velia Watson
Judy Williams

Chairman Cox announced that Jewel Sowell was appointed to the Women’s Commission for a three-year term expiring December 3, 2006.

She replaces Kimberly Owen.

(4A) PUBLIC HEARING NC DEPARTMENT OF TRANSPORTATION COMMUNITY TRANSPORTATION GRANT APPLICATION

Motion was made by Commissioner Mitchell, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez and Woodard voting yes, to open the public hearing to hear comments on the Department of Social Services’ NC Department of Transportation Community Transportation grant application.
Richard W. Jacobsen, Jr., Social Services Director addressed this issue with the Board.

No one from the public appeared to speak.

Motion was made by Commissioner Puckett, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to close the public hearing on the Department of Social Services’ NC Department of Transportation Community Transportation grant application. Secondly, to adopt the following resolution for the Mecklenburg County Department of Social Services to submit an application for the NC Department of Transportation’s Community Transportation Grant for Fiscal Year 2004-2005.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

RESOLUTION

Applicant Seeking Permission to Apply for Community Transportation Program Funding,
Enter Into Agreement With The North Carolina Department Of Transportation
And to Provide the Necessary Assurances.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

WHEREAS, Mecklenburg County hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of Mecklenburg County Board of County Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

Resolution recorded in full in Minute Book 42-A, Document #

(5) ADVISORY COMMITTEE REPORTS - NONE

(6) RECEIVE MANAGER'S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the following item(s):

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held November 18, 2003.
(8) SURPLUS PROPERTY ON ELLINGTON STREET CITY/COUNTY LEDGER SYSTEM

Declare surplus and convey the 1.05 acres of county property (Tax Parcel 157-041-35) to the City of Charlotte to be used for development of affordable housing and add this property to the City/County Ledger System.

*Note: This property is located across Ellington Street from the Human Services Campus.*

(9) EPA 319 & WATERSHED INITIATIVE GRANT APPLICATION

Approve the submission of a grant application in the amount of $137,500 from the N.C. Department of Environmental and Natural Resources, Division of Water Quality for the implementation of Total Maximum Daily Loads (TMDL) Strategy to reduce bacteria levels in streams. Secondly, to recognize, receive and appropriate grant funds, if awarded.

(10) CHARLOTTE EAST LEASE - 5800 EXECUTIVE CENTER DRIVE - DSS

Authorize an amendment to a lease agreement between Mecklenburg County and LNR Millennium Manager, Inc. for an increase in the tenant improvement allowance in the amount of $74,934.00 at 5800 Executive Center.

(11) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PLANS

Adopt the following Community Development Block Grant (CDBG) plans: Residential Anti-Displacement and Relocation Assistance Plan and Citizens Participation Plan.

*Plans recorded in full in Minute Book 42-A, Document #*

(12) DRUID HILLS NEIGHBORHOOD PARK

Approve purchase of Tax Parcel # 077-076-15 at 1412 Norris Avenue from John E. Neal for $45,000 for the Druid Hills Neighborhood Park.

(13) ALLOCATION OF LAND BONDS FOR DEMOLITION OF STRUCTURES FOR LITTLE SUGAR CREEK GREENWAY

Approve use of $1,978,613 from 1999 land bond funds for removal of buildings, parking areas and support structures within the creek channel in the Kings Drive area for the Little Sugar Creek Greenway.

(14) LAND DONATIONS FOR GREENWAYS

Accept the following greenway donations:

<table>
<thead>
<tr>
<th>Tax I.D.</th>
<th>Address</th>
<th>Ac.</th>
<th>Creek</th>
<th>Donor</th>
</tr>
</thead>
<tbody>
<tr>
<td>P/o 183-162-01</td>
<td>Spalding Place</td>
<td>1.11</td>
<td>Mc Mullen</td>
<td>Robert W. Bugg</td>
</tr>
<tr>
<td>005-371-62 &amp; -96</td>
<td>Birkdale Village</td>
<td>4.616</td>
<td>McDowell</td>
<td>Inland Southeast/Birkdale, LLC</td>
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<tr>
<td>043-181-06</td>
<td>Old Potters Road</td>
<td>10.885</td>
<td>Mallard</td>
<td>LandCraft/Edgefield, LLC</td>
</tr>
<tr>
<td>231-053-26, -59, -80, -84, -87</td>
<td>Allenwood Road</td>
<td>3.767</td>
<td>Six Mile</td>
<td>LandCraft/Langston, LLC</td>
</tr>
<tr>
<td>029-121-15, -84, -98 &amp; 029-128-94</td>
<td>Purple Bloom Lane &amp; Garrison Road</td>
<td>5.25</td>
<td>Stoney</td>
<td>LandCraft/Stoney Creek,</td>
</tr>
</tbody>
</table>

(15) STEWART CREEK GREENWAY ACQUISITION
Approve purchase of +/-4.18-acre Tax Parcel #067-014-05 at 1401 Freedom Drive from Fourteen Hundred One Freedom LLC for $160,000 for the Stewart Creek Greenway.

(16) MECKLENBURG EMS JOINT AGENCY BOARD OF COMMISSIONERS

Appoint Paula Vincent to the Mecklenburg EMS Joint Agency Board of Commissioners to replace Judy Brett.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(2A1) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the following purchase prices for two school sites:

Site #1 Winget Park (West Elementary School)

<table>
<thead>
<tr>
<th>Seller</th>
<th>P.I.D</th>
<th>Acre</th>
<th>Purchase Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanctuary at Lake Wylie, LLC</td>
<td>P/o 199-361-01</td>
<td>20</td>
<td>$20,500/ac</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td>$410,000</td>
</tr>
</tbody>
</table>

Site #2 at Westmoreland Road (North Elementary School)

<table>
<thead>
<tr>
<th>Seller</th>
<th>P.I.D</th>
<th>Acre</th>
<th>Purchase Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>James &amp; Peggy Washam</td>
<td>005-142-17</td>
<td>3.2655</td>
<td>$118,000</td>
</tr>
<tr>
<td>John &amp; Jackie Burris</td>
<td>005-142-14</td>
<td>3.8872</td>
<td>$154,000</td>
</tr>
<tr>
<td>Paul Goodson</td>
<td>005-142-21</td>
<td>.8218</td>
<td>$30,000</td>
</tr>
<tr>
<td>Clyde &amp; Avonne Goodson</td>
<td>005-142-18</td>
<td>1.97</td>
<td>$73,804</td>
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(2A3) CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Clarke, seconded by Commissioner Woodard and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, to approve the purchase of .23 acre Tax Parcel #043-011-40 at 6513 Rockwell Church Road from Tara Properties, Inc. for $24,000.

Note: This property is the final tract needed to complete assemblage of the Rockwell Neighborhood Park site.

(17) THE PALISADES PROJECT – UPDATE

The Board received an update on the Palisades Project given by Rusty Rozzelle, Land Use and Environmental Services Agency (LUESA) Water Quality Program and Jim Medall with Rhein Interests.

Note: On December 11, 2001, the Board approved a rezoning petition for The Palisades project, which included over 1500 acres located adjacent to Lake Wylie south of Buster Boyd Bridge. The development notes included, as part of this rezoning required the implementation of numerous water quality measures designed to protect the coves bordering the project. On January 15, 2002, Water Quality Program staff presented to the Board a plan for ensuring
compliance with these notes. One of the primary requirements of the development notes is the completion of a Water Quality Management Plan by the petitioner, Rhein Palisades, LLC, prior to the initiation of land development activities. This Plan was completed and approved by the Water Quality Program on September 8, 2003. Plans for Phase I and the back nine holes of the golf course have been approved by City and County staff and land clearing activities are underway.

A copy of the report is on file with the Clerk to the Board.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke, and unanimously carried, with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:27 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber Conference Room CH-14 of the Charlotte- Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Tuesday, December 2, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Dan Ramirez Ruth Samuelson and Valerie Woodard County Manager Harry L. Jones, Sr. Clerk to the Board Janice S. Paige

Absent: Commissioner Jim Puckett

Commissioners Helms, Ramirez, and Woodard were absent when the meeting was called to order and until noted in the minutes.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

Deputy County Manager Russ Crider reviewed the Focus Area Community Health and Safety Program Categories of Substance Abuse Prevention and Treatment, Adult Mental Illness Prevention and Treatment, Child and Adolescent Mental Illness Prevention and Treatment, and Disability Prevention and Treatment, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

The services addressed under Substance Abuse Prevention and Treatment were Substance Abuse Prevention Services, Adult Substance Abuse Treatment Services, and Work First Employment Services.

The services addressed under Adult Mental Illness Prevention and Treatment were Behavioral Health Center CMC Randolph and Adult Mental Health Services Continuum.

The service addressed under Child and Adolescent Mental Illness Prevention and Treatment was Child and Adolescent Services.

The services addressed under Disability Prevention and Treatment were Children’s Development Services, Evaluations, Developmental Disability Services, Assessment and Referral.

Deputy County Manager Crider introduced Grayce Crockett, Director of Area Mental Health, Richard “Jake” Jacobsen, Director of Social Services, Connie Mele of Area Mental Health, Laura Thomas with CMC-Randolph, John Ellis of Area Mental Health, Elizabeth Peterson-Vita of Area Mental Health and Karen Owens of Area Mental Health to address the above referenced Program Categories.

Each presenter addressed services provided in their respective area and entertained questions from the Board.

Commissioners Ramirez and Helms entered the meeting during Director Crockett’s presentation.
Commissioner Woodard entered the meeting during Ms. Mele’s presentation.

Commissioner Samuelson left the meeting during Ms. Owens presentation and was absent for the remainder of the meeting.

DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Work First

It was noted that persons could screen positive for drugs or alcohol and still qualify for the Work First Program. If tested positive this becomes a part of the persons work plan, which would consist of treatment. The cost of the treatment is paid by Area Mental Health with the majority of the funds coming from Medicaid.

Substance Abuse Prevention

It was noted that the majority of funds for substance abuse come through block grants.

Commissioner James asked staff to quantify the dollar amount spent on science-based programs and non-science-based. The response was that it was probably 50-50.

Commissioner James stated that he would like to know the amount paid for non-professional community organizers, for example persons that may hold community sessions to encourage people about healthy living or persons that go door to door in communities distributing literature encouraging healthy living.

Ms. Mele noted that all County prevention services were provided by professionals.

Chairman Cox asked Ms. Mele to explain how a program receives the seal of approval for being science-based. The response was that the program has been researched at a University and had “x” amount of programs offered and had “x” amount of outcomes.

Commissioner Clarke asked was it true that a selective program will not get funded by the State unless there are studies done by academics that demonstrate that a particular program does produce results. Also that the State just won’t fund programs that are targeted at certain groups but those programs that are evidenced based and showed results. The response was yes.

Commissioner Samuelson said she was interested in knowing whether there were outside agencies currently receiving County funding that the County could perhaps contract with for a particular service.

Commissioner Clarke asked how was the DARE program funded.

Ms. Mele stated that she believed it was funded through the police department and the State. She noted that the County was not involved in the DARE program.

Commissioner James noted that the Town of Matthews funds Dare Officers at Butler High School.

Substance Abuse Treatment

Chairman Cox asked about the demographic profile of those in treatment programs and was there any qualifications for entry. The response was that you be 18 years of age and a resident of Mecklenburg County.
It was noted that persons with insurance normally would go to Carolinas HealthCare System Mercy Horizon’s at Mercy Hospital. It was noted that 90% of the County’s customers were indigent.

It was noted also that the drugs of choice were cocaine, crack, pot and alcohol and usually in that order.

Commissioner James asked about the recidivism rate of the various treatment facilities and which programs were working.

The response was that there were some statistics regarding persons that have successfully completed treatment, however, outcomes studies were more difficult because their population was more transit. Also, that there was not enough staff to keep track of those that go through the treatment program.

Commissioner James stated that he would want to put County dollars in those programs that have a good success rate.

Commissioner James said that he would be interested in knowing what were some other treatment options including faith-based programs.

**Adult Mental Health Services**

Commissioner Clarke asked Ms. Thomas to provide him with a copy of their recent evaluation report.

Commissioner Mitchell asked Ms. Thomas to provide him with the statistical information she referenced regarding outpatient services, for example the number of outpatient visits per year, the number of home and school base appointments and medication clinic appointments.

**Child and Adolescent Mental Illness Prevention and Treatment**

Commissioner James asked how much could be taken from the $5,968,665 in County dollars and not affect Medicaid? The response was all of it could be taken, however, that would not be advisable.

Commissioner James asked Ms. Owens to provide him with a list of the expenditures for the last year made on diagnosis that were paid by County dollars but were not reimbursed by Medicaid.

It was noted that if the Court orders treatment for someone than that treatment must be provided regardless of the availability of resources on the County’s part.

Chairman Cox noted that in light of the Court requirements, it would not be advisable to delete the entire $5,968,665 in County dollars.

Commissioner James noted that he would agree that all of it could not be deleted.

Commissioner Helms noted that the thing to keep in mind when it comes to the provision of these types of services is what would be the consequences.

**Disability Prevention and Treatment**

Commissioner Helms asked was there any percentage of this population that was going unserved and if so, was it because they were going unidentified or was it because there are not enough resources to provide the service.

The response was yes and for both reasons. It was noted also that although some are going unidentified, efforts were made to identify them but for a variety of reasons families may not be ready to accept the identification of a child with a disability and start receiving services.

This concluded the discussion.
As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 4:35 p.m.

Janice S. Paige, Clerk

Tom Cox, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the 11th Floor Large Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Tuesday, December 9, 2003 at 12 Noon.

ATTENDANCE

Present:  
Vice-Chairman Dan Ramirez, Commissioners 
Dumont Clarke, H. Parks Helms, Bill James 
Norman A. Mitchell, Sr., Jim Puckett 
Ruth Samuelson and Valerie Woodard 
County Manager Harry L. Jones, Sr. 
Clerk to the Board Janice S. Paige

Absent:  
Chairman Tom Cox

Commissioner Helms was absent when the meeting was called to order and until noted in the minutes.

The purpose of the meeting was to go into Closed Session for Personnel Matter.

The meeting was called to order by Vice-Chairman Ramirez in the absence of Chairman Cox.

(1) CLOSED SESSION – PERSONNEL MATTER

Motion was made by Commissioner Woodard, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 12:20 p.m. and came back into Open Session at 2:27 p.m.

Commissioners Helms and Puckett were absent when the Board came back into Open Session.

There being no further business to come before the Board the meeting was declared adjourned at 2:27 p.m.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS
DECEMBER 16, 2003 5:00 P.M.

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, December 16, 2003.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms Bill James, Norman A. Mitchell, Sr. Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: None.

-INFORMAL SESSION-

(1) STAFF BRIEFING - STRATEGIC PLANNING CONFERENCE

This matter was discussed at the Board’s Special Meeting held prior to this meeting.

(2) CLOSED SESSION - TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1)/LAND ACQUISITION/CONSULT WITH ATTORNEY

Prior to going into Closed Session, Nancy Brunnerer with Real Estate Services announced the following land acquisition matters to be discussed in Closed Session:

- Tax Parcels 067-142-10, 067-142-07, 067-142-04, and 067-142-09 located on Freedom Drive
- Tax Parcel #125-213-16 at 500 and 508 South Kings Drive owned by the Diocese of North Carolina of the Protestant Episcopal Church

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to go into Closed Session to 1) Prevent Disclosure of Information That Is Confidential Pursuant To G.S. 105-259. (G.S. 143-318.11(A) (1), 2) Land Acquisition, and 3) Consult with Attorney.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 5:50 p.m.

(3) REMOVAL OF ITEMS FROM CONSENT
The Board identified items they wanted removed from consent and voted upon separately. The items identified were Items 12, 21, 23, 26, and 27.

-FORMAL SESSION-

Commissioner Woodard was away from the dais when the meeting was called to order and until noted in the minutes.

Invocation was given by Commissioner Helms, which was followed by the Pledge of Allegiance to the Flag.

Commissioner Woodard entered the meeting.

Commissioner Clarke left the dais and was away until noted in the minutes.

(2B1) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Helms, seconded by Commissioner James and carried 8-0 with Commissioners Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to accept assignment of purchase contract for Tax Parcels 067-142-10, 067-142-07, 067-142-04, and 067-142-09 including approximately 37.3053 acres from Winter-Tower Freedom Mall, LLC for $6,635,000.

Note: This property is proposed as a site for multiple County operations, particularly as replacement office space needed due to the future development of the Hal Marshall Services Center and Second Ward property (i.e. Walton Plaza), as well as space for potential growth in County personnel.

Commissioner Clarke returned to the dais.

(2B2) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Samuelson, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the purchase of 2.7 acre Tax Parcel #125-213-16 at 500 and 508 South Kings Drive from the Diocese of North Carolina of the Protestant Episcopal Church for $3,745,200.

Note: This purchased is being made for the Little Sugar Creek Greenway.

(1A) RECOGNITION 2003 GUARDIAN OF THE ENVIRONMENT AWARD

The Board recognized Steve Law, Stewardship Core Process Manager with Park and Recreation and other members of his division for receiving The Charlotte Observer 2003 Guardian Of The Environment Award. The award recognizes Carolinians who are working in ways large and small, to preserve our natural heritage.

Steve Law and the Division were recognized for the creation of five Piedmont prairie restoration sites, which serve as sanctuaries for Schweinitz’s sunflower, a federally endangered species.

(2) PUBLIC APPEARANCE
The following persons appeared to speak during the public appearance portion of the meeting:

Richard Flanagan representing the Mecklenburg Beekeepers Association thanked the Board for its support of their association through their partnership with the Cooperative Extension Service. He noted several of the Association’s activities. Mr. Flanagan provided information packets regarding the value of bees. He also distributed jars of honey. He asked the Board to continue to support the Cooperative Extension Service.

Gerry Chisolm addressed City-Wide Kwanzaa Week, December 26, 2003 through January 1, 2004. She noted that opening ceremonies would begin at 6:00 p.m. December 26, 2003 at the Sugar Creek Recreation Center.

Pastor Brenda Stevenson of the New Outreach Christian Center asked the Board to consider donating to the ministry one of the County’s surplus trucks. Pastor Stevenson noted that several years ago the County donated a surplus van to the ministry. Pastor Stevenson also addressed various activities of the ministry.

(3) APPOINTMENTS

Motion was made by Commissioner James, seconded by Commissioner Samuelson and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reappoint James N. Moore and Jay Alexander to the Fire Commission as recommended by the Fireman’s Association for three-year terms expiring December 31, 2006.

(4A) PUBLIC HEARING REVISIONS TO THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Motion was made by Commissioner Mitchell, seconded by Commissioner Samuelson, and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to open a public hearing to receive comments on revisions to the Mecklenburg County Air Pollution Control Ordinance.

The revisions are in response to State and USEPA requirements and to increase fee revenue.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Clarke, Cox, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to close the public hearing on revisions to the Mecklenburg County Air Pollution Control Ordinance and approve revisions to the Mecklenburg County Air Pollution Control Ordinance.

Ordinance recorded in full in Minute Book 42-A, Document #

Chairman Cox left the meeting and was absent for the remainder of the meeting.

Vice-Chairman Ramirez chaired the remainder of the meeting.

(5A) ADVISORY COMMITTEE REPORT - CITIZENS’ CAPITAL BUDGET ADVISORY COMMITTEE REPORT ON CAPITAL STANDARDS

Motion was made by Commissioner Helms, seconded by Commissioner Samuelson, and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive as information the Citizens’ Capital Budget Advisory Committee Report on Capital Standards and refer it to the next Budget and Policy workshop on

The report was given by Lewis Guignard, chair of the Citizen’s Capital Budget Advisory Committee.

A copy of the report is on file with the Clerk to the Board.

(5B) ADVISORY COMMITTEE REPORT - HEALTH COMMITTEE OF THE HUMAN SERVICES COUNCIL - SCHOOL NURSE RECOMMENDATION

The Board received a report from the Health Committee of the Human Services Council on school nurses in Mecklenburg County.

The report was given by Peter Safir, Health Director and Susan Garvey, chair of the Health Committee of the Human Services Council.

Commissioner Helms left the dais and was away until noted in the minutes.

Motion was made by Commissioner James, seconded by Commissioner Samuelson, and carried 7-0 with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to receive the report from the Health Committee of the Human Services Council on school nurses in Mecklenburg County and to authorize Commissioner Norman Mitchell to present the school nurse position paper to the Human Resources Steering Committee of the N.C. Association of County Commissioners.

A copy of the report is on file with the Clerk to the Board.

Commissioner Clarke asked that this matter be placed on the Board’s next Legislative Agenda. He also asked staff to provide an estimate of what it would cost to add about 23 nurses to bring the ratio down to 1:1500 based upon a projected increase of 4000 students next year.

(6) MANAGER’S REPORT - NONE

CONSENT ITEMS

Motion was made by Commissioner Samuelson, seconded by Commissioner James and carried 7-0, with Commissioners Clarke, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to approve the following item(s) with the exception of Items 12, 21, 23, and 27 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held December 2, 2003 and Closed Session minutes of December 2, 2003.

(8) STORM WATER BILLING, CUSTOMER SERVICE AND COLLECTION

Appropriate $400,041 from Storm Water Fund Balance, and establish separate Multi-Year budget for payment to the City of Charlotte for Storm Water Billing, Customer Service and Collection costs for FY03 year-end reconciliation, and until such time as all funds are expended.

(9) SHERIFF’S SPECIAL REVENUE FUND

Recognize, receive and appropriate $27,000 for the Sheriff’s Special Revenue Fund for Inmate Commissary.
(10) 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT—SHERIFF’S OFFICE

Recognize, receive and appropriate funds from the 2003 Local Law Enforcement Block Grant in the amount of $398,612, and authorize the recognition and appropriation of any interest income earned on this grant during the term of this grant in accordance with grant requirements.

Note: The Federal grant funds and County match will be used to fund public safety initiatives and crime prevention programs, specifically:
- Provide tutors for below grade-level children identified by CMS and offer scholarships to children whose families are unable to pay the $20 weekly tuition through the Parkview Community Foundation, Inc.;
- Purchase defibrillators for detention-related facilities;
- Provide education and supplies for Gang Awareness Task Force;
- Produce a video introducing and explaining Drug Court;
- Purchase mobile radios for General Services Security vehicles;
- Install @Road (vehicle location tracking) system in Sheriff’s Office law enforcement vehicles;
- Purchase tasers and related equipment for use by detention and law enforcement personnel.

(11) SISTERS OF MERCY GRANT—SHERIFF’S OFFICE

Reduce recognition and appropriation of Sisters of Mercy of North Carolina Foundation, Inc. grant by the amount of $4,609.

Note: The Sheriff’s Office was awarded a grant by the Sisters of Mercy of North Carolina, Inc. to provide family counseling to RISE Program participants. Based on the number of clients served, unspent grant funds must be returned to the grantor.

(13) REVENUE ADJUSTMENTS - HEALTH DEPARTMENT

Recognize and appropriate $970,472 to reflect actual state, federal and local allocations for Health Department programs.

A list of the adjustments is on file with the Clerk to the Board.

(14) SCHOOL BUS RETROFIT PROJECTS - GRANT APPLICATIONS

Approve partnering with Charlotte-Mecklenburg Schools to prepare and submit two grant applications for funds to be used to retrofit diesel school buses with emission control devices.

Note: Two funding opportunities are available for retrofitting school buses with emission control devices to reduce air pollutants including carbon monoxide, hydrocarbons and particulate matter. (1) The North Carolina Department of Environment and Natural Resources will make approximately $250,000 in awards from the Mobile Sources Emissions Reductions Grants program in early 2004. (2) The National School Transportation Association (NSTA), in partnership with several industry providers, was awarded $300,000 under EPA’s Clean School Bus USA Program. NSTA is to grant funds to help school districts move to new technologies to reduce diesel emissions. The NSTA project is proposed to run for two years.

(15) NATIONAL FISH AND WILDLIFE FOUNDATION GRANT APPLICATION

1) Ratify the submission of a grant application in the amount of $50,000 to the National Fish and Wildlife Foundation for the management and control of invasive and noxious plant species that are threatening Mecklenburg County Storm Water Services Stream Restoration sites.

2) Recognize, receive and appropriate grant funds, if awarded.

(16) MID-YEAR FUNDING ADJUSTMENTS - AREA MENTAL HEALTH

1) Recognize, receive and appropriate $5,611 from the NC Division of MH/DD/SAS Federal UCR funds for the PATH/Homeless Adult program.

2) Recognize, receive and appropriate $1,652 from the NC Division of MH/DD/SAS Federal Non-UCR funds for the Work First/Child Protective Services Substance Abuse Initiative.

3) Recognize, receive and appropriate $22,623 from the NC Division of MH/DD/SAS State Non-UCR funds for the purpose of supporting the MR/MI Diversion activities.

4) Reduce State Smart Start funding in the amount of $25,871 to reflect the actual funding amount for the current fiscal year.

5) Reduce funding from the Administrative Office of the Courts for the Drug Court program in the amount of $164,861 to reflect the actual funding level for the current fiscal year.

(17) FIRST TEE OF CHARLOTTE, INC.

Approve (1) an amendment to the Freedom Drive Lease Agreement with the Charlotte-Mecklenburg Board of Education and (2) an amendment to the sub-lease agreement with The First Tee of Charlotte, Inc.

Note: The amendment to the Sub-lease would extend the deadline for commencement of construction. The amendment to the Lease would extend the initial term until October 31, 2034, adds several extension options and extends the deadline for commencement of construction. (The Sub-lease already provided for the extended term, contingent upon amendment of the Lease.) These amendments will allow extended time for The First Tee of Charlotte to raise funds for the development of a youth oriented golf facility on 47.88 acres of undeveloped land located on Freedom Drive and leased to the County by the Charlotte-Mecklenburg Board of Education.

(18) DESTRUCTION OF DOCUMENTS – LUESA

Approve the disposal of LUESA Permitting and Inspections records (4 boxes) dated September and October 2003 that have been imaged on optical disk and verified, and Plans of commercial projects (590) permitted in September and October of 2001 in accordance with North Carolina records retention policies.

(19) NORTHWEST PARK DISTRICT OPERATING BUDGET

Recognize, receive, and appropriate $15,911 in participant fees for the Northwest Park District program activity.

(20) AMERICORPS GRANT – REDUCTION

Reduce the total AmeriCorps grant budget by $39,485 in accordance with the new level of funding approved by the Federal AmeriCorps Program.
(22) PUBLIC LIBRARY OF CHARLOTTE AND MECKLENBURG COUNTY UTILITY EASEMENT

Approve Public Library of Charlotte and Mecklenburg County (PLCMC) granting a utility easement to Bell South in order for Bell South to provide services to the new Steele Creek Branch Library.

(24) FEDERAL AND STATE REVENUE ADJUSTMENTS - DSS

Recognize, receive and appropriate Federal and State revenues of $45,051 received by the Department of Social Services.

*Note:* The County was notified of revenue increases from five sources: Adult Day Care totaling $27,708; and a Home and Community Care Block Grant of $17,343. The Adult Day Care funding will be used to expand adult day care and day health services to the elderly. The Home and Community Care Block Grant provides funding for the following services: In-Home Aides, Transportation, Congregate, home-delivered and supplemental meals, and other Adult Day Care/Adult Day Health programs.

(25) CRISIS INTERVENTION PROGRAM - DSS

Recognize, receive and appropriate additional funds from the U.S. Department of Energy for the Crisis Intervention Program in the amount of $529,127.

*Note:* The U.S. Department of Energy has released additional Crisis Intervention Program (CIP) funds to aid counties in the alleviation of heating and cooling needs for Mecklenburg County citizens and for the administration of these funds. The total additional allocation of $529,127 includes $440,427 for the Crisis Intervention Program and $88,700 for Energy Administration.

The Department of Social Services contracts this program through Crisis Assistance Ministries. The funds will provide critical cooling and heating assistance to approximately 2,330 low-income customers.

(26) CHILD CARE RESOURCES, INC. (CCRI) CHILD CARE SUBSIDY

Recognize, receive and appropriate additional Federal and State revenues for the child care subsidy program in the amount of $1,485,291.

(28) NORTH CAROLINA REGIONAL BIO-TERRORISM LAB EQUIPMENT

Approve the use of the sole source option available under G. S. 143-129(f) for the acquisition of Bio-Terrorism Laboratory Equipment and related services in the amount of $130,000 from Roche Applied Science of Indianapolis, Indiana.

(29) LISTING BUSINESS PERSONAL PROPERTY

Adopt a resolution authorizing the Property Assessment and Land Records Management Personal Property Division Manager (Tax Assessor) to grant extension of time for the listing of Business Personal Property through April 15, 2004.

*Resolution recorded in full in Minute Book 42-A, Document # ...*
Amend the compensation package for the County Manager to reflect longevity pay as provided in the County’s Classification Compensation Policy.

Note: The $1,500 in longevity pay that was included in the County Manager’s compensation package on November 5, 2003 was not consistent with the longevity pay as calculated under County policy. The actual amount is $1,615.39, thus the total compensation package for the County Manager effective July 1, 2003 is $200,015.39.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Helms returned to the dais.

VOCREHAB GRANT—SHERIFF’S OFFICE

Motion was made by Commissioner Woodard, seconded by Commissioner Helms and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to reduce recognition and appropriation of Governor’s Crime Commission “Successful Reintegration Project” Vocational Rehabilitation grant by $18,025.00.

Note: The Sheriff’s Office was awarded a grant by the Governor’s Crime Commission to provide vocational training, case management, and aftercare release planning to graduates of the Mecklenburg County Jail-based substance abuse treatment program. An adjustment was made by the Governor’s Crime Commission based upon an expenditure forecast report relating to a delay in recruiting and hiring a qualified substance abuse case coordinator.

Commissioner Woodard removed this item from consent in order to note to staff that recruiting efforts need to be expedited when grant funds are involved in order to avoid losing grant funding.

MALLARD CREEK GREENWAY, PHASE IV

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to award a construction contract to L-J, Inc. in the amount of $615,000.00 for the Mallard Creek Greenway, Phase IV project.

Commissioner Samuelson removed this item from consent for more public awareness.

LITTLE SUGAR CREEK ENVIRONMENTAL RESTORATION - PHASE 3
ENVIRONMENTAL RESTORATION AND GREENWAY TRAIL - MYERS PARK MANOR

Motion was made by Commissioner Samuelson, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to 1) authorize the County Manager to negotiate with the low bidder, L-J, Inc., within the budget amount of $2,175,000.00 (plus any additional departmental funds that may be allocated to the project, up to the bid amount of $2,492,708.14); 2) award the Construction Contract to L-J, Inc. upon successful negotiation; and 3) reduce the budget by $100,000 and amend the resolution approving grant application to the North Carolina Department of Environment and Natural Resources, Division of Water Resources, for the Little Sugar Creek Environmental
Restoration Initiative, Phase 3, Westfield Road Stream Restoration & Greenway Trail to reflect the actual grant award of $400,000.00.

Commissioner Samuelson removed this item from consent for more public awareness.

Resolution recorded in full in Minute Book 42-A, Document #

(23) NEW GOVERNMENT DISTRICT PARKING DECK PROJECT – ENGINEERING TESTING & INSPECTION SERVICES

Motion was made by Commissioner Woodard, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Helms, James, Mitchell, Puckett, Ramirez, Samuelson, and Woodard voting yes, to authorize the County Manager to negotiate a fee and execute a contract with Trigon Engineering Consultants, Inc. for Engineering Testing & Inspection Services for the New Government District Parking Deck.

Commissioner Woodard removed this item from consent to ask about the bid process and minority bidders.

Mark Hahn, director of Real Estate Services addressed the process used for the selection of architecture and engineering services. He noted that on the parking deck project the lead architectural designer was Freelon Architects, a minority owned firm representing approximately 7.5% of the entire project budget through their participation.

(31) RESOLUTIONS FOR JANUARY BOND AND CERTIFICATES OF PARTICIPATION SALES

Variable Rate General Obligation Bonds, Series 2004b

Commissioner Helms introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title:

RESOLUTION PROVIDING FOR THE ISSUANCE OF $100,000,000 VARIABLE RATE GENERAL OBLIGATION BONDS, SERIES 2004B

Upon motion of Commissioner Helms, seconded by Commissioner James, the following resolution was passed by the following vote:

Ayes: Commissioners Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard

Noes: None

Note: Chairman Cox was absent from the meeting when this matter came before the Board.

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “Issuer”):

WHEREAS, the Issuer has considered and evaluated both fixed and variable rate debt alternatives;

WHEREAS, the Issuer has considered and recognized that the current interest rates on fixed rate debt instruments are low and has determined that the estimated interest rate at which fixed rate bonds could be issued is 4%;

WHEREAS, the Issuer has considered and recognized that variable interest rate debt instruments subject the
Issuer to the risk of higher interest rates in the future, that the rate may be higher than the fixed rates that are currently available to the Issuer, and that in addition to the variable interest cost, the Issuer must pay the fees of the Liquidity Provider and the Remarketing Agent, which fees will increase the cost of variable rate debt; and

WHEREAS, the Issuer believes that for this issue variable rate debt financing is preferable because (a) the initial interest rate is substantially below the fixed rate indicated above, (b) a variable rate provides the possibility of substantial cost savings over the life of the issue, and (c) the interest rate can be fixed at any time.

1. Pursuant to and in accordance with the school bond orders adopted by the Board on August 12, 1997 and September 4, 2002, the Issuer shall issue its bonds in the principal amount of $100,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from the date of the bonds.

2. The bonds to be issued pursuant to the preceding paragraph shall be designated “County of Mecklenburg, North Carolina Variable Rate General Obligation Bonds, Series 2004B” (hereinafter referred to as the “Bonds”). The Bonds shall be issued pursuant to the terms of G.S. 159-79. The North Carolina Local Government Commission will specifically determine pursuant to G.S. 159-79(a)(1) that a Credit Facility in addition to the Standby Bond Purchase Agreement referred to below is not required.

3. The Bonds shall be issued substantially in the form and in accordance with the terms set forth in Exhibit 1 attached hereto and incorporated herein by reference, together with such changes not inconsistent with the general tenor hereof and thereof as the County Manager and the County Director of Finance, with the advice of counsel, may deem appropriate, their execution of closing certificates in connection with the issuance of the Bonds to evidence conclusively the authorization and approval thereof by the Board.

4. The Board hereby requests the North Carolina Local Government Commission to sell the Bonds with a variable interest rate at private sale and without advertisement and designates the County Manager and the County Director of Finance as the persons who must approve the price or prices at which the Bonds are sold by the North Carolina Local Government Commission. The purchase price of the Bonds shall be 100% of the par amount of the Bonds, and the maximum initial interest rate shall be 12% per annum.

5. The forms, terms, provisions and distribution and use by Legg Mason Wood Walker, Incorporated (the “Underwriter”) of the Tender Agent Agreement among the Issuer, the Tender Agent/Paying Agent, and Legg Mason Wood Walker, Incorporated, the Bond Purchase Agreement among the Issuer, the Local Government Commission and the Underwriter, the Standby Bond Purchase Agreement among the Issuer, the Tender Agent and Landesbank Hessen-Thüringen Girozentrale, the Remarketing Agreement between the Issuer and Legg Mason Wood Walker, Incorporated and the Official Statement with respect to the Bonds are hereby approved in all respects, and each of the officers of the Board, the County Manager and the County Director of Finance are hereby authorized and directed to execute and deliver those documents in substantially the forms presented to this meeting, together with such changes not inconsistent with the general tenor hereof and thereof as they, with the advice of counsel, may deem necessary and appropriate, such execution and delivery to evidence conclusively the authorization and approval thereof by the Board. Each of those officers and employees are also authorized and directed to execute and
deliver any certificates or other documents they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution and the other documents described above, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the Board.

6. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended, to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

7. This resolution shall take effect upon its passage.

*Extract, Resolution including Exhibit I is recorded in full in Minute Book 42-A, Document #*

**RESOLUTION AUTHORIZING ISSUANCE OF BONDS**

Commissioner James moved adoption of the following resolution, the motion was seconded by Commissioner Samuelson, and the resolution was read by title:

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Issuer”), as follows:

1. Pursuant to and in accordance with the court facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $45,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2004.

2. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $10,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2004.

3. Pursuant to and in accordance with the library facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $2,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2004.

4. Pursuant to and in accordance with the park and recreation facilities bond order adopted by the Board of Commissioners on September 8, 1999, the Issuer shall issue its bonds in the aggregate principal amount of $3,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2004.

5. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 6, 2000, the Issuer shall issue its bonds in the aggregate principal amount of $45,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 1, 2004.

6. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 to 5, inclusive, shall be issued as one consolidated bond issue in the principal amount of $105,000,000 and designated “General Obligation Public Improvement Bonds, Series 2004A” (the “Bonds”). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 to 5, inclusive, is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated February 1, 2004, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on August 1, 2004, and semi-annually thereafter on February 1 and August 1. The Bonds shall mature annually on February 1, as follows:

<table>
<thead>
<tr>
<th>Principal Year</th>
<th>Amount</th>
<th>Principal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>$6,375,000</td>
<td>2013</td>
<td>$6,575,000</td>
</tr>
</tbody>
</table>
Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

7. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York (“DTC”) or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on February 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of $5,000 or integral multiples thereof.

8. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

9. The Bonds and the endorsements thereon shall be in substantially the following form:

A copy of each form document is on file with the Clerk to the Board.

10. The Bonds maturing on and after February 1, 2015, shall be subject to redemption prior to their stated maturities at the option of the County on or after February 1, 2014, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds then subject to redemption are called for redemption, the County shall determine the
maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds or portions thereof of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company (“DTC”) shall determine by lot the amount of interest of each Direct Participant in the Bonds are to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the schedule redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond
and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the “Bond Registrar”), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

12. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

13. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

14. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

15. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

16. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the Issuer, to each nationally recognized municipal securities information repository (“NRMSIR”) and to the state information depository for the State of North Carolina (“SID”), if any, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution,

(b) by not later than seven months from the end of each fiscal year of the Issuer, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board (“MSRB”), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

(1) principal and interest payment delinquencies;

(2) non-payment related default;
(3) unscheduled draws on debt service reserves reflecting financial difficulties;
(4) unscheduled draws on any credit enhancements reflecting financial difficulties;
(5) substitution of any credit or liquidity providers, or their failure to perform;
(6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
(7) modification to the rights of the beneficial owners of the Bonds;
(8) bond calls;
(9) defeasances;
(10) release, substitution or sale of any property securing repayment of the Bonds;
(11) rating changes; and
(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identify, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (“Rule 15c2-12”) as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

Ayes: Commissioners Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard

Nays: None.

Note: Chairman Cox was absent from the meeting when this matter came before the Board.

Extract and Resolution recorded in full in Minute Book 42-A, Document #

Certificates of Participation
The Chairman announced that this was the hour, day and place fixed for the public hearing for the purposes of considering whether the Board of Commissioners for the County (the “Board”) should approve a proposed installment financing agreement and certain related documents under which the County would obtain financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in an amount not exceeding $18,500,000 for a portion of various projects, including (i) preliminary costs relating to the construction of a new high school, (ii) the renovation of existing mental health facilities, (iii) the renovation of the Caroline Love Myers building and (iv) the acquisition, construction and equipping of parks and recreation facilities (collectively, the “Project”), and under which the County would secure the repayment by it of moneys advanced pursuant to such installment financing agreement by granting a lien on and security interest in a portion of the Project and certain related property. The Chairman announced that the notice of the public hearing, which is being held pursuant to Section 160A-20(g) of the North Carolina General Statutes, as amended, was published in The Charlotte Observer on December 6, 2003.

The Chairman then announced that the Board would immediately hear anyone who might wish to be heard on such matters.

Attached hereto is a summary of the comments of anyone who appeared, either in person or by attorney, to be heard on such matters.

Public Comment Received:

James Bensman, Commissioner Town of Cornelius addressed this matter. He asked the Board to include an additional $9 million of Certificates of Participation to fund construction of the full Bailey Road Middle School in Cornelius, N.C. He noted that the Towns of Cornelius, Davidson, and Huntersville approved a joint resolution requesting this action.

No one else appeared to speak.

The Clerk to the Board of Commissioners announced that no written statement related to such matters had been received.

Thereupon, the Board determined to proceed with the proposed financing of the Project.

Thereupon the Chairman announced that the public hearing was closed.

Thereupon Commissioner Helms introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION (1) AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF AN INSTALLMENT FINANCING AGREEMENT AUTHORIZED BY SECTION 160A-20 OF THE NORTH CAROLINA GENERAL STATUTES AND (2) APPROVING SUCH INSTALLMENT FINANCING AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS IN CONNECTION THERewith.

WHEREAS, financing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing on December 16, 2003 regarding an installment financing agreement to finance the Project;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

(1) An Installment Financing Agreement to be dated as of February 1, 2004 (the “Contract”) between the County and Mecklenburg County Public Facilities Corporation (the “Corporation”);

(2) A Deed of Trust to be dated as of February 1, 2004 (the “Deed of Trust”), from the County to a trustee for the benefit of the Corporation;

(3) A Trust Agreement to be dated as of February 1, 2004 (the “Trust Agreement”) between the Corporation and a trustee (the “Trustee”);

(4) An Official Statement (the “Official Statement”) relating to Variable Rate Certificates of Participation evidencing proportionate undivided interests in revenues to be received by the Corporation under the Contract (the “Certificates”);

(5) A Certificate Purchase Agreement to be dated February 11, 2004 (the “Purchase Contract”) among Legg Mason Wood Walker, Incorporated (the “Underwriter”), the County and the Corporation;

(6) A Standby Purchase Agreement to be dated as of February 1, 2004 (the “Liquidity Facility”) between the County and Landesbank Hessen-Thüringen Girozentrale d/b/a Helaba, acting through its New York Branch (the “Bank”); and

(7) A Remarketing Agreement dated as of February 1, 2003 (the “Remarketing Agreement”) among the County, the Corporation and Legg Mason Wood Walker, Incorporated (the “Remarketing Agent”).
WHEREAS, the Board of Commissioners of the County desires to approve the Contract and the sale of the Certificates and to authorize other actions in connection therewith; and

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

1. The Board hereby finds and determines in connection with the proposed installment financing agreement that (a) such proposed installment financing agreement is necessary or expedient to the County, (b) such proposed installment financing agreement, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing agreement are adequate and not excessive for its proposed purpose, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing agreement will not be excessive and (f) the County is not in default regarding any of its debt service obligations.

2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina.

3. The County Manager and Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing agreement with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation of such proposed installment financing agreement and the development of the related financing; and all actions heretofore taken by the County Manager and Director of Finance relating to such matters are hereby approved, ratified and confirmed.

4. Each of the Contract, the Deed of Trust, the Purchase Contract, the Remarking Agreement and the Liquidity Facility, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.

5. The Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.

6. The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Certificates is hereby authorized. The Chairman of the Board, the County Manager and the Director of Finance are each hereby authorized and directed to execute and deliver on behalf of the County, the Official Statement in substantially such form, with such changes, insertions and omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.

7. The Chairman of the Board, the County Manager, the Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution and to effect the installment financing pursuant to the Contract. Without limiting the generality of the foregoing, the Director of Finance is authorized to approve all details of the financing, including without limitation, the amount advanced under the Contract (which shall not exceed $18,500,000), the annual principal payments under the Contract, the term of the Contract, and the discount below the principal amount of the Certificates at which the Certificates are sold to the Underwriter, if any. Execution of the Contract by the Chairman of the Board, the County Manager or the Director of Finance shall conclusively evidence approval of all such details of the financing.

8. All actions of the County effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.

9. This Resolution shall become effective immediately upon its adoption.

Commissioner James seconded the motion and the motion was adopted by the following vote:

Ayes: Commissioners Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Jim Puckett, Dan Ramirez, Ruth Samuelson, and Valerie Woodard

Nays: None.

Note: Chairman Cox was absent from the meeting when this matter came before the Board.

* * *

Extract and Resolution recorded in full in Minute Book 42-A, Document #

Commissioners James and Puckett left the dais and were absent until noted in the minutes.
Motion was made by Commissioner Samuelson, seconded by Commissioner Mitchell and carried 6-0 with Commissioners Clarke, Helms, Mitchell, Ramirez, Samuelson, and Woodard voting yes, to receive as information an update on the Mountain Island Lake Workshop.

The update was given by Dave Canaan, Director of Storm Water Services.

Highlights:

- The workshop has been scheduled for January 14, 2004 from 10:00 a.m. to 2:30 p.m. at the Gaston County Citizen’s Resource Center in Dallas, N.C.

- The purpose of the workshop is to update elected officials from counties and municipalities bordering Mountain Island Lake about successful efforts made to date for protecting water quality in the lake, and explore opportunities and strategies to prevent future degradation of this high quality drinking water source.

- The agenda for the workshop includes the following:
  - **Session 1:** Importance of Mountain Island Lake for Sustaining Livable Communities
  - **Session 2:** Efforts to Date to Protect Mountain Island Lake
  - **Session 3:** Future Efforts Necessary to Protect the Lake

- The keynote speaker will be Bill Holman of the N.C. Clean Water Management Trust Fund.

- Elected officials from Mecklenburg, Gaston and Lincoln Counties as well as the cities of Charlotte, Gastonia, Mount Holly, Huntersville and Cornelius will be invited to attend.

- The desired outcome of the workshop is an agreement by elected officials on a process for the development of a vision and long-term regional strategy for protecting water quality conditions in Mountain Island Lake.

Commissioner Samuelson left the meeting and was absent for the remainder of the meeting.

Commissioners James and Puckett returned to the dais.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 5-2 with Commissioners Clarke, Helms, Mitchell, Ramirez, and Woodard voting yes and Commissioners James and Puckett voting no, to authorize the County Manager to negotiate and execute: 1) a purchase and development agreement with Crescent Resources, Inc., City of Charlotte and Charlotte Trolley, Inc. for .378-acre and a trolley easement over .150-acre of Tax Parcel 123-041-26 on South Boulevard at Bland Street; and 2) negotiate and execute a ground lease with the City of Charlotte for the subject property.

Prior to the above vote, General Manager Bobbie Shields addressed this matter.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 4-3 with Commissioners Clarke, Helms, Mitchell, and Woodard voting yes and Commissioners James, Puckett and Ramirez voting no, to adopt a Resolution Opposing an Outlying Landing Field at Any Site That Is Unacceptable To The State Of North Carolina.
Note: At the December 2, 2003 Board meeting Mr. William Alligood, representing North Carolinians Opposed to the Outlying Landing Field proposed for a site in Washington County asked the Board to support the adoption of a resolution in opposition to the Outlying Landing Field.

Resolution recorded in full in Minute Book 42-A, Document #

Commissioner Puckett left the meeting and was absent for the remainder of the meeting.

ADJOURNMENT

Motion was made by Commissioner Mitchell, seconded by Commissioner James, and carried 6-0 with Commissioners Clarke, Helms, James, Mitchell, Ramirez, and Woodard voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:55 P.M.

Janice S. Paige, Clerk

Tom Cox, Chairman

Dan Ramirez, Vice-Chairman
NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in Meeting Chamber Conference Room CH-14 of the Charlotte- Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, N. C. on Tuesday, December 16, 2003 at 1:00 p.m.

ATTENDANCE

Present: Chairman Tom Cox, Commissioners Dumont Clarke, H. Parks Helms, Bill James Norman A. Mitchell, Sr., Jim Puckett Dan Ramirez and Ruth Samuels
County Manager Harry L. Jones, Sr.
Clerk to the Board Janice S. Paige

Absent: Commissioner Valerie Woodard

Chairman Cox and Commissioners Clarke, Helms, and Puckett were absent when the meeting was called to order and until noted in the minutes.

Vice-Chairman Ramirez, in the absence of Chairman Cox, directed staff to proceed with the meeting, even though it would not be officially called to order until the arrival of at least one other Commissioner.

The purpose of the meeting was to conduct program reviews and assessments of County services.

PROGRAM REVIEWS AND ASSESSMENTS

General Manager John McGillicuddy reviewed the Focus Area Growth Management and Environment Program Categories of Greenway Planning and Greenway Development and Management, and Aquatic Services, which included a review of the Desired Outcome, Program Categories, Scope, Strategy, and Measure(s) for each.

He also reviewed the Focus Area of Social, Education, and Economic Opportunity Program Category of Personal Responsibility/Self-Sufficiency Training, Counseling and Case Management all of which were related to services provided by the Veteran Services Office.

General Manager McGillicuddy introduced Wayne Weston, Director of Park and Recreation and Bob Weeks, Director of Veteran Services to address the above referenced Program Categories.

Each presenter addressed services provided in their respective areas and entertained questions from the Board.

Commissioner Puckett entered the meeting during Director Weston’s presentation. It was at this point that the meeting was officially called to order.

Commissioner Clarke entered the meeting also during Director Weston’s presentation.

Commissioner Helms entered the meeting during Director Weeks’ presentation.
DISCUSSION HIGHLIGHTS

Note: No formal action was taken by the Board. General discussion was held. Below are highlights of the discussion. It is not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

Greenway Planning, Development and Management

Commissioner James noted that the amounts for the 10-year needs assessment, including for greenways and libraries, exceed the amount the County needed to spend.

Commissioner James said that he was interested in knowing staff’s analysis of how to translate the capital needs assessment into the “affords” assessment.

Deputy County Manager Russ Crider stated that staff would need to identify the needs and program those needs into the $50 - $60 million per year, once the County was beyond where it is already, noting that there were projects already underway. It was noted that it would cost more to stop and restart those projects again than it would to complete them now.

Commissioner James asked if there was a list of potential projects that staff had planned if there was going to be a referendum in 04? The response was yes. Mr. Weston stated that he could provide this list.

Deputy County Manager Crider noted that there would be other lists to consider, in addition to Park and Recreation projects.

Finance Director Harry Weatherly noted that such a list probably could not be provided until three or four months from now.

Veteran Services

Commissioner James requested information on the number of persons served by the Veteran Services Office last year that were residents of Mecklenburg County and those that were not.

Commissioner James said that he was also interested in the number of claims filed with the Veteran Administration office last year for Mecklenburg County versus the number filed through the County Veteran Services Office.

It was noted that often persons that live in surrounding counties but work in Mecklenburg County find it more convenient to come to the County’s Veteran Services Office.

Commissioner Samuelson asked if the number of clients served as referenced in the material were separate people or the number of cases. The response was that the figures reflect the number of cases with the possibility of one person having two cases.

Commissioner Samuelson asked if there was a way to determine the actual number of individuals served? The response was yes and that the information would be provided.

Following the above presentations, General Manager McGillicuddy reviewed handouts that were distributed regarding the Law Enforcement Service District, Procurement, and on City/County Customer Service and Information Services.

It was noted that a report was forthcoming in February regarding the Law Enforcement Service District.

Commissioner Samuelson asked for clarification on the misdemeanor court set funding that was redirected during the FY04 budget process to instead fund resources for a felony court set. The following was noted:
The agencies involved in and receiving County resources for this purpose (i.e., District Attorney, Public Defender, Clerk of Superior Court, etc.) agreed to maintain the effort in misdemeanor cases while also making changes to speed prosecution of felony cases for those people in jail awaiting trial, as a result of not having a distinct set of resources that could be identified and reallocated from misdemeanor cases to felony cases.

The basis for this decision was that for the same County investment, the County would continue to receive the benefits of prosecuting misdemeanor cases faster and the added benefit of quicker disposition of felony cases.

The County Manager’s office was unaware of this decision and should have been informed immediately once it was determined that the funds would or could not be used as originally directed by the Board.

The County Manager, however has been assured by the Court Services Department and the District Attorney that this approach was maximizing the number of felony cases that could be disposed with this level of County funding.

County Manager Jones then addressed setting priorities and noted that at the Strategic Planning Conference the Board would be asked to set some priorities.

**The Board recessed at 3:20 p.m. and reconvened at 3:27 p.m.**

General Manager McGillicuddy addressed the next steps in the program review process. The following was noted:

- Staff would recommend that the Board begin looking at the budget as a strategic business plan and that the Board endorses developing a three-year a “Strategic Business Plan.”

- The Strategic Business Plan although it would be a three-year plan, would still have annual funding based on the Board’s priorities.

- As part of the Board’s Strategic Planning Conference a priority setting workshop will be scheduled utilizing the information from the Program Reviews. The workshop would be facilitated by a neutral party.

- Relevance, Performance and Management Efficiency are the three key criteria the Board and County Manager would use in establishing a strategic approach.

- As it relates to Relevance the question for the Board when reviewing the various program categories and setting priorities would be: Should the County be in this business?

- As it relates to Performance the question for the Board when reviewing the various program categories and setting priorities would be: Do the results justify the investment?

- As it relates to Management Efficiency the question for the Board when reviewing the various program categories and setting priorities would be: Are resources being managed in the most efficient way possible?

**Chairman Cox entered the meeting during this time, however, Vice-Chairman Ramirez continued to chair the meeting.**

- The Board would hold its Strategic Planning Conference in January and at that conference go through a priority setting activity by program categories.

- The County Manager would then take that information and develop a draft strategic business plan, which would indicate what the Board has said were its priorities and in priority order.

- In February a half day retreat would be held at which the County Manager would present to the Board its priorities as a result of the Board’s work at the Strategic Planning Conference. At this meeting the Board would react to what the County Manager presents and provide further direction to staff.
- Per that feedback directions would be given to departments based on the Board’s priorities that they build their budgets and focus their services on those priorities.
- Staff plans to use a target based budget approach. Departmental targets would be set at a rate that allows the County Manager to come in under the general revenue target. This would build an available pool of funds for the Board to use for those programs and services that were at that point in the hierarchy that the Board would ultimately be making decisions on.

General Manager McGillicuddy then reviewed the Board’s agenda for the 2004 Strategic Planning Conference, January 29th and 30th at The Park Hotel.

Commissioner Puckett asked would there be time at the Strategic Planning Conference to review the County’s Mission Statements? The response was that the plan was to revisit the scorecard and review and reprioritize the measures and the strategies rather than reviewing the Mission Statement.

Commissioner Puckett stated that he felt that from time to time the Board should review its Mission Statement.

General Manager McGillicuddy stated that such a review would occur indirectly as a result of reviewing the Scorecard because the Scorecard was the mission/goal setting tool.

Chairman Cox addressed the Mission Statement and echoed Commissioner Puckett’s remarks that a review of the Mission Statement and/or the Scorecard was needed.

The final thing noted by General Manager McGillicuddy was that a meeting was scheduled with the Board of Education on January 28, 2004, which would be prior to the Board’s Strategic Planning Conference.

This concluded the discussion.

As stated earlier, the above summary highlights are not inclusive of every comment and/or question asked but reflects key points and requested follow-up.

A copy of the information provided to the Board regarding each of the Program Categories is on file with the Clerk to the Board.

There being no further business to come before the Board the meeting was declared adjourned at 4:50 p.m.

Janice S. Paige, Clerk  Tom Cox, Chairman

Dan Ramirez, Vice-Chairman