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 located at 600 East Fourth Street 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 2, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap, Fuller, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0755, 13-0756, 13-0759, 13-0761, 13-0762, 13-0763, 13-064, and 13-0769.

STAFF BRIEFINGS - NONE

(13-0773, 13-0774) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition and Consult with Attorney matters to be discussed in Closed Session:

- Tax Parcels #199-151-06, 199-151-07 and 199-151-08
- Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC and Jerry Alan Reese vs. Mecklenburg County, City of Charlotte.

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Bentley, Clarke, Cotham, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purposes: Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 5:37 p.m.
Commissioners Dunlap and Fuller were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Commissioner Ridenhour entered the meeting after the Board came out of Closed Session.

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

____________________

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Ratliff, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(13-0776) PUBLIC APPEARANCE

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

APPOINTMENTS - NONE

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT -- MECKLINK BEHAVIORAL HEALTHCARE UPDATE

County Manager Jones noted the following with respect to the status of MeckLINK Behavioral HealthCare:

- On Monday, December 31, 2012, a letter was received from the outgoing Acting Secretary of the Department of Health and Human Services for the State of N. C., Al Delia, which was his last day in this capacity.
- The letter was to inform the County of his decision to assign MeckLINK Behavioral HealthCare to Cardinal Behavioral Health Management for management of the Medicaid Waiver.
- Cardinal is made up of 15 counties, Cabarrus, Davidson, Rowan, Stanley, Union, Alamance, Caswell, Franklin, Granville, Halifax, Vance, Warren, Orange, Person, and Chatham.
- County Manager Jones and General Manager Michelle Lancaster had a conversation with the former secretary to get a better understanding of his position.
- The former secretary’s position was based on several factors, one of which was that the Mercer Group, hired by the state, in a consultation role, did not believe the County would be ready to go-live by February 1, 2013.
- The former secretary utilized his statutory obligation to make a decision to assign Mecklenburg County to Cardinal.
- In a separate letter to some legislative leadership, Representative Dollar and Senator Pate, the former secretary indicated that he felt Mecklenburg County, even though he
made the assignment to Cardinal, should be afforded the opportunity to continue working toward implementation. This was based on a recommendation from Mercer that said if Mecklenburg County was allowed to continue, they believed Mecklenburg County would be ready by April 1, 2013.

- Being ready by April 1, 2013 would mean Mecklenburg County could be up and running prior to the time that Cardinal would be able to be up and running.
- There were some important elements to this issue. 1) Trying to get an understanding of what it means to be assigned. 2) To determine whether the incoming secretary has the administrative flexibility to grant Mecklenburg County the authority to continue going forward.
- Staff is concerned that the assignment would require Mecklenburg County to perhaps redirect some resources from Mecklenburg County towards working with Cardinal in whatever manner that may be; while at the same time, going forward with Mecklenburg County’s plans for implementation. It’s not known at this point if the County has the capacity to do that.
- The County has been going forward and has hired 130+ staff for implementation of the waiver and has expended about $3 million in local funding, thus far.
- MeckLINK Behavioral HealthCare Director Phil Endress believes and the County Manager concurs, that the County can meet the deadline of February 1, 2013, but, nonetheless, if the County isn’t ready by February 1, it’s strongly felt the County would be ready prior to April 1, 2013.

County Manager Jones said he was suggesting to the Board, to concur with staff’s thoughts of continuing to work towards implementation with February 1, 2013 as the goal.

County Manager Jones said he wanted to have a conversation directly with Mercer to ask them to come in with a greater degree of frequency to look at the County’s implementation.

County Manager Jones said he was also concerned about a press release sent out by Cardinal, that gives the impression that Cardinal has concluded that this is a done deal and they’re in the “driver’s seat.”

County Manager Jones said he didn’t want to create relationship problems, but that the County had invested too much to “walk away” at this point.

County Manager Jones said the County needed to continue on course.

County Manager Jones said the statutory implementation date was July 1, 2013.

Comments

Commissioner James asked when did the letter from the former secretary arrive. County Manager Jones said the letter came by email around mid-afternoon on Monday, December 31, 2012.

Commissioner James asked that the letter be shared with the Board.

Commissioner James referenced that there had been concerns expressed previously by the state regarding the County’s ability to be ready by February 1, 2013. He asked if staff felt, that continued concern on the part of the state was the reason Mecklenburg County was assigned to Cardinal.

County Manager Jones said Mercer made a determination that Mecklenburg County would not be ready by the go-live date that had been administratively established of February 1, 2013.

County Manager Jones said Mercer’s last visit was on December 20, 2012.
County Manager Jones said the former secretary had a statutory obligation to make a decision, which he did based on Mercer’s report. However, the former secretary did not feel “comfortable” making the decision he made, per a letter he sent to Representative Dollar and Senator Pate and per his conversation with the former secretary, where he indicated that if Mecklenburg County were allowed to go forward, he believed the County could fulfill and meet a deadline to implement the Waiver effective July 1, 2013.

Commissioner James asked what would be the cost to Mecklenburg County taxpayers if Cardinal were to administer the program versus the County doing it. Also, if Cardinal were to take over, would they be responsible for the employees hired by the County.

County Manager Jones said there were a lot of unanswered questions associated with this and details that would have to be worked out and that staff could not answer them at this time.

Commissioner James said someone needed to contact Governor-Elect Patrick McCrory to get this matter resolved before the County ends up in a “quagmire.”

County Manager Jones said staff had been in touch with the County’s lobbyist and that General Manager Lancaster had a conversation today with a member of Governor-Elect McCrory’s team assigned to the Department of Health and Human Services area.

County Manager Jones said staff was trying to schedule a meeting with the new Secretary of Health and Human Services.

County Manager Jones said his goal, on the Board’s behalf, was to understand this matter and that his commitment was to Mecklenburg County and to protect the investment that’s been made to date. Further, that based on where the County was, that it could be demonstrated to the State, the new secretary, the Board, and to the citizens of Mecklenburg County that Mecklenburg County could meet this particular test.

Commissioner James asked whether Cardinal met the “test.”

County Manager Jones said the former secretary and his staff asked Mercer to take a look at the readiness of Cardinal to assume MeckLink and it was concluded that Cardinal needed 120 – 180 days to be compliant for implementation if the County wasn’t ready by February 1, 2013.

County Manager Jones said that timeframe would push Cardinal very close to the statutory implementation date of July 1, 2013. However, what staff has said and Mercer, was that if Mecklenburg County was allowed to continue, Mecklenburg County could achieve an earlier implementation date than Cardinal.

General Manager Lancaster said Cardinal was formerly called Piedmont Behavioral Health and was located in Cabarrus County. Also, that Cardinal has been a Managed Care Organization since 2005.

General Manager Lancaster reminded the Board that this was Medicaid money and that the only cost to the County was the start-up cost, which the County expects to be reimbursed for.

General Manager Lancaster said all administrative cost for this program would be Medicaid and that it would not cost taxpayers any money from local county dollars.

General Manager Lancaster said the County would still have $20 million in local money that’s allocated to mental health services and that if this were to go to another organization, it would not be managed collectively.
Commissioner James asked would the $20 million remain in the County or be provided to Cardinal. General Manager Lancaster said that would be a Board decision, but she would not recommend it be given to Cardinal to manage.

Commissioner Bentley asked what would Cardinal stand to gain financially from this. General Manager Lancaster said she believed there was an eight percent overhead built into the budget.

Director Endress said Cardinal would stand to gain about $20 million dollars in administrative costs.

Commissioner Bentley asked would that be just in the first year. The response was yes.

Commissioner Bentley asked what was cited specifically by the former secretary or Mercer to justify the recommendation to assign MeckLINK to Cardinal.

General Manager Lancaster said staff had not seen Mercer’s Final report and that it was her understanding that the report from the December visit was not final.

General Manager Lancaster said she was provided some bullet points, that continue to be around things staff had shared with the Board previously, such as the information technology system. She said some of the bullets also addressed financial policies and procedures. General Manager Lancaster said staff was confident that these issues would be resolved by February 1, 2013.

Commissioner Bentley asked for clarification around the statement, “if Mecklenburg County was allowed to go forward” and who would make that determination. County Manager Jones said staff needed to find out if the incoming secretary had the administrative flexibility to say that Mecklenburg County could move forward towards implementation or was that the decision of the General Assembly.

Commissioner Dunlap said what was at stake was $20 million in administrative fees.

Commissioner Dunlap said there was something that “smelled funny” about this whole matter and he explained why.

Commissioner Dunlap asked County Manager Jones was he seeking the Board’s authorization to move forward. County Manager Jones said he was not seeking any action by the Board at this time because there were too many unanswered questions.

County Manager Jones said staff would be providing information to the Board via email as information was known.

Commissioner Leake asked what did this mean for citizens and how could it best be explained. General Manager Lancaster said the best way to communicate this to citizens when speaking with them was to tell them that this was really about managing behavioral health services for Mecklenburg County residents at the local level.

Commissioner Leake asked if this also meant that Cardinal would be deciding who would get contracts to provide services. The response was yes.

Commissioner Leake asked to receive information regarding staffing, including positions of staff and what other staff would be needed.

Commissioner Clarke asked would the $200 million in Medicaid funds still come to providers in Mecklenburg County. General Manager Lancaster said she couldn’t answer that because if MeckLINK went to Cardinal it would be up to how Cardinal would define their provider network.
Director Endress said Cardinal did not have a network set up in Mecklenburg County. He said Cardinal would have to develop one.

Commissioner Clarke asked whether MeckLINK’s provider network was all in Mecklenburg County. Director Endress said MeckLINK’s provider network consisted primarily of providers in Mecklenburg County, however, there would be providers in other counties if a resident of Mecklenburg was in another county and receiving services.

Commissioner Clarke asked about the management of Medicaid funds currently, which was explained.

Commissioner Clarke asked what was the policy thinking on the part of the state behind moving from the current management model to the Managed Care Model and was the state trying to achieve?

Director Endress said the state was trying to achieve an integration of the state funded services and the Medicaid dollars to achieve better outcomes for individuals.

Commissioner Clarke asked what was the County’s incentive to do this. General Manager Lancaster said the incentive was to get better outcomes for the residents of Mecklenburg County.

General Manager Lancaster said if you get better clinical outcomes for behavioral health patients, the money will follow those changes. She said the cost would go down, both federal, state and local and you would get better clinical outcomes and you would be managing towards those outcomes.

Commissioner Clarke asked was it correct that staff felt the County could manage those dollars better and achieve better clinical outcomes, then what was currently being done by integrating the funding. General Manager Lancaster said yes, by integrating the funding and the utilization management and the care coordination components of managing what the consumer was receiving in terms of treatment.

Commissioner Clarke asked what would happen to the employees the County had employed. General Manager Lancaster said the County would have to go through a reduction in force (RIF) procedure. General Manager Lancaster said she would anticipate that if another Managed Care Organization took over that they would have to hire more people. She doesn’t know how many or if they would hire some of the County employees, she would imagine so, but she’s not sure.

General Manager Lancaster said the County had hired several people from Cardinal.

Commissioner Clarke said it has to be kept in mind, what’s best for the consumers of these services.

Commissioner Clarke said clear direction was needed soon regarding this matter.

General Manager Lancaster said staff has been told by a representative from the new administration that this matter was the number one priority of the Department of Health and Human Services.

General Manager Lancaster said Director Endress was instructed by her and the County Manager to continue working towards the February 1, 2013 deadline, until someone tells management to do something different from that.
Commissioner Clarke said he wouldn’t suggest stopping either until the County was specifically told to stop.

Commissioner Fuller said there was something about this whole matter that didn’t seem “right” and he hoped the County could get some answers.

Commissioner Fuller said it didn’t seem right that the County would have to layoff 206 people and that the County would have essentially wasted $3 million in start-up cost.

Commissioner Fuller said it was important that the County’s reaction to this be expressed on behalf of the community.

Commissioner Fuller said he was concerned for the consumers of these services, as well as, the providers.

Commissioner Fuller said he and other members of the Board were perplexed by all of this.

Commissioner Fuller said perhaps it would be wise to consult with the Mecklenburg State Legislative Delegation with respect to this matter, if that seemed appropriate, because none of this has made “sense“ from the beginning.

Commissioner Fuller said he hoped that the County Manager would at some point bring forth a policy action for the Board to consider with respect to this matter.

Commissioner Fuller said he, too, felt the County should continue as it has been until the County was told not to.

Commissioner Fuller asked County Manager Jones about the next steps in dealing with this matter.

County Manager Jones said the next immediate step would be to get an answer from whoever the appropriate source was on Mecklenburg County continuing to go forward.

County Manager Jones said he was going to stay on the path that the County has been on, which was to work toward implementation, until he’s told that the County should not be on that path.

County Manager Jones said it was staff’s belief that the former secretary could have made the decision that Mecklenburg County continue, but per their conversation with the former secretary, he was not “comfortable” making that decision.

County Manager Jones said it was important that staff in this area hear from the Board that the Board wants management to continue going forward, which appeared to him, to be the sentiment of the Board.

Chairman Cotham said the Board was “passionate“ about this matter and would like to know more information as soon as possible. She encouraged management to keep the Board informed, so that the Board could be supportive.

Chairman Cotham asked that management inform the Board of how it could help in dealing with this matter.

Chairman Cotham said the County needed to “fight” for this, to “keep it.”

Chairman Cotham asked whether the former secretary said explicitly what it was he wasn’t comfortable with. General Manager Lancaster said no.
General Manager Lancaster said what you see in the letter and what staff was told on the phone was that Mercer couldn’t give him a 100% confidence that Mecklenburg County could be live by February 1, 2013, even though Mercer said the County would be okay by April 1.

General Manager Lancaster said the former secretary felt that based on the February 1, 2013 deadline that he established for the County, that he could not approve it based on that information from Mercer.

Commissioner Clarke asked was there anyway that Cardinal could be effective by February 1, 2013? General Manager Lancaster said no.

STAFF REPORTS & REQUESTS

(13-0768) APPOINTMENT - CONNECT CONSORTIUM'S POLICY FORUM

Heidi Pruess with Land Use and Environmental Services Agency and Jim Prosser, executive director of the Centralina Council of Governments addressed the CONNECT Consortium.

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

Note: “CONNECT Our Future” is a process in which communities, counties, businesses, educators, non-profits and other organizations work together to grow jobs and the economy, improve quality of life and control the cost of government. This project will create a regional growth framework developed through extensive community engagement and built on what communities identify as existing conditions, future plans and needs, and potential strategies. It is supported by a $4.4 million HUD Sustainable Communities Grant and $3 million in local in-kind public and private matching resources. The CONNECT Our Future three-year process will engage public, private and non-profit organizations across the 14-county region. It is based on, and builds from, the region’s CONNECT vision.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Chairman Cotham as the Board’s elected official representative to the CONNECT Consortium’s Policy Forum.

Commissioner Clarke returned to the dais.

(13-0770) MECKLENBURG COUNTY’S SESTERCENTENNIAL

The Board received information on Mecklenburg County’s Sestercentennial Celebration.

Danny Diehl, Public Information Director and Dan Morrill, Executive Director of the Historic Landmarks Commission addressed this matter.

Note: In December, 1762, a section of Anson County was designated to form a new county in North Carolina, called Mecklenburg County. The first official act of Mecklenburg County was a court proceeding held at the home of Thomas Spratt near Caldwell and Randolph roads on February 26, 1763. As a result, this date is deemed the official birth date for Mecklenburg County. On February 26, 2013, the Mecklenburg County community will celebrate its 250th birthday. To commemorate this birthday, the Board was asked to adopt a proclamation, which will kick-off planning efforts to involve Mecklenburg residents, businesses and others in celebrations to share and learn the history of the community over the past 250 years.
Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation regarding this 250th birthday of Mecklenburg County.

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

### COUNTY COMMISSIONERS REPORTS & REQUEST – NONE

### CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Ratliff, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute documents necessary for the acquisition of Tax Parcel #199-151-06 (+/- 11.399 acres) from All American Properties, LLC for $300,000.00

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to designate Tax Parcel 199-151-06 and the adjacent parcels 199-151-07 and 199-151-08 as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (component of the 2008 P&R 10-year Master Plan).

*Note: The acquisition of this 11.39 acre parcel when combined with adjacent parcels 199-151-07 (22.24 acres) and 199-151-08 (18.62 acres) will create a 52 acre Nature Preserve which will be across the street from Winget Park and the CMS Winget Park Elementary School.*

### CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

**(13-0758) SET PUBLIC HEARING - STREET NAME CHANGE**

Set a public hearing at 6:30 pm on Tuesday, February 5, 2013 regarding changing the name of a portion of Alexanderana Road to Eastfield Road; a portion of Alexanderana Road to Dixon Farm Road; a portion of Eastfield Road to Independence Hill Road; and a portion of Alexanderana Road to Arthur Davis Road.

*Note: Due to the construction of I-485, some existing road alignments will change, and this will require name changes for portions of the affected streets. North Carolina Department of Transportation (NCDOT) has opened the streets, and the resulting signs and addresses need to be changed to reflect the new alignments as soon as possible. Board approval of this agenda item will allow the County to change the name of a portion of Alexanderana Road to Eastfield Road, a portion of Alexanderana Road to Dixon Farm Road, a portion of Eastfield Road to Independence Hill Road, and a portion of Alexanderana Road to Arthur Davis Road.*

**_(13-0766) CONTRACT AMENDMENT FOR COUNTY'S METROLINA RECYCLING CENTER_**
Approve Amendment 1 to the Materials Recovery Facility Agreement Between Mecklenburg County, North Carolina and FCR, LLC.

(13-0775) MINUTES

Approve minutes of Regular meeting held December 18, 2012.

(13-0781) SET PUBLIC HEARING - PRELIMINARY STREET LIGHTING ASSESSMENTS

Adopt a resolution of the Preliminary Assessment Roll for the operating cost of street lights and set a public hearing on February 5, 2013 at 6:30 pm on Street Lighting Preliminary Assessment Roll for the Mountain Point Subdivision.

Resolution recorded in full in Minute Book _____ Document # ______.

(13-0782) DONATION OF PROPERTY - SHERIFF'S OFFICE

Adopt a resolution donating equipment to Stokes County Sheriff's Office.

Note: This action will allow the Mecklenburg County Sheriff’s Office to transfer property (Linescan 210 ESCAN x-ray machine) that is no longer needed, due to updated security equipment that provide more sensitive scanning capabilities and security measures. The x-ray machine is obsolete technology that the Mecklenburg County Sheriff's Office no longer uses. This equipment will be disbursed to the Stokes County Sheriff's Office. Per North Carolina General Statute G.S. 160A-280, donations to other governmental units of any equipment deemed to be obsolete, surplus or unused are allowed. The resolution and a notice that was posted indicating that the Board would consider taking this action at its January 2, 2013 meeting are attached.

Resolution recorded in full in Minute Book _____ Document # ______.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Ratliff left the dais and was absent until noted in the minutes.

(13-0755) MECKLINK BEHAVIORAL HEALTHCARE MONTHLY FINANCIAL REPORT

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to receive MeckLink’s November 2012 Monthly Financial Report.

Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Services, the program director of the county program (i.e., MeckLINK, formerly Area Mental Health) shall present to each member of the Board of County Commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented.

MeckLink Behavioral Healthcare
Statement of Revenues and Expenses  
FY 2013, For the period ending November 2012  

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>$ 7,047,768</td>
<td>$ 1,307,061</td>
<td>18.55%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,310,507</td>
<td>7,716,961</td>
<td>28.26%</td>
</tr>
<tr>
<td>County</td>
<td>27,135,706</td>
<td>3,642,585</td>
<td>13.42%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>$ 61,493,981</strong></td>
<td><strong>$ 12,666,607</strong></td>
<td><strong>20.60%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>12,013,093</td>
<td>2,755,158</td>
<td>22.93%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>7,348,128</td>
<td>1,410,173</td>
<td>19.19%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>6,749,468</td>
<td>2,168,006</td>
<td>32.12%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>7,614,230</td>
<td>2,163,195</td>
<td>28.41%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>10,528,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>9,526,112</td>
<td>1,998,548</td>
<td>20.98%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>7,714,777</td>
<td>2,171,527</td>
<td>28.15%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$ 61,493,981</strong></td>
<td><strong>$ 12,666,607</strong></td>
<td><strong>20.60%</strong></td>
</tr>
</tbody>
</table>

Net (Revenues - Expenditures)  
0 0 0%

Note: All revenue received from outside sources plus County revenue covers total expenditures incurred.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0756) APPOINTMENT OF REVIEW OFFICERS**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Registered of Deeds Office pursuant to N.C.G.s. 47-30.2" to add the name of Matthew A. Anderson and John E. Schrum and delete the name of Jeffrey L. Reid.

Resolution recorded in full in Minute Book ______ Document # ______.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0759) CAPITAL RESERVE REQUEST - RENAISSANCE PARK GOLF COURSE**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize and appropriate the expenditure of $18,500 from the Consolidated Golf Capital Reserve Fund to replace the radio system that controls irrigation at the Renaissance Park Golf Course.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0761) LEASE OF FIRST WARD PROPERTY**
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Levine Properties, Inc.”

Resolution recorded in full in Minute Book _____ Document # ______.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0762) GRANT APPLICATION - NC CLEAN WATER MANAGEMENT TRUST FUND

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to:

1. Authorize the County Manager to submit a stream restoration grant application for $400,000 to the North Carolina Clean Water Management Trust Fund for Main Stem McDowell Creek between Sam Furr Road and Westmorland Road.

2. Adopt the Resolution titled Authorization to File Application and Enter Into a Grant Contract with CWMTF.

3. Upon receipt of grant, recognize, receive and appropriate up to $400,000 in funds from the NC Clean Water Management Trust Fund.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0763) PURCHASE AGREEMENT - ENGINEERING SERVICES FOR FLOODPLAIN MAPPING

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a Floodplain Mapping Contract between Mecklenburg County and ESP Associates, P.A.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Ratliff returned to the dais.

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

13-0764) CONSTRUCTION CONTRACT - TORRENCE CREEK GREENWAY - PHASE III

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to award a construction contract for a total amount of $858,288, and any change orders within the budgeted amount of the project to Eaglewood Construction, Inc. pending and upon receipt of written concurrence with award by NCDOT.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.
JANUARY 2, 2013

PROPERTY TRANSFER TO THE CITY OF CHARLOTTE FOR THE BLUE LINE EXTENSION PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the transfer of the following portions of properties and easements to the City of Charlotte for a credit on the City/County Land Transfer Ledger and authorize the County Manager to negotiate and execute all documents necessary to complete the transfer:

1. A portion of Tax Parcel #080-041-01 (0.1276 acres) and associated Temporary Construction Easement (0.075 acres) for a total of $317,000.

2. A portion of Tax Parcel #049-336-01A (0.2621 acres) and associated Temporary Construction Easement, Permanent Easement, and site improvements (0.2029) for a total of $105,725.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:07 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour.
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap, Fuller, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0755, 13-0756, 13-0759, 13-0761, 13-0762, 13-0763, 13-064, and 13-0769.

STAFF BRIEFINGS - NONE

(13-0773, 13-0774) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition and Consult with Attorney matters to be discussed in Closed Session:

- Tax Parcels #199-151-06, 199-151-07 and 199-151-08
- Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC and Jerry Alan Reese vs. Mecklenburg County, City of Charlotte.

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Bentley, Clarke, Cotham, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purposes: Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 5:37 p.m.
Commissioners Dunlap and Fuller were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Commissioner Ridenhour entered the meeting after the Board came out of Closed Session.

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

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Ratliff, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(13-0776) PUBLIC APPEARANCE

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

APPOINTMENTS - NONE

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT -- MECKLINK BEHAVIORAL HEALTHCARE UPDATE

County Manager Jones noted the following with respect to the status of MeckLINK Behavioral HealthCare:

- On Monday, December 31, 2012, a letter was received from the outgoing Acting Secretary of the Department of Health and Human Services for the State of N. C., Al Delia, which was his last day in this capacity.
- The letter was to inform the County of his decision to assign MeckLINK Behavioral HealthCare to Cardinal Behavioral Health Management for management of the Medicaid Waiver.
- Cardinal is made up of 15 counties, Cabarrus, Davidson, Rowan, Stanley, Union, Alamance, Caswell, Franklin, Granville, Halifax, Vance, Warren, Orange, Person, and Chatham.
- County Manager Jones and General Manager Michelle Lancaster had a conversation with the former secretary to get a better understanding of his position.
- The former secretary’s position was based on several factors, one of which was that the Mercer Group, hired by the state, in a consultation role, did not believe the County would be ready to go-live by February 1, 2013.
- The former secretary utilized his statutory obligation to make a decision to assign Mecklenburg County to Cardinal.
- In a separate letter to some legislative leadership, Representative Dollar and Senator Pate, the former secretary indicated that he felt Mecklenburg County, even though he
made the assignment to Cardinal, should be afforded the opportunity to continue working toward implementation. This was based on a recommendation from Mercer that said if Mecklenburg County was allowed to continue, they believed Mecklenburg County would be ready by April 1, 2013.

- Being ready by April 1, 2013 would mean Mecklenburg County could be up and running prior to the time that Cardinal would be able to be up and running.
- There were some important elements to this issue. 1) Trying to get an understanding of what it means to be assigned. 2) To determine whether the incoming secretary has the administrative flexibility to grant Mecklenburg County the authority to continue going forward.
- Staff is concerned that the assignment would require Mecklenburg County to perhaps redirect some resources from Mecklenburg County towards working with Cardinal in whatever manner that may be; while at the same time, going forward with Mecklenburg County’s plans for implementation. It’s not known at this point if the County has the capacity to do that.
- The County has been going forward and has hired 130+ staff for implementation of the waiver and has expended about $3 million in local funding, thus far.
- MeckLINK Behavioral HealthCare Director Phil Endress believes and the County Manager concurs, that the County can meet the deadline of February 1, 2013, but, nonetheless, if the County isn’t ready by February 1, it’s strongly felt the County would be ready prior to April 1, 2013.

County Manager Jones said he was suggesting to the Board, to concur with staff’s thoughts of continuing to work towards implementation with February 1, 2013 as the goal.

County Manager Jones said he wanted to have a conversation directly with Mercer to ask them to come in with a greater degree of frequency to look at the County’s implementation.

County Manager Jones said he was also concerned about a press release sent out by Cardinal, that gives the impression that Cardinal has concluded that this is a done deal and they’re in the “driver’s seat.”

County Manager Jones said he didn’t want to create relationship problems, but that the County had invested too much to “walk away” at this point.

County Manager Jones said the County needed to continue on course.

County Manager Jones said the statutory implementation date was July 1, 2013.

Comments

Commissioner James asked when did the letter from the former secretary arrive. County Manager Jones said the letter came by email around mid-afternoon on Monday, December 31, 2012.

Commissioner James asked that the letter be shared with the Board.

Commissioner James referenced that there had been concerns expressed previously by the state regarding the County’s ability to be ready by February 1, 2013. He asked if staff felt, that continued concern on the part of the state was the reason Mecklenburg County was assigned to Cardinal.

County Manager Jones said Mercer made a determination that Mecklenburg County would not be ready by the go-live date that had been administratively established of February 1, 2013.

County Manager Jones said Mercer’s last visit was on December 20, 2012.
County Manager Jones said the former secretary had a statutory obligation to make a decision, which he did based on Mercer’s report. However, the former secretary did not feel “comfortable” making the decision he made, per a letter he sent to Representative Dollar and Senator Pate and per his conversation with the former secretary, where he indicated that if Mecklenburg County were allowed to go forward, he believed the County could fulfill and meet a deadline to implement the Waiver effective July 1, 2013.

Commissioner James asked what would be the cost to Mecklenburg County taxpayers if Cardinal were to administer the program versus the County doing it. Also, if Cardinal were to take over, would they be responsible for the employees hired by the County.

County Manager Jones said there were a lot of unanswered questions associated with this and details that would have to be worked out and that staff could not answer them at this time.

Commissioner James said someone needed to contact Governor-Elect Patrick McCrory to get this matter resolved before the County ends up in a “quagmire.”

County Manager Jones said staff had been in touch with the County’s lobbyist and that General Manager Lancaster had a conversation today with a member of Governor-Elect McCrory’s team assigned to the Department of Health and Human Services area.

County Manager Jones said staff was trying to schedule a meeting with the new Secretary of Health and Human Services.

County Manager Jones said his goal, on the Board’s behalf, was to understand this matter and that his commitment was to Mecklenburg County and to protect the investment that’s been made to date. Further, that based on where the County was, that it could be demonstrated to the State, the new secretary, the Board, and to the citizens of Mecklenburg County that Mecklenburg County could meet this particular test.

Commissioner James asked whether Cardinal met the “test.”

County Manager Jones said the former secretary and his staff asked Mercer to take a look at the readiness of Cardinal to assume MeckLink and it was concluded that Cardinal needed 120 – 180 days to be compliant for implementation if the County wasn’t ready by February 1, 2013.

County Manager Jones said that timeframe would push Cardinal very close to the statutory implementation date of July 1, 2013. However, what staff has said and Mercer, was that if Mecklenburg County was allowed to continue, Mecklenburg County could achieve an earlier implementation date than Cardinal.

General Manager Lancaster said Cardinal was formerly called Piedmont Behavioral Health and was located in Cabarrus County. Also, that Cardinal has been a Managed Care Organization since 2005.

General Manager Lancaster reminded the Board that this was Medicaid money and that the only cost to the County was the start-up cost, which the County expects to be reimbursed for.

General Manager Lancaster said all administrative cost for this program would be Medicaid and that it would not cost taxpayers any money from local county dollars.

General Manager Lancaster said the County would still have $20 million in local money that’s allocated to mental health services and that if this were to go to another organization, it would not be managed collectively.
Commissioner James asked would the $20 million remain in the County or be provided to Cardinal. General Manager Lancaster said that would be a Board decision, but she would not recommend it be given to Cardinal to manage.

Commissioner Bentley asked what would Cardinal stand to gain financially from this. General Manager Lancaster said she believed there was an eight percent overhead built into the budget.

Director Endress said Cardinal would stand to gain about $20 million dollars in administrative costs.

Commissioner Bentley asked would that be just in the first year. The response was yes.

Commissioner Bentley asked what was cited specifically by the former secretary or Mercer to justify the recommendation to assign MeckLINK to Cardinal.

General Manager Lancaster said staff had not seen Mercer’s Final report and that it was her understanding that the report from the December visit was not final.

General Manager Lancaster said she was provided some bullet points, that continue to be around things staff had shared with the Board previously, such as the information technology system. She said some of the bullets also addressed financial policies and procedures. General Manager Lancaster said staff was confident that these issues would be resolved by February 1, 2013.

Commissioner Bentley asked for clarification around the statement, “if Mecklenburg County was allowed to go forward” and who would make that determination. County Manager Jones said staff needed to find out if the incoming secretary had the administrative flexibility to say that Mecklenburg County could move forward towards implementation or was that the decision of the General Assembly.

Commissioner Dunlap said what was at stake was $20 million in administrative fees.

Commissioner Dunlap said there was something that “smelled funny” about this whole matter and he explained why.

Commissioner Dunlap asked County Manager Jones was he seeking the Board’s authorization to move forward. County Manager Jones said he was not seeking any action by the Board at this time because there were too many unanswered questions.

County Manager Jones said staff would be providing information to the Board via email as information was known.

Commissioner Leake asked what did this mean for citizens and how could it best be explained. General Manager Lancaster said the best way to communicate this to citizens when speaking with them was to tell them that this was really about managing behavioral health services for Mecklenburg County residents at the local level.

Commissioner Leake asked if this also meant that Cardinal would be deciding who would get contracts to provide services. The response was yes.

Commissioner Leake asked to receive information regarding staffing, including positions of staff and what other staff would be needed.

Commissioner Clarke asked would the $200 million in Medicaid funds still come to providers in Mecklenburg County. General Manager Lancaster said she couldn’t answer that because if MeckLINK went to Cardinal it would be up to how Cardinal would define their provider network.
Director Endress said Cardinal did not have a network set up in Mecklenburg County. He said Cardinal would have to develop one.

Commissioner Clarke asked whether MeckLINK’s provider network was all in Mecklenburg County. Director Endress said MeckLINK’s provider network consisted primarily of providers in Mecklenburg County, however, there would be providers in other counties if a resident of Mecklenburg was in another county and receiving services.

Commissioner Clarke asked about the management of Medicaid funds currently, which was explained.

Commissioner Clarke asked what was the policy thinking on the part of the state behind moving from the current management model to the Managed Care Model and was the state trying to achieve?

Director Endress said the state was trying to achieve an integration of the state funded services and the Medicaid dollars to achieve better outcomes for individuals.

Commissioner Clarke asked what was the County’s incentive to do this. General Manager Lancaster said the incentive was to get better outcomes for the residents of Mecklenburg County.

General Manager Lancaster said if you get better clinical outcomes for behavioral health patients, the money will follow those changes. She said the cost would go down, both federal, state and local and you would get better clinical outcomes and you would be managing towards those outcomes.

Commissioner Clarke asked was it correct that staff felt the County could manage those dollars better and achieve better clinical outcomes, then what was currently being done by integrating the funding. General Manager Lancaster said yes, by integrating the funding and the utilization management and the care coordination components of managing what the consumer was receiving in terms of treatment.

Commissioner Clarke asked what would happen to the employees the County had employed. General Manager Lancaster said the County would have to go through a reduction in force (RIF) procedure. General Manager Lancaster said she would anticipate that if another Managed Care Organization took over that they would have to hire more people. She doesn’t know how many or if they would hire some of the County employees, she would imagine so, but she’s not sure.

General Manager Lancaster said the County had hired several people from Cardinal.

Commissioner Clarke said it has to be kept in mind, what’s best for the consumers of these services.

Commissioner Clarke said clear direction was needed soon regarding this matter.

General Manager Lancaster said staff has been told by a representative from the new administration that this matter was the number one priority of the Department of Health and Human Services.

General Manager Lancaster said Director Endress was instructed by her and the County Manager to continue working towards the February 1, 2013 deadline, until someone tells management to do something different from that.
Commissioner Clarke said he wouldn’t suggest stopping either until the County was specifically told to stop.

Commissioner Fuller said there was something about this whole matter that didn’t seem “right” and he hoped the County could get some answers.

Commissioner Fuller said it didn’t seem right that the County would have to layoff 206 people and that the County would have essentially wasted $3 million in start-up cost.

Commissioner Fuller said it was important that the County’s reaction to this be expressed on behalf of the community.

Commissioner Fuller said he was concerned for the consumers of these services, as well as, the providers.

Commissioner Fuller said he and other members of the Board were perplexed by all of this.

Commissioner Fuller said perhaps it would be wise to consult with the Mecklenburg State Legislative Delegation with respect to this matter, if that seemed appropriate, because none of this has made “sense” from the beginning.

Commissioner Fuller said he hoped that the County Manager would at some point bring forth a policy action for the Board to consider with respect to this matter.

Commissioner Fuller said he, too, felt the County should continue as it has been until the County was told not to.

Commissioner Fuller asked County Manager Jones about the next steps in dealing with this matter.

County Manager Jones said the next immediate step would be to get an answer from whoever the appropriate source was on Mecklenburg County continuing to go forward.

County Manager Jones said he was going to stay on the path that the County has been on, which was to work toward implementation, until he’s told that the County should not be on that path.

County Manager Jones said it was staff’s belief that the former secretary could have made the decision that Mecklenburg County continue, but per their conversation with the former secretary, he was not “comfortable” making that decision.

County Manager Jones said it was important that staff in this area hear from the Board that the Board wants management to continue going forward, which appeared to him, to be the sentiment of the Board.

Chairman Cotham said the Board was “passionate” about this matter and would like to know more information as soon as possible. She encouraged management to keep the Board informed, so that the Board could be supportive.

Chairman Cotham asked that management inform the Board of how it could help in dealing with this matter.

Chairman Cotham said the County needed to “fight” for this, to “keep it.”

Chairman Cotham asked whether the former secretary said explicitly what it was he wasn’t comfortable with. General Manager Lancaster said no.
General Manager Lancaster said what you see in the letter and what staff was told on the phone was that Mercer couldn’t give him a 100% confidence that Mecklenburg County could be live by February 1, 2013, even though Mercer said the County would be okay by April 1.

General Manager Lancaster said the former secretary felt that based on the February 1, 2013 deadline that he established for the County, that he could not approve it based on that information from Mercer.

Commissioner Clarke asked was there anyway that Cardinal could be effective by February 1, 2013? General Manager Lancaster said no.

STAFF REPORTS & REQUESTS

(13-0768) APPOINTMENT - CONNECT CONSORTIUM'S POLICY FORUM

Heidi Pruess with Land Use and Environmental Services Agency and Jim Prosser, executive director of the Centralina Council of Governments addressed the CONNECT Consortium.

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

Note: “CONNECT Our Future” is a process in which communities, counties, businesses, educators, non-profits and other organizations work together to grow jobs and the economy, improve quality of life and control the cost of government. This project will create a regional growth framework developed through extensive community engagement and built on what communities identify as existing conditions, future plans and needs, and potential strategies. It is supported by a $4.9 million HUD Sustainable Communities Grant and $3 million in local in-kind public and private matching resources. The CONNECT Our Future three-year process will engage public, private and non-profit organizations across the 14-county region. It is based on, and builds from, the region’s CONNECT vision.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Chairman Cotham as the Board’s elected official representative to the CONNECT Consortium’s Policy Forum.

Commissioner Clarke returned to the dais.

(13-0770) MECKLENBURG COUNTY’S SESTERCENTENNIAL

The Board received information on Mecklenburg County’s Sestercentennial Celebration.

Danny Diehl, Public Information Director and Dan Morrill, Executive Director of the Historic Landmarks Commission addressed this matter.

Note: In December, 1762, a section of Anson County was designated to form a new county in North Carolina, called Mecklenburg County. The first official act of Mecklenburg County was a court proceeding held at the home of Thomas Spratt near Caldwell and Randolph roads on February 26, 1763. As a result, this date is deemed the official birth date for Mecklenburg County. On February 26, 2013, the Mecklenburg County community will celebrate its 250th birthday. To commemorate this birthday, the Board was asked to adopt a proclamation, which will kick-off planning efforts to involve Mecklenburg residents, businesses and others in celebrations to share and learn the history of the community over the past 250 years.
JANUARY 2, 2013

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation regarding this 250th birthday of Mecklenburg County.

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

COUNTY COMMISSIONERS REPORTS & REQUEST – NONE

CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Ratliff, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute documents necessary for the acquisition of Tax Parcel #199-151-06 (+/- 11.399 acres) from All American Properties, LLC for $300,000.00

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to designate Tax Parcel 199-151-06 and the adjacent parcels 199-151-07 and 199-151-08 as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (component of the 2008 P&R 10-year Master Plan).

*Note: The acquisition of this 11.39 acre parcel when combined with adjacent parcels 199-151-07 (22.24 acres) and 199-151-08 (18.62 acres) will create a 52 acre Nature Preserve which will be across the street from Winget Park and the CMS Winget Park Elementary School.*

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0758) SET PUBLIC HEARING - STREET NAME CHANGE

Set a public hearing at 6:30 pm on Tuesday, February 5, 2013 regarding changing the name of a portion of Alexanderana Road to Eastfield Road; a portion of Alexanderana Road to Dixon Farm Road; a portion of Eastfield Road to Independence Hill Road; and a portion of Alexanderana Road to Arthur Davis Road.

*Note: Due to the construction of I-485, some existing road alignments will change, and this will require name changes for portions of the affected streets. North Carolina Department of Transportation (NCDOT) has opened the streets, and the resulting signs and addresses need to be changed to reflect the new alignments as soon as possible. Board approval of this agenda item will allow the County to change the name of a portion of Alexanderana Road to Eastfield Road, a portion of Alexanderana Road to Dixon Farm Road, a portion of Eastfield Road to Independence Hill Road, and a portion of Alexanderana Road to Arthur Davis Road.*

(13-0766) CONTRACT AMENDMENT FOR COUNTY’S METROLINA RECYCLING CENTER
Approve Amendment 1 to the Materials Recovery Facility Agreement Between Mecklenburg County, North Carolina and FCR, LLC.

(13-0775) MINUTES

Approve minutes of Regular meeting held December 18, 2012.

(13-0781) SET PUBLIC HEARING - PRELIMINARY STREET LIGHTING ASSESSMENTS

Adopt a resolution of the Preliminary Assessment Roll for the operating cost of street lights and set a public hearing on February 5, 2013 at 6:30 pm on Street Lighting Preliminary Assessment Roll for the Mountain Point Subdivision.

Resolution recorded in full in Minute Book _____ Document # ______.

(13-0782) DONATION OF PROPERTY - SHERIFF’S OFFICE

Adopt a resolution donating equipment to Stokes County Sheriff’s Office.

Note: This action will allow the Mecklenburg County Sheriff’s Office to transfer property (Linescan 210 ESCAN x-ray machine) that is no longer needed, due to updated security equipment that provide more sensitive scanning capabilities and security measures. The x-ray machine is obsolete technology that the Mecklenburg County Sheriff’s Office no longer uses. This equipment will be disbursed to the Stokes County Sheriff’s Office. Per North Carolina General Statute G.S. 160A-280, donations to other governmental units of any equipment deemed to be obsolete, surplus or unused are allowed. The resolution and a notice that was posted indicating that the Board would consider taking this action at its January 2, 2013 meeting are attached.

Resolution recorded in full in Minute Book _____ Document # ______.

T H I S   C O N C L U D E D   I T E M S   A P P R O V E D   B Y   C O N S E N T

____________________
Commissioner Ratliff left the dais and was absent until noted in the minutes.

(13-0755) MECKLINK BEHAVIORAL HEALTHCARE MONTHLY FINANCIAL REPORT

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to receive MeckLink’s November 2012 Monthly Financial Report.

Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Services, the program director of the county program (i.e., MeckLINK, formerly Area Mental Health) shall present to each member of the Board of County Commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented.

MeckLink Behavioral Healthcare
Statement of Revenues and Expenses
FY 2013, For the period ending November 2012

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>$7,047,768</td>
<td>$1,307,061</td>
<td>18.55%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,310,507</td>
<td>7,716,961</td>
<td>28.26%</td>
</tr>
<tr>
<td>County</td>
<td>27,135,706</td>
<td>3,642,585</td>
<td>13.42%</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>$61,493,981</td>
<td>$12,666,607</td>
<td>20.60%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>12,013,093</td>
<td>2,755,158</td>
<td>22.93%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>7,348,128</td>
<td>1,410,173</td>
<td>19.19%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>6,749,468</td>
<td>2,168,006</td>
<td>32.12%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>7,614,230</td>
<td>2,163,195</td>
<td>28.41%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>10,528,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>9,526,112</td>
<td>1,998,548</td>
<td>20.98%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>7,714,777</td>
<td>2,171,527</td>
<td>28.15%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>$61,493,981</td>
<td>$12,666,607</td>
<td>20.60%</td>
</tr>
</tbody>
</table>

Net (Revenues - Expenditures) 0 0 0%

Note: All revenue received from outside sources plus County revenue covers total expenditures incurred.

Commissioner Leake removed this item from Consent for more public awareness.

**APPPOINTMENT OF REVIEW OFFICERS**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Registered of Deeds Office pursuant to N.C.G.s. 47-30.2" to add the name of Matthew A. Anderson and John E. Schrum and delete the name of Jeffrey L. Reid.

Resolution recorded in full in Minute Book _____ Document # _____.

Commissioner Leake removed this item from Consent for more public awareness.

**CAPITAL RESERVE REQUEST - RENAISSANCE PARK GOLF COURSE**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize and appropriate the expenditure of $18,500 from the Consolidated Golf Capital Reserve Fund to replace the radio system that controls irrigation at the Renaissance Park Golf Course.

Commissioner Leake removed this item from Consent for more public awareness.

**LEASE OF FIRST WARD PROPERTY**
JANUARY 2, 2013

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Levine Properties, Inc.”

Resolution recorded in full in Minute Book _____ Document # ______.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0762) GRANT APPLICATION - NC CLEAN WATER MANAGEMENT TRUST FUND

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to:

1. Authorize the County Manager to submit a stream restoration grant application for $400,000 to the North Carolina Clean Water Management Trust Fund for Main Stem McDowell Creek between Sam Furr Road and Westmorland Road.

2. Authorize the Board Chairman to execute the Authorization to File Application and Enter Into a Grant Contract with CWMTF.

3. Upon receipt of grant, recognize, receive and appropriate up to $400,000 in funds from the NC Clean Water Management Trust Fund.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0763) PURCHASE AGREEMENT - ENGINEERING SERVICES FOR FLOODPLAIN MAPPING

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a Floodplain Mapping Contract between Mecklenburg County and ESP Associates, P.A.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Ratliff returned to the dais.

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

13-0764) CONSTRUCTION CONTRACT - TORRENCE CREEK GREENWAY - PHASE III

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to award a construction contract for a total amount of $858,288, and any change orders within the budgeted amount of the project to Eaglewood Construction, Inc. pending and upon receipt of written concurrence with award by NCDOT.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.
JANUARY 2, 2013

(13-0769) PROPERTY TRANSFER TO THE CITY OF CHARLOTTE FOR THE BLUE LINE EXTENSION PROJECT

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the transfer of the following portions of properties and easements to the City of Charlotte for a credit on the City/County Land Transfer Ledger and authorize the County Manager to negotiate and execute all documents necessary to complete the transfer:

1. A portion of Tax Parcel #080-041-01 (0.1276 acres) and associated Temporary Construction Easement (0.075 acres) for a total of $317,000.

2. A portion of Tax Parcel #049-336-01A (0.2621 acres) and associated Temporary Construction Easement, Permanent Easement, and site improvements (0.2029) for a total of $105,725.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:07 p.m.

Janice S. Paige, Clerk
Patricia “Pat” Cotham, Chairman
MINUTES OF
MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street at 3:00 p.m. on Tuesday, January 8, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, George Dunlap,
Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

(13-0798) MECKLINK MEDICAID WAIVER

Chairman Cotham called upon County Manager Jones to outline the purpose and format of today’s meeting.

County Manager Jones acknowledged the presence of advocates and providers of mental health services. County Manager Jones said the Board had also received emails from other advocates, providers, and consumers of mental health services complimenting and supporting the work of MeckLINK Behavioral Health Services for their development of the Medicaid Waiver program with consumers in mind and in a way that’s most cost effective for Mecklenburg County taxpayers.

County Manager Jones shared two emails the Board received from advocacy groups in support of MeckLINK implementing the Medicaid Waiver, the Mecklenburg Consumer and Family Advisory Committee, Sandy DuPuy, Committee Chair and the Mecklenburg Disability Action Collaborative, Ron Reeve, Chair. County Manager Jones said the advocacy groups urged the Board to seek a reversal of the Secretary of the N.C. Department of Health and Human Services (DHHS) decision to assign Mecklenburg County’s Medicaid Waiver program over to Cardinal Innovations Healthcare Solutions.

County Manager Jones said he would provide the Board with recommendations and options regarding how to proceed in continuing to provide mental health services to those in need.

General Manager Michelle Lancaster was then called upon to provide a brief history of the Medicaid Waiver Program.

General Manager Lancaster highlighted previous Board action and specifically noted the following:

- Mecklenburg County submitted an application to the State and was approved in March of 2010 to become a Medicaid Waiver Implementation Site, the second for the State.
- There was a pause on the County’s part in 2010, because in September of 2010 there
were many issues around the director of a provider that Area Mental Health was doing business with called Mecklenburg Open Door. Those issues, subsequently, caused Mecklenburg Open Door to go out of business.

- At that time the County had a substantial relationship with Mecklenburg Open Door, which caused several issues of concern regarding the HUD grant, oversight, and around how the Board and the community felt about these issues and how the County was managing them.
- With the Board’s approval, staff rebid all Area Mental Health contracts, in order to regain the confidence of the provider network and the community.
- The rebidding process took approximately twelve months.
- Staff also went through the process of consolidating all of the County’s Human Services finance functions.
- Staff also went through the process of establishing a corporate compliance program.
- Rebidding all Area Mental Health contracts, consolidating all of the County’s Human Services finance functions, and establishing a corporate compliance program, seemed to be more important, at that time, then moving forward with the Waiver. General Manager Lancaster said this was not a “surprise” to anyone.
- The State granted Mecklenburg County an extension, by the then, DHHS Secretary Lanier Cansler.
- In the summer of 2011, the County was asked, via emails, by DHHS to consider embarking upon the Medicaid Waiver implementation again.
- General Manager Lancaster asked for a July 2013 start date from DHHS and she was encouraged to consider a January 1, 2013 start date, with the indication that it would give the County six months prior to the statutory mandated implementation date of July 1, 2013. The County agreed to move forward.
- The Board received numerous updates regarding the Waiver, since that time.

MeckLINK Behavioral Health Director Phil Endress was called upon to address implementation progress to date. The following was noted:

- Director Endress became the Director in August 2012.
- 143 additional staff had been hired since July 2012.
- A new information technology system was implemented November 1, 2012.
- The provider network consisted of 258 agencies, licensed independent practitioners and group practices.
- It’s anticipated that there would be over 330 when the network was fully operational.
- The Call Center would become operational January 15, 2013 and would operate 24/7.
- One of the reasons for the County’s getting into managed care was to establish “good quality outcomes” for consumers of services.
- Good quality services reduce costs, the number of in-patient days, the number of total admissions, and visits to emergency rooms.
- MeckLINK was all about reforming and redirecting the current delivery system in the County.
- One of the key factors in this was being able to pull together diverging funding streams, such as Medicaid, State Single-Stream funding, and County tax dollars, so that a service plan could be built around the individual.
- Being able to monitor and modify the service delivery for an individual was critical to the success of managed care and having the capability to do that locally was far better for the consumer.

Director Endress shared with the Board a progress report as to where MeckLINK was with its implementation plan and with issues identified in various Mercer reports.

* A copy of the report is on file with the Clerk to the Board. *
Director Endress said the County’s completion rate with respect to the Critical Path Plan was 43% as of today.

Comments

Commissioner James asked for clarification regarding the 43% completion rate with respect to the Critical Path Plan, which was addressed.

Director Endress clarified that the 43% completion rate had to do with the issues that were identified per Mercer’s December 20, 2012 visit. Director Endress said overall the County had accomplished between 85% - 90% to date of all of the objectives.

Commissioner James asked were there other Managed Care Organizations that didn’t meet the standard as of December 31, 2012. Director Endress said it was his understanding the other ten were approved.

Commissioner James asked did that approval mean the others completed all of the tasks. General Manager Lancaster said she did not think it meant, all tasks had been completed.

General Manager Lancaster said some still had matters to be completed, but they were approved.

Commissioner James asked did it appear that the State treated Mecklenburg County differently.

County Manager Jones said in response to Commissioner James’ question regarding whether or not it was felt Mecklenburg County was treated differently, that he requested a comparison of the readiness review Mercer conducted on the County versus several others. County Manager Jones said when he looked at a Local Management Entity (LME) called CenterPoint, and read the language and compared it side by side, it appeared the issues that CenterPoint had were similar to those identified for Mecklenburg County by Mercer.

County Manager Jones said the difference was that Secretary Delia said as he made his decision, he listened to the language that Mercer used and that Mercer said CenterPoint “will be” ready on February 1, 2013 and Mecklenburg County “could be” ready. Thus, he based his decision on the use of the terms “will” and “could,” even though he felt Mecklenburg County after taking into consideration what Mercer had said, believed Mecklenburg County would be up and running prior to the statutory implementation date of July 1, 2013. County Manager Jones said Mercer said Mecklenburg County would be up and running by April 1, 2013, but consideration was not given to that by the Secretary.

County Manager Jones said he also found out that the Secretary made a decision regarding Coastal, even though Mercer said Coastal would be ready by February 1, 2013, the Secretary had concerns about Coastal and because of those concerns, he placed special conditions on Coastal by requiring them to incur at their own expense, bringing in Mercer to do more frequent reviews regarding their readiness.

County Manager Jones said when the Secretary was asked why wasn’t Mecklenburg County given that same consideration, the response was that Mercer said Mecklenburg County would not be ready on February 1, 2013.

Commissioner Dunlap asked if staff was confident that MeckLINK would be ready by February 1, 2013. Director Endress said yes.

Commissioner Dunlap said with respect to the time between 2010 and now, it should be noted that the County was without a director of area mental health.
Commissioner Leake questioned the length of time it took to employ a new director.

General Manager Lancaster said an immediate hiring process was not started, when the County became without a director of area mental health because of all the issues that were going on with Mecklenburg Open Door. She said the Board was informed.

General Manager Lancaster said having a director would not have changed staff’s mind about moving forward with the waiver, because there were still three large issues, as she noted earlier, that had to be worked on that were more important to staff at that time and a priority for the organization, than waiver implementation.

General Manager Lancaster said, at that time, the State had not made a decision in 2010 to expand the Waiver statewide. She said the State had sought applicants and that Mecklenburg County was, she believed, one of the four and was the only one chosen.

General Manager Lancaster said it was in 2011 when the legislature took action to require a statewide expansion, thus, the dynamics changed not only for Mecklenburg County as an organization, but also with respect to what the State law required.

Commissioner Bentley commented on the long-term financial implications of the Medicaid Waiver.

Commissioner Bentley asked had there been any conversations that would indicate a lack of confidence from the State legislature or administration, that Mecklenburg County would not be able to realize the savings, the Medicaid savings, that the State anticipated from the County, that would ultimately drive the decision to assign MeckLINK to Cardinal Innovations Healthcare Solutions.

Director Endress said he had not been part of any of those discussions, nor had he heard of that being an issue.

Commissioner Bentley asked Director Endress to clarify the 10% savings that the State took off the top, which he did.

Director Endress said the State had already realized their savings using the Medicaid Waiver System. He said out of that, the County received approximately $156, per member, per Medicaid recipient, per month and of that, the general breakdown was approximately 9% - 10% for administration, 85% for the medical loss ratio, 2% goes to the reserve fund that would have to be established and there’s about a 2% - 3% variance that had to be dealt with in order to break even.

Commissioner Bentley asked what was the biggest driver for cost reduction. Director Endress said it was being able to target the right service to the right individual at the right time, so that high risk individuals could be identified by the Medicaid claims data.

Commissioner Bentley asked was the business model for MeckLINK similar to other Managed Care Organizations operating throughout the state. Director Endress said he wasn’t sure what practices others used, but he would assume it would be some of the same managed care practices that the County would be employing.

Director Endress said one thing that distinguished Mecklenburg County from other Local Management Entities (LME)/Managed Care Organizations was that Mecklenburg County was geographically dense with its population. He said most of the others were multiple counties and covered a large geographical area. Director Endress said that was a very different situation to be able to manage, than more of an urban population.
Commissioner Bentley said if it was determined that MeckLINK would indeed be assigned to Cardinal Innovations Healthcare Solutions, what assurance would the Board have as the Board of Health, that its constituents needing services would continue to receive those critical services during the transition from MeckLINK to Cardinal Innovations Healthcare Solutions. Director Endress said as long as MeckLINK was a part of the service delivery system, then the Board had a great deal of influence over that with respect to the quality of those services and how those services were delivered. Director Endress said, once those services, however, go to Cardinal Innovations Healthcare Solutions, then it was his understanding that the Board would lose that control and oversight.

Director Endress said there may be members from Mecklenburg County on the Board of Directors of Cardinal Innovations Healthcare Solutions, but as a Board of County Commissioners, the Board may not have any overall representation on their Board of Directors. Director Endress said that’s where you would want to have the control and direction of policy on how and what services were delivered.

Commissioner Ratliff asked what assurances did staff have that MeckLINK would be ready by February 1, 2013. Director Endress said the due date with respect to the Critical Path Plan was January 23, 2013 and that staff was “tight” on that Plan and they’re “sticking to it.” Director Endress said his staff was aware they cannot “slip” on the due dates. He addressed the status of the Call Center and the Information Technology System.

General Manager Lancaster said Mecklenburg County was not the only Managed Care Organization using this type of Information Technology System. She said there were four others using it as well across the state.

Commissioner Leake asked about the staffing level at the Call Center, which was addressed.

Commissioner Dunlap said he would like to know more about how the State used the funds it received from the Medicaid Waiver.

Commissioner Clarke asked if Western Highlands, a Managed Care Organization that was up and running, still in business, because it was his understanding they had experienced some problems. The response was yes.

Commissioner Clarke asked had any of Western Highlands’ responsibilities been reassigned. The response was no.

Director Endress said he believed part of Western Highlands’ problem was with their information technology system.

Commissioner Clarke asked was the County using that same information technology system. The response was no.

Commissioner Clarke asked about the financial risk to the County if MeckLINK was not successful and would that put other County resources at risk. Director Endress said it was his understanding that the State said individual counties would not be financially at risk for the implementation of the LME/MCO project.

Director Endress said if the County got to that point, the State, as well as, the Board, would monitor MeckLINK on a monthly basis and would know if there were problems or not. Director Endress said if the State saw that MeckLINK was having difficulties, it would step in and either demand an immediate plan of correction or they would reassign MeckLINK to someone else.

General Manager Lancaster said, per the way the Statute currently read, there was no risk to
the County, that all the risk was with the State.

**Commissioner Clarke** asked had any of the eleven Managed Care Organizations been reassigned yet or not allowed to go forward. The response was no.

**General Manager Lancaster** noted however, that when the application process was reopened in 2011, there were certain thresholds that had to be met in order to be able to go it alone or in some conglomeration. She said there were some who were forced to merge because they were not approved under the scenario that they applied under. She said Wake County was one of those, as well as, she believed Durham and Cumberland and that they created a group. General Manager Lancaster said so, some were denied, but not after they’d been accepted by the State, it occurred early in the process.

**Commissioner Fuller** said he wanted to hear from Brett Loftis with the Council for Children’s Rights and Doug Sea, an attorney who represented Medicaid recipients, prior to going into Closed Session.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session to Consult with Attorney.

The Board realized that it voted prematurely to go into Closed Session because it had not heard comments from Brett Loftis and Doug Sea, and subsequently, the motion below was immediately made.

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go out of Closed Session.

The Board then heard remarks from Brett Loftis, Executive Director for the Council for Children’s Rights and Doug Sea, an attorney who represents Medicaid recipients, regarding why this issue mattered for Mecklenburg County.

Mr. Loftis noted the following:
- The State for the last twelve years has rolled out a series of different reform efforts with respect to mental health, developmental disabilities and substance abuse services.
- All of those reforms have been around money savings.
- The money that the State takes off the top goes to make up the deficit and shortfalls in the State budget.
- The consumers and their families of these services have to be the center of the conversation.
- Over 1,000 children were committed to mental health hospitals annually in Mecklenburg County.
- There were 155,000 consumers being served by Mecklenburg County.
- There was not another County serving that volume of consumers or that had the capacity to serve that volume.
- The 155,000 served by Mecklenburg County exceeded the 15 counties serviced by Cardinal Innovations Healthcare Solutions.
- If mental health, developmental disabilities and substance services were taken away from Mecklenburg County, consumers would not have the opportunity to receive needed services via an integrated healthcare system.

Mr. Loftis encouraged the Board to protect the rights of those with mental health, developmental disabilities, and substance abuse problems.

**Attorney Doug Sea** said he had represented Medicaid recipients in Mecklenburg County for
over thirty years, seeking services from the State Medicaid agency. Attorney Sea noted the following:

- The families he represented were very concerned about Cardinal Innovations Healthcare Solutions’ “track record.”
- Cardinal Innovations Healthcare Solutions had a “track record” of denying “necessary” services and being very “adversarial,” not just with recipients, but with providers and with the counties that they dealt with.
- Cardinal Innovations Healthcare Solutions spends “millions” of dollars on lawyers to fight “tooth and nail” every decision of anyone that disagreed with them.
- Cardinal Innovations Healthcare Solutions accumulated a fund balance, as of 2011, of $74 million dollars, despite spending millions on a brand new building for themselves and giving their staff raises. Further, Cardinal Innovations Healthcare Solutions was not going to return any of those taxpayers’ dollars back to the taxpayer, the State, or to the counties that “gave them that money.” They’re keeping it, which was within their prerogative.
- If the system was run by Mecklenburg County, then the County dollars would be within the County’s control and the County could take those County dollars back, if it generated the savings that it hoped to generate and put them to other purposes in the County.
- In 2012 a federal district court found that Cardinal Innovations Healthcare Solutions was systematically denying due process when certifying clients. Some of Cardinal Innovations Healthcare Solutions practices, included telling recipients in writing that “if you do not agree to have your services cut by 60%, you will lose all of your services tomorrow.”
- Other families were told “if you don’t agree to these cuts, we will take your child away from you and institutionalize them.”
- These facts were proven in federal court and resulted in a federal court order ruling that Cardinal Innovations Healthcare Solutions was systematically denying due process.
- Providers were “so concerned and so upset” that many of them were refusing to contract with them, which meant there would not be an adequate provider network in Mecklenburg County.
- Under federal law there must be a provider network.

Attorney Sea said per his review of the law and the facts, it’s his legal opinion that Secretary Delia’s decision did not comply with the law and that it could be successfully challenged. Further, that if the County challenged that decision, the families he represented would be happy to join in that lawsuit.

Chairman Cotham said she asked Cardinal Innovations Healthcare Solutions CEO, if sometime soon, she would be willing to come and address the Board to hopefully get some questions answered. Chairman Cotham said her response was yes, however, a date was not determined.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session to Consult with Attorney.

The Board went into Closed Session at 4:15 p.m. and came back into Open Session at 6:07 p.m.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the recommendation for MeckLINK as presented by the County Manager and is as follows:
1. Direct staff to continue working toward implementation and to engage consultants to assure readiness and insure progress.

2. Authorize the County Manager, with the assistance of Counsel, to bring an action in the Office of Administrative Hearings as outlined in the memo to the Board of County Commissioners from J. Daniel Bishop dated January 8, 2013.

3. Reaffirm commitment to the legislative agenda item to protect Mecklenburg’s ability to implement the MeckLINK Managed Care Organization.

4. Instruct staff to continue advocating to the Department of Health and Human Services that the decision of former Secretary Delia should be overturned.

Note: The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 6:24 p.m.

Janice S. Paige, Clerk
Patricia “Pat” Cotham, Chair
JANUARY 15, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 15, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, George Dunlap,
Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0772, 13-0786, 13-0787, and 13-0808.

STAFF BRIEFINGS - NONE

(13-0793, 13-0795, 13-0813) CLOSED SESSION – CONSULT WITH ATTORNEY, BUSINESS LOCATION AND EXPANSION AND PERSONNEL MATTER

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Business Location and Expansion and Personnel Matter.

The Board went into Closed Session at 5:05 p.m. and came back into Open Session at 6:40 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

It was the consensus of the Board to discuss the Personnel Matter at the next Regular meeting, since it was not taken up during Closed Session as anticipated because of time constraints.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

____________________

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order, which was followed by invocation by Commissioner Ratliff, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

(13-0796) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Gail Overcash addressed her desire to be rehired by the County after being impacted by a Reduction-in-Force in 2010. Ms. Overcash is a former employee of Area Mental Health.

Anthony Abraham expressed his dissatisfaction with Commissioner Fuller and County Manager Jones.

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

(13-0790) NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Ezequiel Acosta (HAC) and Harold Hester (PHC) to the Building Development Commission for three-year terms expiring January 30, 2016.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Roger Brown and Jason Roach to the Citizen’s Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2014 and Rachel Martin for a two-year term expiring July 31, 2015.

They replace Victor Alexander, Floyd Jesgar and Chad Lacy.

FIRE COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Joseph Labovitz to the Fire Commission for a three-year term expiring January 30, 2016.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting
yes, to nominate and appoint Travis Dancy to the Park and Recreation Commission as the Northern Town representative to fill an unexpired term expiring June 30, 2013.

*He replaces Philip Carey.*

**PERSONNEL COMMISSION**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Sheila Fetner to the Personnel Commission for a three-year term expiring February 4, 2016.

**PUBLIC HEARINGS - 6:30 PM - NONE**

**ADVISORY COMMITTEE REPORTS - NONE**

**MANAGER'S REPORT - NONE**

**STAFF REPORTS & REQUESTS**

**(13-0779) UPDATES TO BUSINESS INVESTMENT PROGRAM GUIDELINES**

Economic Development Director John Allen addressed proposed updates to the Business Investment Program Guidelines.

*Note:* The Business Investment Program (BIP) is the County's primary economic development incentive program for the recruitment and retention of major employers, and has been in existence for approximately ten years. The program has guidelines that provide guidance to the Board of Commissioners when considering grant requests, but the board has the freedom to approve a grant that does not meet the guidelines. Typically, the grants consist of the return to the company of an amount equal to 50% to 90% of the taxes paid on the new investment for three or five years. Most of these grants, of which 35 are currently active, have been done in conjunction with the City of Charlotte. Once a grant has been approved by the elected bodies, a written contract is entered into with the company, which details the obligations on the part of the company in order to qualify for the grant, and on the County and City for payment of the grant.

Director Allen said the proposed updates were minor changes to the guidelines and were as follows:

1. Update Program Geography: This adds the City's Business Corridor Revitalization Area to the BIP geography, including the Nations Ford and Eastland areas and office submarkets with high vacancy rates (University Research Park and Coliseum/Tyvola Road area). This also includes an area on Statesville Road at the suggestion of the Charlotte Chamber of Commerce.

There is a separate category of grant known as a "Large Impact Project" (attachment II in the attached Program Guidelines), that is available both inside and outside of this program geography.

2. Increase Flexibility in Wage requirements: This update considers the industry-specific average wage for companies with a projected average wage lower than the regional average.
(currently $44,600). This will add greater flexibility for attracting manufacturers ($33,290) and logistics firms ($32,880).

3. Strengthen Program to be More Competitive for Retention Efforts: This update allows an extension of the grant term by two years for existing companies to better address the incentive value gaps with competing jurisdictions.

4. Evaluate a New Provision for Major Headquarters Projects: This update defines "Major Headquarters Project" as a "corporate, divisional or regional headquarters of a Fortune 1000 company with an annual average wage exceeding 200% of the regional average wage." This will be considered for such projects on a case-by-case basis.

5. Increase Supplier Relationships with Local Businesses and Encourage Local Hiring: This will add provisions to encourage grant recipients to:
   - Use local small, minority and women-owned businesses as suppliers and vendors when such goods and services can be obtained at competitive prices
   - Hire residents of Mecklenburg County

Director Allen said the City and County would monitor progress for one year to determine if additional measures were desired.

Director Allen said these provisions would become part of the contract between the local governments and the company.

Comments

Commissioner Leake asked for clarification on #5 - Increase Supplier Relationships with Local Businesses and Encourage Local Hiring, which was addressed.

Director Allen said the local hiring piece was an aspirational goal only.

Commissioner Fuller said with respect to hiring residents of Mecklenburg County, that it should be more than an aspirational goal, because the funds being used for the Business Investment Program were Mecklenburg County taxpayer dollars.

Commissioner Fuller said there should be some linkage between the provision of taxpayer dollars and the creation of jobs for residents of the County.

Commissioner Fuller asked why was it only aspirational.

Director Allen said to mandate that businesses hire only from within the County would put the County in an “extremely” uncompetitive situation. He said to have such a mandate would cause businesses not to want to come to Charlotte/Mecklenburg County.

Commissioner Fuller asked was there not some way it could be required that a certain percentage of the hiring be of Mecklenburg County residents.

Director Allen said companies would be “extremely” leery of that. He said they may see it as lessening their ability to recruit the “best, brightest and most talented” people that they could.

Commissioner Fuller said what’s to say that the “best, brightest and most talented” weren’t in Mecklenburg County. Commissioner Fuller said if taxpayer dollars were being spent then “presumably” it was being done to benefit County taxpayers.

Director Allen said the Business Investment Program grants were essentially self-financing and explained why.
Commissioner Fuller asked for clarification regarding investment value gaps with competing jurisdictions, which was addressed.

Commissioner James addressed how the program originally started out. He asked why the program went from targeted economic development in fragile areas to the current process, which he said was broader and encompassed mostly all areas of Charlotte. Director Allen said the program was still very targeted.

Commissioner James said he’d always wanted to see a limit on the amount of funds that could be expended in any given year.

Commissioner James said companies come to Charlotte/Mecklenburg County for reasons other than a Business Investment Program grant. Commissioner James said the program as it currently was, was in place because everyone else was doing it.

Commissioner Dunlap said citizens of Mecklenburg County get employment opportunities when companies relocate to Mecklenburg County. Commissioner Dunlap said Mecklenburg County citizens benefit as well from the increase in the taxbase as a result of companies relocating to Mecklenburg County.

Commissioner Ridenhour said it wasn’t unreasonable to ask that a certain number of those hired by a company be residents of Mecklenburg County.

Commissioner Ridenhour said there were some in the County that question why wasn’t something done to assist them with their business.

Commissioner Ridenhour said there were other things that appealed to businesses that make them want to come here, such as the airport, schools, the community college, Central Piedmont Community College, etc.

Chairman Cotham asked Director Allen to keep in mind the comments made by various Commissioners.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner James voting no, to approve updates to Business Investment Program Guidelines as noted below.

1. Update Program Geography: This adds the City's Business Corridor Revitalization Area to the BIP geography, including the Nations Ford and Eastland areas and office submarkets with high vacancy rates (University Research Park and Coliseum/Tyvola Road area). This also includes an area on Statesville Road at the suggestion of the Charlotte Chamber of Commerce.

There is a separate category of grant known as a "Large Impact Project" (attachment II in the attached Program Guidelines), that is available both inside and outside of this program geography.

2. Increase Flexibility in Wage requirements: This update considers the industry-specific average wage for companies with a projected average wage lower than the regional average (currently $44,600). This will add greater flexibility for attracting manufacturers ($33,290) and logistics firms ($32,880).

3. Strengthen Program to be More Competitive for Retention Efforts: This update allows an extension of the grant term by two years for existing companies to better address the incentive value gaps with competing jurisdictions.
4. Evaluate a New Provision for Major Headquarters Projects: This update defines "Major Headquarters Project" as a "corporate, divisional or regional headquarters of a Fortune 1000 company with an annual average wage exceeding 200% of the regional average wage." This will be considered for such projects on a case-by-case basis.

5. Increase Supplier Relationships with Local Businesses and Encourage Local Hiring: This will add provisions to encourage grant recipients to:
   - Use local small, minority and women-owned businesses as suppliers and vendors when such goods and services can be obtained at competitive prices
   - Hire residents of Mecklenburg County

(13-0780) SMALL BUSINESS FUNDING PROGRAMS

The Board received a report on available small business funding programs in Mecklenburg County.

Economic Development Director John Allen gave the report. The following was noted:

- Given that there are eight existing small business loan programs, the staff conclusion is that there is not a necessary role for the County in this effort.
- However, if the Board wishes to pursue County participation in small business funding, the staff recommendation is to partner with an existing agency, rather than create another program.
- If this is the desired course of action, the Board may wish to refer this matter to an ad hoc committee to gather additional information on the various existing programs and develop a recommendation for Board consideration.

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

Comments

Commissioner Dunlap said this matter came about as a result of conversations last year with some micro business owners who were concerned that large businesses and corporations could come to Mecklenburg County and receive incentives to locate here, but that small companies or micro businesses where a person wanted to start a business could not get funding to do so.

Commissioner Dunlap said even though per Director Allen’s report, there were opportunities available for micro businesses to receive financial assistance, there was still a problem that existed for those seeking assistance.

Commissioner Dunlap said if the opportunities that were available do meet the need, then there was a mis-education between providers of the grants and those seeking the grants.

Commissioner Dunlap said he hoped there was some way to marry the two, so that persons seeking the grant would know that they had an opportunity to successful apply for and receive a grant and not be told they can’t, because they were over obligated.

Director Allen said programs did exist to meet that need, such as Grameen America.

Commissioner Dunlap asked what was the criteria for Grameen America’s program and do they ever turn people down and why. Director Allen said he did not know, but there were various reasons why people don’t receive a loan. Director Allen said he could ask Grameen America representative to come and make a presentation if that was something the Board wanted.
Commissioner Dunlap asked Commissioner Leake to consider asking Grameen America representatives to come to one of her Small Business Consortium meetings.

Commissioner Ratliff asked Director Allen was it permissible for small business owners to attend the monthly meetings held at the Charlotte Regional Partnership of Economic Development leaders that he referenced in his comments. Director Allen said he would think so, but that he would confirm that.

Commissioner Ratliff asked what was the County’s Economic Development Office doing to help small businesses, such as barber shops, beauty salons, and night clubs in the area that may have been denied a grant or desire to expand their business, but haven’t been able to capitalize on the things that may be going on in the area.

Director Allen said the County’s Economic Development Office was not set up to provide counseling to small business owners, nor did it offer loan programs. Director Allen said the Office was a part of the Small Business Consortium.

Director Allen said there was a Small Business Portal available on-line, Charlotte Business Resources.com that was designed to be the entry point for small business owners and perspective business owners to find out about available assistance.

Commissioner Ratliff said she recently found out that there was a hot line available to business owners as well.

Commissioner Ratliff asked what was being done about the high vacancy areas where businesses use to be, but were no longer there. Director Allen said the City of Charlotte was the primary entity leading that charge.

Commissioner James said it was not county government’s responsibility to provide micro-lending. Commissioner James said the groups that provide that service have the resources to do so.

Commissioner James said if a county government advanced a micro loan, then that person owned the taxpayers. Commissioner James said that meant they either were going to pay the loan back or there would be a high level of default.

Commissioner James said if there was a high level of default that meant collection efforts on the part of the County.

This concluded the discussion. No action was taken by the Board.

Note: The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Director Allen for his report.

(13-0806) NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY (NC FAST)

The Board received a report from staff regarding the implementation of NC FAST in Mecklenburg County.

Rodney Adams, Director, Economic Services Division Department of Social Services gave the report.
Note: North Carolina Families Accessing Services through Technology (NC FAST) is a program designed to improve the way the NC Department of Health and Human Services and county departments of social services do business. NC FAST introduces new technological tools and business processes that will enable workers to spend less time on administrative tasks and more time assisting families.

The following was covered:

- What Is NC FAST
- NC FAST Targeted Deployments
- NC FAST Benefits
- Mecklenburg County NC FAST Activities
- Challenges
- Challenges Future Deployments
- Contingencies

Director Adams said NC FAST would create efficiencies and greatly benefit Mecklenburg County residents. He said there would be delays due to system and process challenges, however, the Department of Social Services was taking steps to mitigate impacts and ensure families continue to receive services. Director Adams said service demands would increase as future programs and policies were implemented in NC FAST.

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

Comments

Commissioner Dunlap asked about the technology link that had been talked about in the past by non-profits that would allow the non-profits and public entities to have access to a shared client data base, in order to make sure individuals weren’t taking advantage of the system. He asked was that link taken into consideration with the development of NC FAST to take care of that gap. Director Adams said counties would have the capability of read only access to community partners, so that as community partners were providing services to citizens, they too, would be able to see some limited information, to see if an individual was receiving a public benefit. Director Adams said this would help the community partner to make a more informed decision about their provision of services.

Director Adams said the level of that accessibility had not been shared yet. Director Adams said one would only be able to see if a person had received public benefits, but not whether they’d been to a community partner, at least not with this phase of NC FAST.

Commissioner Leake asked if NC FAST had any connection with MeckLINK. The response was no.

Commissioner Leake asked who was currently in charge of the Department of Social Services. Director Adams said each Division Director was responsible for their particular division, but collectively, as one group or the senior executive team, they make decisions regarding the day to day operations of the department. He said they report to General Manager Michelle Lancaster.

Commissioner James asked would there be agreements between the County and those community partners that receive funding from the County, to have access to their data regarding service recipients. Director Adams said NC FAST was a State ran and maintained system and the only information that the County would be able to put in the NC FAST system would be benefit information. Director Adams said the State has said they would give counties flexibility to allow other entities to read into the program.
Commissioner James asked about the increase in Medicaid cases and was the figure given, specific to Mecklenburg County. The response was yes.

Commissioner Fuller asked would there be any additional cost to the County for the additional efforts that would have to be undertaken with respect to NC FAST. Director Adams said staff was still assessing the impact. He said if there was additional cost it would be temporary in nature. He said staff believed that as the additional programs were implemented in NC FAST and efficiencies were gained, the resources used in a temporary capacity would no longer be needed at that level.

Commissioner Fuller said from the start up point or to get to the start up point, until there’s the opportunity to realize the efficiencies, would that additional cost be borne by the County versus being reimbursed by the State. General Manager John McGillicuddy said it was noted in a December Board Bulletin regarding NC FAST that the County Manager authorized the use of approximately $800,000 in lapsed salaries, unused salaries, to pay for potential overtime and temporary staffing costs. General Manager McGillicuddy said those funds were currently in the budget and that all of it may not be used.

Commissioner Fuller said since the County was bearing the cost of implementing NC FAST, would there be any reimbursement by the State. Director Adams said a portion would be reimbursed by the State at 50%.

Commissioner Fuller asked had any thought been given to connecting MeckLINK with what’s being done with NC FAST, such that someone who needed services from Social Services and MeckLINK, was there some way to join the two together. Director Adams at this time there hasn’t been any discussion on the State level regarding that.

Commissioner Clarke asked for clarification regarding the function of NC FAST, which was addressed.

Commissioner Clarke asked whether the County’s Internal Audit Department had been involved in this transition of NC FAST. The response was no.

Commissioner Clarke asked whether Internal Audit would be involved in the future. Director Adams said there was plan for Internal Audit to be involved in the conversion process. Director Adams said the State was converting all of the existing cases into NC FAST.

Commissioner Clarke commented on the Single Audit process that Internal Audit does.

General Manager McGillicuddy said Single Audits were done by the County’s external auditors and that they would look at NC FAST at some point.

Commissioner Bentley returned to the dais.

Chairman Cotham said the implementation of NC FAST should be very beneficial to those in need of these services because less time would be spent seeking those services, which would free them up to seek employment.

This concluded the discussion. No action was taken on by the Board.

Note: The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Director Adams for his presentation.
JANUARY 15, 2013

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled: **RESOLUTION APPROVING AMENDMENTS TO THE BROOKLYN VILLAGE / KNIGHTS BASEBALL STADIUM INTERLOCAL COOPERATION AGREEMENT AND THE BROOKLYN VILLAGE AFFORDABLE HOUSING AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS** as noted below.

**RESOLUTION**

**APPROVING AMENDMENTS TO THE BROOKLYN VILLAGE / KNIGHTS BASEBALL STADIUM INTERLOCAL COOPERATION AGREEMENT AND THE BROOKLYN VILLAGE AFFORDABLE HOUSING AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS**

**WHEREAS,** under G.S. 160A-461, units of local government may enter into interlocal cooperation undertakings with each other for the contractual exercise by one unit of local government for the other unit of local government of any power, function, public enterprise, right, privilege, or immunity of local government; and

**WHEREAS,** pursuant to G.S. 160A-274, any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property; and

**WHEREAS,** the County and the City have previously entered into that certain “Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement” approved by the City on May 14, 2007 (the “Interlocal Agreement”); and

**WHEREAS,** the County and the City amended the Interlocal Agreement effective as of December 7, 2007 to defer the time for closing on the sale of certain real property by the County to Brooklyn Village LLC (the “Second Ward Property”); and

**WHEREAS,** the County, the City and Brooklyn Village LLC entered into the Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants effective as of December 7, 2007 (the “Declaration of Restrictive Covenants”), contemplating that the County would sell the Second Ward Property to Brooklyn Village LLC and requiring that any development of the Second Ward Property by Brooklyn Village LLC or its successors include affordable housing; and

**WHEREAS,** the County and Brooklyn Village LLC entered into an Agreement of Sale for County Property dated January 17, 2008 (the “Sales Agreement”) under which the County agreed to sell the Second Ward Property to Brooklyn Village LLC; and

**WHEREAS,** the County and Brooklyn Village LLC amended the Sales Agreement effective September 8, 2010 to defer the time for closing under the Sales Agreement; and

**WHEREAS,** by agreement dated October 11, 2011, Brooklyn Village LLC assigned its rights as Buyer under the Sales Agreement to Spectrum Investment Services, Inc. (“Spectrum”), as allowed by the Sales Agreement; and

**WHEREAS,** the County and Spectrum amended the Sales Agreement effective as of November 20, 2012 to extend the time for Spectrum to close on purchase of the Second Ward Property to June 1, 2013 (the “Second Extension to Sales Agreement”); and

**WHEREAS,** the County and the City desire to amend the Interlocal Agreement and restate the Declaration of Restrictive Covenants to reflect the extension granted in the Second Extension to Sales Agreement:

**WHEREAS,** N.C. Gen. Stat. 160A-461 requires that such Interlocal Agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”, now, therefore, be it

**RESOLVED** by the Mecklenburg County Board of Commissioners that the Board

1. Approves and ratifies the Second Amendment to Brooklyn Village / Knights
JANUARY 15, 2013

Baseball Stadium Interlocal Cooperation Agreement with Mecklenburg County (the “Second Amendment to Interlocal Agreement”); and

2. Approves and ratifies the Restated Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants (the “Restated Declaration of Restrictive Covenants”); and

3. Authorizes the County Manager to execute the Second Amendment to Interlocal Agreement and the Restated Declaration of Restrictive Covenants in substantially the form presented to the Board of Commissioners with technical corrections and minor modifications as he may deem necessary consistent with the spirit and intent of the transactions, to record the Restated Declaration of Restrictive Covenants and to take all actions necessary to effectuate the transactions contemplated by the Second Amendment to the Interlocal Agreement and the Restated Declaration of Restrictive Covenants.

Resolution recorded in full in Minute Book _____ Document # ______.

General Manager Bobbie Shields presented this matter to the Board, prior to the above vote.

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

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-0811) CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION - CHAIRMAN COTHAM

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to acknowledge receipt of the Charlotte Area Fund, Inc. Community Services Block Grant Application and to go on record as having no comments regarding the application.

Karen Bracket Browning, Charlotte Area Fund Executive Director and Board members Reginald Johnson, Chair and Aaron McKeithan were present to address questions, however, there were no questions from the Board. Ms. Browning thanked the Board for its support.

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0777) MYERS PARK TRINITY LITTLE LEAGUE LEASE AGREEMENT

Adopt a resolution of intent to extend the lease with the Myers Park Trinity Little League at the Randolph Road and Grier Heights park athletic fields.

Note: The Park and Recreation Department and Myers Park Trinity Little League desire to extend the term of an existing lease from December 31, 2016 to December 31, 2021. Myers Park Trinity Little League has requested an extension of the existing lease to amortize a $900,000 investment to construct two multipurpose and restroom buildings, construct additional storage space for maintenance equipment at Randolph Road Park and Grier Heights Park, and construct improvements to increase additional seating capacity at one baseball field. According to the terms of the existing lease, the Myers Park Trinity Little League provides all athletic field maintenance and construction of capital improvements in return for priority use of the fields.
Resolution recorded in full in Minute Book _____ Document # ______.

(13-0788) TAX REFUNDS

Approve refunds in the amount of $643.08 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(13-0791) GRANT APPLICATION - NORTH CAROLINA PARK AND RECREATION TRUST FUND (PARTF)

1) Approve submitting a $400,000 grant application to the North Carolina Park and Recreation Trust Fund (PARTF) for the Flat Branch Nature Preserve.
2) If awarded, recognize, receive and appropriate such funds.
3) If awarded, authorize the County Manager to enter into a contract and reimbursement agreement with the State of North Carolina for the grant.

(13-0794) BUDGET AMENDMENT - STATE BOARD OF ELECTIONS AUDIO CODING GRANT (REVENUE INCREASE)

Recognize, receive and appropriate grant funds in the amount of $2,633.20 from State Board of Elections to pay for audio coding.

(13-0797) MINUTES

Approve minutes of Regular meeting held January 2, 2013 and Budget Public Policy meeting held November 13, 2012.

(13-0810) BOARD BULLETIN

Receive the County Manager's Board Bulletins published since the last Board meeting.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-0772) GRANT APPLICATION - CONTINUUM OF CARE GRANT RENEWAL

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

A) Approve submission of the following single-year renewal grant applications to the U.S. Department of Housing and Urban Development:

1) Grant for $148,039 for 2/1/2013 - 1/31/2014 to provide intake and increased housing and personal stability to homeless clients

2) Grant for $1,455,619 for 3/6/2013 - 3/5/2014 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal A-12)
3) Grant for $304,257 for 3/7/2013 - 3/6/2014 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal B-12)

4) Grant for $128,169 for 3/20/2013 - 3/19/2014 to provide Shelter Plus Care targeted rental subsidies to chronically homeless persons with disabilities (Samaritan Renewal C-12)

5) Grant for $361,127 for 9/1/2013 - 8/31/2014 to provide supportive services and case management for consumers who are homeless and disabled

B) Recognize, receive and appropriate the amount of the awards when received.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0786) AMEND THE LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the LUESA Fee Ordinance to delete provisions for a special "owner as contractor" permit fee structure.

Note: Regarding the "owner as contractor" permit fee structure, In October, 2012, the Board approved changes in the Ordinance for the "owner as contractor" permit fee structure. At that time, it was anticipated that supporting technology changes to implement the fee would be in place by November 5. This change applied to projects of $30,000 construction costs or less, and was premised on customers paying for inspections service per event, by e-check or credit card. However, recently the County changed its banking vendor following a competitive bidding process. As a result, the County has temporarily suspended the expansion of e-checks and credit card payment until there is a full transition to the new electronic payment vendor. Once this occurs, the "owner as contractor" permit fee strategy can be implemented. Until the owner as contractor permit fee structure can be implemented, changes for these projects will remain based on the construction cost of the project.

Ordinance recorded in full in Minute Book _____ Document # _____.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.

(13-0787) RESOLUTION - SCOUTING FOR FOOD COLLECTION DAY

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a Resolution recognizing February 2, 2013 as Scouting for Food Collection Day.

Note: For many years Boy Scouts in Mecklenburg County have been collecting food in February for distribution by Loaves & Fishes as an expression of the Boy Scout slogan of "Do a Good Turn Daily" and of the Scout Oath, which says that Scouts should strive "to help other people at all times." Saturday, February 2, 2013 is the next Scouting for Food collection day in Mecklenburg County. The purpose of the resolution is to encourage all residents who are fortunate enough to be able to help, to make food contributions to the Boy Scouts for the benefit of Loaves & Fishes.
Resolution recorded in full in Minute Book _____ Document # ______.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0808) BUDGET AMENDMENT - DSS JOB BOOST (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY13 Budget to recognize, receive and appropriate $550,000 for the Job Boost program.

Note: The North Carolina Department of Health and Human Services (NCDHHS) allocated a total of $550,000 in Federal revenue to Mecklenburg County Department of Social Services (DSS) to extend the Job Boost Program. The funds may be used for subsidized wages and other (Temporary Assistance for Needy Families) TANF-eligible expenses such as uniforms, clothing, transportation assistance and other related employment expenses.

Commissioners Leake and Cotham removed this item from Consent for more public awareness and to ask questions about the program.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:18 p.m.

Janice S. Paige, Clerk
Patricia “Pat” Cotham, Chairman
ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour County Manager Harry L. Jones, Sr. County Attorney Marvin Bethune Clerk to the Board Janice S. Paige

Absent: None

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

The meeting was called to order by Chairman Cotham.

The purpose of the meeting was to hold the Mecklenburg Board of County Commissioners’ Strategic Planning Conference for 2013 and to go into Closed Session for Personnel Matter.

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purpose: Personnel Matter.

The Board went into Closed Session at 11:17 a.m. and came back into Open Session at 12:40 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

The Board recessed for lunch and reconvened at 1:15 p.m.

Chairman Cotham called upon County Manager Jones to make opening remarks.

Prior to the County Manager’s opening remarks, Michael Marsicano, President and CEO of the Foundation for the Carolinas, welcomed the Board to the Foundation Building.

County Manager Jones gave opening remarks, which included an overview of the goals and expectations for the Conference.

Budget/Management Director Hyong Yi outlined the agenda for the meeting. He then called upon Dr. Carl Stenberg of the School of Government at UNC-Chapel Hill to address the Council/Manager Form of Government.

Dr. Stenberg covered the following in his presentation:
Commissioner James asked at what point did consideration need to be given to whether or not one's current form of government was still the most appropriate. Dr. Stenberg said it varied. He said sometimes size played a role and sometimes politics.

Commissioner James said if there was going to be a discussion regarding the Council/Manager form of government, then other forms should be addressed as well.

Commissioner James said he would like to know the counties in N.C. that didn’t have the Council/Manager form of government.

Dr. Stenberg said regardless of the form of government in large jurisdictions, professional management was needed to get things done.

Commissioner James addressed his difficulty in being able to communicate with all of his constituents in the manner he’d like without a budget and no ability to interact with them, other than at a Board meeting or via email. Commissioner James said one issue with respect to improving Commission performance had to do with improving communication with constituents. Commissioner James said this should be discussed as well, if there was going to be a discussion about other forms of government.

Commissioner Leake also addressed the importance of being able to communicate with constituents and how communication needs varied amongst commissioners.

Dr. Stenberg said communication was important and challenging in large jurisdictions given the social media and technology that’s available. He said local governments were getting better at pushing information out and were working hard on ways to pull citizens’ feedback in.

This concluded the presentation. The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Dr. Stenberg for his report.

**Working Effectively Discussion**

Cyndee Patterson, President of The Lee Institute and counterpart Libby Cable facilitated a discussion between the Board and staff on effective working relationships.

Ms. Patterson addressed the interviews that were conducted by members of her staff with Board members and staff prior to the conference.

Ms. Patterson then had the Board and the Executive Staff, which consisted of the County Manager, General Managers, Associate General Manager, the Budget/Management Director, and Finance Director, to pair up into groups of two and interview each other.

The results of the interviews were then shared. It served as a type of icebreaker.

The Board then participated in a core values exercise and subsequently shared that information with the group.
The Board and the executive staff then participated in an exercise to derive working agreements from the perspective of Board to Board working relationships, Board to Staff, and Staff to Board.

The results of the exercise are noted below. These results were done by an informal showing of hands by the Board and the Executive staff. The things listed were things the Board and the Executive staff agreed were important in order to have good working relationships.

**Working Agreements - Board to Board**

- More face to face communication
- Protect confidentiality
- Strive to avoid surprises
- Communicate respectfully at all times
- Respect the process for conducting meetings
- Let others speak if you’ve already spoken
- Be prepared for meetings
- Strive for efficient meetings and an efficient meeting process, so that time can be spent on the most important topics
- Assume positive intentions
- Exercise open communication
- Practice mutual respect
- Listen and respect the position of other people
- Listen for understanding, don’t reload

**Working Agreements - Staff to Board**

- Talk to staff in advance of meeting if there were questions
- Talk to staff before responding to media
- Acknowledge the expertise of staff
- Give the County Manager a chance to analyze and fix something
- Protect confidentiality
- Come to meetings prepared
- Read all communications sent by staff
- Assume positive and good intentions
- Demonstrate support for a common goal
- Be respectful and have professional communication

**Working Agreements - Board to Staff**

- More face to face communication
- Minimal surprises
- Share information with Board members at the same time
- Keep the Board informed and updated
- Accept accountability
- County Manager should do an FYI to the Board for critical issues, even though there may not be any details to share; but at least the Board would be aware, if they heard something
- The FYI could be by phone or email
- Communicate with the media and let the media know that you don’t have complete information regarding a particular matter, but would get back to them when more information was known
- Remember communication was a 2-way street
- Make the Board look good

*The Board recessed for a break at 4:12 p.m. and reconvened at 4:21 p.m.*
Chairman Cotham and Commissioner Ridenhour were absent when the Board reconvened and until noted in the minutes.

When the Board reconvened, Ms. Patterson facilitated narrowing the list of working agreements down to those that the Board and the Executive staff felt were a high priority, the top five, hopefully.

Chairman Cotham and Commissioner Ridenhour returned as this narrowing process began.

Working Agreements-Staff to Board and Board to Staff requests in order to have good working relationships (Note: The items in red were things listed by the Board and staff in some instances.)

- More face to face communication (3 votes)
- Protect confidentiality (4 votes)
- Minimal surprises (7 votes)
- Communicate respectfully at all times (5)
- Communicate with the media and let them know you don't have complete information regarding a particular matter, but would get back to them when more information was known (9)
- Communication was a 2-way street (3)
- Be prepared for meetings (12)
- Assume positive intentions (5)
- Accept accountability (4)
- Make the Board look good
- Talk to staff in advance of meeting if there were questions (8)
- Acknowledge the expertise of staff (1)
- Give the County Manager a chance to analyze and fix something (10)
- Read all communications sent by staff (2)
- Demonstrate support for a common goal (4)

The following received the most votes and based on those votes, the things most needed for good working relationships from a Staff to Board perspective. Note: These were informal votes. Motions were not made. These matters were voted on by the Board and the executive staff.

1. Be prepared for meetings (12)
2. Give the County Manager a chance to analyze and fix something (10)
3. Communicate with the media and let them know you don't have complete information regarding a particular matter, but would get back to them when more information was known (It was noted that this was applicable to both the Board and staff.) (9)
4. Talk to staff in advance of meeting if there were questions (8)
5. Minimal surprises (7 votes)
6. Communicate respectfully at all times (5)
7. Assume positive intentions (5)

The Board then voted on its Board to Board requests in order to have a good working relationship

Working Agreements-Board to Board

- Be prepared for meetings (7)
- Strive to avoid surprises (5)
- Assume positive intentions (1)
- Protect confidentiality (4)
- Let others speak if you’ve already spoken (2)
- Listen and respect the position of other people
JANUARY 30, 2013

- Respect the process for conducting meetings (1)
- Strive for efficient meetings and an efficient meeting process, so that time can be spent on the most important topics (7)
- Exercise open communication (1)
- Practice mutual respect
- Listen for understanding, don’t reload
- Communication was a 2-way street (1)
- More face to face communication (3)

It was noted that the following received the most votes and determined to be the things most needed for a good working relationship from a Board to Board perspective. **Note: These were informal votes. Motions were not made.**

1. Be prepared for meetings (7)
2. Strive for efficient meetings and an efficient meeting process so that time can be spent on the most important topics (7)
3. Strive to avoid surprises (5)
4. Protect confidentiality (4)
5. More face to face communication (3)

The Board and the Executive staff then voted again on its Board to Staff requests in order to have a good working relationship

**Working Agreements-Board to Staff**
- Protect confidentiality
- Minimal surprises (11)
- More face to face communication (8)
- Communication was a 2-way street (2)
-Communicate with the media and let them know you don’t have complete information regarding a particular matter, but would get back to them when more information was known (It was noted that this was applicable to both the Board and staff.) (5)
- Be respectful and have professional communication (5)
- Accept accountability (9)
- Be timely, professional and dependable (5)
- Share information with Board members at same time (8)
- Keep the Board informed and updated (9)
- County Manager should do an FYI to the Board for critical issues, even though there may not be any details to share; but at least the Board would be aware, if they heard something (6)

The following received the most votes and determined to be the things most needed for a good working relationship from a Board to Staff perspective. **Note: These were informal votes. Motions were not made.**

1. Minimal surprises (11)
2. Keep the Board informed and updated (9)
3. Accept accountability (9)
4. More face to face communication (8)
5. Share information with Board members at same time (8)
6. County Manager should do an FYI to the Board for critical issues, even though there may not be any details to share; but at least the Board would be aware, if they hear something (6)
7. Communicate with the media and let them know you don’t have complete information regarding a particular matter, but would get back to them when more information was known (It was noted that this was applicable to both the Board and staff.) (5)
This concluded the exercise.

Ms. Patterson said her counterpart Libby Cable would work with the Board at tomorrow’s session to go over the results and to hopefully get these results into some ground rules for the Board that everyone could live with.

Ms. Patterson asked that Board members give thought to the items listed and to consider taking ownership for one of them and to champion that item over the next two days of the conference. She said the Board would be asked to indicate their selection on tomorrow.

Ms. Patterson thanked the Board for participating in today’s exercises. She said she hoped the Board found it to be helpful.

This concluded the discussion.

The above is not inclusive of every comment but is a summary.

Closing Remarks

County Manager noted the following matters before recess:

1) Attorney Dan Bishop spent the day at MeckLink Behavioral Health with Mercer. Per Mercer, he reported that at this point, there was a “high probability that MeckLink would be ready to go live by March 1,” even though the review was still on-going.

County Manager Jones reminded the Board that had the County not received a favorable response from Mercer today, MeckLink would have been assigned to another entity for management.

2) County Manager Jones informed the Board as a matter of information only that per Deputy County Attorney Tyrone Wade, there had been a double homicide in the western part of the County. County Manager Jones said all of the details weren’t known at this time, but three children were in the home, in addition to a parent who was in a wheelchair. County Manager Jones said this family was in the Department of Social Services System back in 2010 and that the case had been closed. He said staff would work on getting the details and would inform the Board of what, if any, involvement the County would have.

Deputy County Attorney Wade said the Charlotte Observer had already posted the occurrence. He informed the Board that any information received from the County’s Department of Social Services Youth and Family Services division would be confidential information.

Commissioner Leake asked was it possible to have the County department directors to come to tomorrow’s opening session, so the Board would know who they were. County Manager Jones asked that he be allowed to have that introduction done at a different meeting, in light of the conference agenda that had already been developed. There was no objection.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board, that the meeting be recessed at 5:01 p.m. until 8:00 a.m., January 31, 2013.
The Board of Commissioners of Mecklenburg County, North Carolina, met in recessed Special Session at the Foundation For The Carolinas, located at 220 North Tryon Street, Charlotte, N.C. on Thursday, January 31, 2013 at 8:00 a.m.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour

County Manager Harry L. Jones, Sr.

Deputy County Attorney Tyrone Wade

Clerk to the Board Janice S. Paige

Absent: None

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

The purpose of the meeting was to continue the Mecklenburg Board of County Commissioners’ Strategic Planning Conference for 2013.

The meeting was called to order by Chairman Cotham and then turned over to Budget/Management Director Hyong Yi.

Director Yi outlined the agenda for the meeting. He then called on Dr. John Connaughton, Professor at UNC-Charlotte and Dr. Michael Brown, Economist at Wells Fargo to address current economic conditions on the national, state, and local level.

Dr. Connaughton gave a historical recap of events that occurred in 1913. He then addressed the following topics: The fiscal cliff, potential tax increases for 2013, job growth on the national, state, and local level, employment on the state and local level, N.C. per capita per income, and economic indicators. Below are highlights.

- On the national level the fiscal and budget problems have nothing to do with tax rates or spending.
- Economic growth is the fundamental problem.
- US expenditures have pretty much leveled off in the last two years.
- The budget deficit problem will not go away if there’s no consistent spending.
- If the economy can’t grow consistently at 3.5% per year in terms of real GDP growth, the budget deficit problem won’t go away, no matter how much tax rates were raised or cuts made in spending.
- The fiscal cliff was avoided, but there was still a steep slope to go down, which was problematic.
- Gas prices should always be a concern. It was noted that if gas prices go up by fifty cents between now and the summer, it pulls about $90 billion out of Americans pockets. It’s not a full impact because some of it goes to the domestic energy sector, but it’s still problematic.
- During the recession nationally 8.7 million jobs were lost, 55% of those have been
JANUARY 31, 2013

regained.
• More manufacturing jobs have been gained back than expected on the national level.
• Most of the jobs created were in the area of business and professional services, health and educational services, leisure and hospitality services.
• In N.C. the jobs most lost were in manufacturing and construction.
• The percent of jobs recovered in N.C. was 46.3%.
• The loss of jobs has not been a subject of conversation in N.C., nor poor job performance in terms of creating jobs, but its needs to be discussed.
• The Charlotte MSA (which consists of Mecklenburg County, Cabarrus, Gaston, York, Union, and Anson) lost 88,000 jobs, but 68,000 have been regained.
• The percent of jobs recovered in Charlotte was 77.3% with respect to losses and gains.
• In Mecklenburg county jobs increased, but not income, not at the income level prior to the recession.
• Population growth in Mecklenburg County was starting to come back since the recession.
• North Carolina was the 5th worst in the nation with respect to the unemployment rate. It was 9.2% as of November 2012.

The following topics were addressed:
• Positive indicators for the economy

Commissioner Leake entered the meeting.

• Negative indicators for the economy
• Things to watch going forward
• Consumer confidence
• Consumer debt (It needs to go up.)
• Excess reserves
• Monthly job growth
• Gas prices

Dr. Brown noted the following:

• A very modest economic growth was anticipated this year, somewhere in the range of one and half percent. There were some upside risks but primarily in the second half of the year.
• By 2014 the pace of economic growth should be around 2.5 %.
• The composition of growth was going to change some, but at the “end of the day”, we’re getting back to what they argue was the “new normal.”
• The 3.5% growth range that Dr. Connaughton spoke about should be the target, but when you look at the challenges we’re facing in the financial sector and in the labor market, the new reality is 2% -2.5% growth.
• The fiscal cliff was not avoided.
• People were renting rather than home buying because if they have to move it’s less of a problem. They want that mobility.
• They also see what their parents went through with loss of wealth.
• Credit was still an issue, but it’s secondary to the change in preference and taste by consumers.
• On the national level there were still individuals struggling to meet their mortgage.
• Consumer confidence was low.
• Structural unemployment was a disconnect between the skills and the demand by companies today and the skills within the labor force.
• When you look at unemployment at the national level by educational obtainment, not having a high school diploma meant that individual was looking at an unemployment rate of 12% versus someone with a college degree at a rate of 4%.
• A recent study showed persons with a degree in liberal arts had double digit
unemployment rates compared to those that held a degree in science, technology and mathematics.

- The participation rate in the labor force was at the lowest level it’s ever been since the early 1980’s.
- Two factors come into play with respect to the labor force: 1) aging demographics with folks retiring, 2) there’s a large number of individuals who have given up looking for work.
- A lot of folks in N.C. fall into the latter category of having given up looking for work.
- It’s felt inflation would not be a major concern this year.
- The structural problem with unemployment was something officials locally and in Washington needed to focus on.
- In N.C., going forward, there’s potential that the growth rate may improve.
- In N.C. the housing sector may improve mid-year.
- In Charlotte most sectors will add jobs.
- The fundamentals of the U.S. and local economy were strong, but it’s not as fast as liked.

The above is not inclusive of every comment but is a summary.

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

Comments

Commissioner James asked about the impact on the economy locally and on the state level, per recent announcements on the state level about Medicaid, unemployment benefits and budget cuts. He also asked about the impact of the potential sequestration.

Dr. Brown said with respect to the sequestration that Congress could determine where and how things were cut, but it is up to the executive branch to determine the magnitude of that within each division. Based on data available it would be dramatic cuts to defense spending. If the sequestration goes into effect as currently stated, it would be a shock to government spending and it would impact the labor market, especially in N.C.

Dr. Connaughton said with respect to the County’s budget preparation, the Board had to be very cautious and realize that there were still a lot of unknowns with respect to the sequestration. Dr. Connaughton said he predicts $100 million in cuts.

General Manager Bobbie Shields asked was it a good idea to use local incentives to build the economy, including incentives for the retail sector.

Dr. Connaughton said philosophically he was opposed to incentives, but he understood the need for them. He said you have to increase risk taking. Dr. Connaughton said when requests for incentives come, they should be evaluated. He said the County needed to be a catalyst for growth and development. He said S. C. was improving because they’re offering incentives.

Commissioner Bentley asked if the Employment Care Act had been taken into consideration with respect to labor force participation. Dr. Brown said yes.

Dr. Connaughton addressed the labor force participation rate.

Commissioner Bentley commented that if folks weren’t participating in the labor force, what did that mean with respect to policy making and in the area of social services.

Commissioner Fuller talked about job growth and the availability of jobs for people that don’t have the skills. He asked how you close the gap between skills in the labor force and the jobs that were available.
Dr. Brown said better communication was needed between the institutions of higher learning and the business community. Secondly, there was the question of how you go about designing curriculum and programs that fit within that framework.

Commissioner Fuller asked had this type of gap been experienced in the past. Dr. Connaughton said not to this extent. He said this was a dramatic structural shift in the economy. He said this was probably something that can’t be totally fixed.

Commissioner Fuller asked where do you take the risk. Dr. Connaughton said that’s the board’s decision. He said the Board had to decide what were the choices of risk, evaluate requests and decide what its expectations were. He said the Board needed a set of criteria. He said business incentives were the big one.

Commissioner Dunlap asked about manufacturing jobs that went overseas and were now coming back.

Dr. Brown said some manufacturing jobs were coming back, but technology reduces the number of actual jobs.

Dr. Connaughton said the lost of manufacturing jobs hit Mecklenburg County less than it did the state.

Chairman Cotham asked about a breakdown of unemployment based on race, age, and gender for Mecklenburg County. The presenters said they had national and state data, but not local data.

Chairman Cotham asked about wages. Dr. Connaughton said wage rates had gone down since the recession and that when you have a weak labor market that happens.

County Manager Jones said he was interested in the statistics by race and gender as it related to the structural unemployment issue.

County Manager Jones said he would like to receive statistical information with respect to growth in the poverty rate since the recession on the national, state, and local level. Dr. Brown said he didn’t have that information, but income inequality had dramatically risen post recession.

Dr. Connaughton said the poverty rate had risen since recession, but not as much as people thought.

Dr. Connaughton said the education gap was a factor in all of this.

Commissioner Leake asked how you communicate this to the average person.

Dr. Connaughton said he didn’t have an answer, but the bottom line was that students don’t get the connection. He said he doesn’t know how you solve it.

The Board recessed at 11:02 a.m. and reconvened at 11:16 a.m.

Working Agreements

Libby Cable with The Lee Institute addressed the results of the working agreements discussion that took place at the January 30, 2013 meeting. The following was noted as the top five-six things most needed for a good working relationship. The Board was reminded of other items that were mentioned as well. (Note: Other things mentioned can be found in the January 30, 2013 minutes.)

Board to Board Working Agreements
1. Be prepared for meetings
2. Strive for efficient meetings and an efficient meeting process so that time can be spent on the most important topics
3. Protect confidentiality
4. No/Minimal surprises
5. More face to face communication, less email

Board to Staff Working Agreements

1. No/Minimal surprises
2. Keep the Board informed and updated
3. Accept accountability
4. More face to face communication, less email
5. Share information with Board members at the same time
6. County Manager should do an FYI to the Board for critical issues, even though there may not be any details to share; but at least the Board would be aware, if they heard something

Staff to Board Working Agreements

1. Be prepared for meetings
2. Give the County Manager a chance to analyze and fix something
3. Communicate with the media and let them know you don't have complete information regarding a particular matter, but would get back to them when more information was known (It was noted that this was applicable to both the Board and staff.)
4. Talk to staff in advance of meeting if there were questions
5. No/Minimal surprises

Ms. Cable then addressed suggested Tactical Rules that would help to operationalize the Working Agreements. (A copy of those rules is on file with the Clerk to the Board.)

Commissioner James asked what if members of the Board didn't agree with the list. He referenced protecting confidentiality and occasions when it might not be appropriate for staff to disclose something but as a commissioner and out of concern it would be okay for him to do so. Commissioner James said he agreed in principle to protect confidentiality.

Because of time, the Board did not get into a discussion of the question raised by Commissioner James.

Chairman Cotham commented on the use of the term “agreed” by Ms. Cable with respect to the various working agreements discussed by the Board on January 30. Chairman Cotham said she didn't know if the Board “agreed” to all of those working agreements, but rather viewed them as good ideas. She asked if they could be referred to as “helpful suggestions.”

Ms. Cable said even though an individual commissioner may not have included the things listed as being their top five or six, these were the things that received more votes than some of the other things that were listed.

Commissioner Dunlap asked what would happen if someone didn’t abide by the things listed. Ms. Cable said that was something the Board would have to decide. She suggested that in a respectful way that commissioners hold each other accountable and perhaps remind each other after a meeting of the things discussed and to coach one another.

Chairman Cotham said these things should be looked at as guidelines.

Commissioner Bentley said the Board hadn’t followed Roberts Rules of Order, at least not during
her tenure. Commissioner Bentley suggested to Chairman Cotham that the Board follow Roberts Rules of Order as closely as possible, which would help keep the meetings orderly and efficient, yet still allow individual commissioners to have a voice, and in a fair manner, state their case.

Commissioner Bentley addressed how sometimes the meetings go on until 11:00 p.m. and later. She questioned how effective the Board was at that hour and was it fair to have staff and citizens waiting for long periods of time for an issue to be addressed.

Commissioner Bentley said her hope was to bring order to the functioning of meetings and to be respectful of everyone’s time and yet maintain the integrity and quality of the process.

Commissioner Bentley recommended adding, following Roberts Rules of Order (modified) to the extent possible for conducting meetings as a tactical rule, as a part of the Board to Board Working Agreements or guidelines. There was no objection by other Board members.

Ms. Cable said since there was a “little pushback” as to whether the items discussed on yesterday and noted today were agreements, guidelines or suggestions, that as a group, was the Board willing to say with respect to these items that the Board would at least look to these things as guidelines about how, as a board, the Board would work together. Further, that these things were important to the Board. (Note: There was no specific response by the Board.)

Commissioner Fuller said with respect to the efficiency of meetings, that consideration should be given to the number of items placed on an agenda. He said that played a part also in the length of meetings.

Commissioner Ridenhour said reducing the number of items placed on an agenda may not solve the problem with respect to efficiency of meetings. He said it had to do with the amount of conversation on items and pulling items from Consent.

Commissioner Clarke said efficiency of meetings had a lot to do with the style of the chairman.

Chairman Cotham said she welcomed feedback from experienced board members on how to manage meetings for efficiency purposes.

Commissioner Leake said everyone would try to remember these things and that it was okay to remind each other of them, from time to time.

Ms. Cable recommended the Board work on practicing the things they outlined as being important.

Tactical Rules for Board to Staff Comments

Commissioner Fuller said more face-to-face communication and less email would take a lot of time. He questioned it and suggested it would be easier to send an email.

County Manager Jones said face-to-face could be changed to say more verbal communication, including via telephone.

Commissioner Leake said her desire was that all commissioners be notified of information that needed to be shared, with the understanding that the chairman would be notified first in many instances.

Commissioner Dunlap said communication was a two-way street and that it could be done via email, telephone, or office visit. He said persons had to be receptive to whatever form of communication that was being suggested.

Tactical Rules Staff to Board
General Manager John McGillicuddy suggested adding, that Board members contact the County Manager individually and not through global emails with any complaints, concerns, or questions regarding staff work or behavioral issues and that the board not respond until they’ve heard from the County Manager. He also said if there was a surprise contact the County Manager to get more information. Additionally, Board members should get their questions regarding agenda items to the County Manager or a General Manager before noon on the day of the meeting. General Manager McGillicuddy said Board members could also communicate those questions to Assistant to the County Manager Amber Snowden if they liked.

Chairman Cotham said she would like to know in advance of a meeting if the staff contact would be there or not to address questions, in case, it can’t be answered by the executive staff present.

General Manager McGillicuddy explained that contact persons don’t have to be present at a meeting if their agenda item was under consent, with the understanding that any question raised would be answered by the County Manager and/or a General Manager.

General Manager McGillicuddy suggested adding also that Board members and staff ask themselves before communicating, if email was the best form of communication in certain instances. He also recommended Board members read the weekly Board Bulletin and all information received from staff.

Commissioner Leake said forms of communication from staff to Board and Board to staff was something that should be covered in orientation, as well as, the agenda process.

Commissioner Leake said there may be a need to have additional orientation sessions regarding various issues, and polices with respect to what the Board can and can’t do.

Ms. Cable concluded the discussion by making the following statement regarding “Gracious Space”:

“Use these rules, tactics, whatever you want to call them as guidelines, as reminders; all intended coming from a spirit of integrity, which is one of the values most shared on yesterday; respect for each other, and give each other the space and the grace to learn in public, to make mistakes; learning is a reiterate process because everyone was still learning; to learn from each other and coach each other, and to help each other succeed for the good of the whole.”

The Board recessed at 12:03 p.m. and reconvened at 12:35 p.m.

Managing for Results

The Board received an update on the County’s Community Vision, Community and Corporate Scorecard, and current performance. Associate General Manager Leslie Johnson and Performance and Evaluation Manager Monica Allen gave the update.

The following was covered:

- Historical Overview
- Managing for Results
- Community & Corporate Scorecard
- FY12 Performance Results
  - 2020 Corporate Scorecard Results
  - Focus Area Results
  - Performance Highlights
  - FY14 Area of Emphasis
  - Post SPC Activity
- County Manager’s Assessment (addressed by County Manager Jones)
A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner James commented on Charlotte-Mecklenburg Schools (CMS) funding, the graduation rate and CMS’ achievement of measures. Commissioner James said at some point the Board needed to decide if they’re going to follow up on what the previous board said, that CMS should be held accountable.

Commissioner James addressed property tax to household income. He said it may be okay to have a comparison, but maybe the County should look at the overall tax burden.

Commissioner Dunlap said the Board of Education was the elected body responsible for CMS and that another governing board can’t dictate to another.

Commissioner Dunlap said a conversation was needed with the Board of Education under its new leadership and with the new superintendent regarding shared visions, and what the goals and expectations were.

Associate General Manager Johnson said the CMS measures addressed were the agreed upon measures with the past superintendent.

Associate General Manager Johnson said they’ve had a conversation with the new superintendent, who was in the process of developing his strategic plan. She said staff would be getting with CMS regarding any changes.

Associate General Manager Johnson said there hadn’t been different plans. She said the County had embraced what CMS developed as their plan.

Associate General Manager Johnson said although CMS performance measures had red lights, it didn’t mean CMS hadn’t made progress.

Performance & Evaluation Manager Allen said it should be kept in mind that the scorecard was about making progress towards long term goals and not necessarily annual goals.

Commissioner Bentley said she’d like to receive property tax comparison data with surrounding counties, connecting jurisdictions, including those in S. C.

Commissioner Leake asked when the Board would meet with the Board of Education. The response was May for presentation of CMS’ budget request.

Commissioner Leake recommended the Board meet with the Board of Education (BOE) prior to their budget presentation to find out what CMS’ planned goals were with respect to its forthcoming budget request. She asked the Chairman to communicate with the BOE chair to make that happen.

Commissioner Leake asked about information on “feeder” organizations that provide funds to CMS and the amount of funding CMS received from those other agencies. She cited as examples, Communities in Schools and the Arts and Science Council. Commissioner Leake said she’d also like to know to whom and how much funding did the County provide to organizations that support CMS in their efforts to educate children.

Commissioner Ridenhour said there should be some accountability on CMS’s part of where taxpayer dollars were going.
County Manager Jones said the County has had good results with respect to the scorecard. He said the scorecard was owned and approved by the Board. County Manager Jones said the Corporate Scorecard was developed based on the Board’s vision through 2020. He said the Board also approved the focus areas, measures and matrix. County Manager Jones said the scorecard aids the County in making data driven decisions.

County Manager Jones encouraged new Board members with questions regarding the scorecard to meet with staff to gain a better understanding of it.

The Board recessed for a break at 2:05 p.m. and reconvened at 2:23 p.m.

Operating Budget Planning

Director Yi addressed planning and developing the annual budget. The following was covered:

- Applicable State General Statutes
- State Requirements
- Managing for Results Budgeting
- The Process (Workshops-Manager’s recommended budget presentation, public hearing, straw voting, adoption)

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

Comments

Commissioner Leake asked about the $20 million the County was giving to Carolinas Medical Center. General Manager Michelle Lancaster addressed the question.

Commissioner Leake asked about the impact of the $55 million raised for CMS (Project Lift) and the impact of that on the County’s budget. Director Yi said it would be up to the Board as to how that was taken into consideration when it came to making a decision regarding an allocation to CMS.

Commissioner Fuller said he would like to know what the County was required to fund for CMS versus what it did fund.

Commissioner Fuller asked about the impact of MeckLINK on the County’s budget.

General Manager Lancaster said MeckLINK would have very little impact on the County’s budget, because it was all federal money that would be managed separately. She said any savings received would go back into mental health services.

Budget Manager Mike Bryant addressed the categorization of the County’s budget. He also reviewed the budget calendar.

FY2013 Financial Status

Finance Director Dena Diorio addressed FY 2013 financial status. The following was addressed:

- Property Taxes
- Sales Taxes
- Investment Income
- Revenue Forecast

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

Commissioner Clarke asked about the receipt of sales tax data from the state, which was addressed.

Commissioner James asked about the impact of refunds with respect to Pearson's Appraisal Services report on the budget. It was noted that this matter would be discussed at a future meeting.

Working Relationship Observations

Ms. Cable made closing comments and asked the Board to comment on what they thought worked well with the group process today.

Chairman Cotham said comments made and questions raised by experienced commissioners were very helpful.

Commissioner Clarke said he learned a lot from the questions raised by new commissioners. He encouraged new commissioners to ask questions and to not think their question wasn't worthy of answering and to share those questions with staff.

Ms. Cable encouraged the Board to share with staff what would be most helpful in their learning process based on individual work styles.

She encouraged the Board to:

- Use Roberts Rules of Order
- Coach each other
- Be clear about what the intent of a presentation was
- Think of the working agreements or guidelines discussed as tools for continuous improvement for working together.

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

This concluded the discussion.

The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board, the meeting be recessed at 4:32 p.m. until 8:00 a.m., February 1, 2013.
The Board of Commissioners of Mecklenburg County, North Carolina, met in recessed Special Session at the Foundation For The Carolinas, located at 220 North Tryon Street, Charlotte, N.C. at 8:00 a.m. on Friday, February 1, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners
Karen Bentley, George Dunlap, Trevor Fuller,
Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
Clerk to the Board Janice S. Paige

Absent: Commissioner Dumont Clarke

The purpose of the meeting was to continue the Mecklenburg Board of County Commissioners’ Strategic Planning Conference for 2013.

The meeting was called to order by Chairman Cotham.

Chairman Cotham called upon Budget/Management Director Hyong Yi to outline the agenda for the meeting.

Director Yi outlined the agenda and then called on Finance Director Dena Diorio.

Finance Director Diorio addressed Multi-Year Capital Planning. The following was covered in the presentation:

- Historical Perspective
- Current State
- Strategy: FY2014
- Strategy: FY2015-FY2017
- Impact of Financial & Debt Management Strategies
- Next Steps

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

Comments

Commissioner Dunlap asked would using pay-as-go reduce the authorization amount. Finance Director Diorio said it did not, that you have to let it lapse.

Commissioner James asked had CMS redone its capital plan. Finance Director Diorio said CMS was working on it.

Commissioner James said the new superintendent needed to be aware that there’s a set amount per year.
Finance Director Diorio said the Board would need to decide if it was going to fund CMS’ proposed Security Plan.

Commissioner Dunlap said staff needed to communicate to the new superintendent what the County’s priorities were and that there were already some things in place.

Commissioner Fuller said the Board needed to meet with the Board of Education sooner, rather than later on these types of issues.

Commissioner Dunlap asked County Manager Jones if he was meeting with the new Superintendent. County Manager Jones said yes, on a monthly basis.

Commissioner Bentley asked about variable rate exposure, which was addressed.

Commissioner Ridenhour asked about the impact of issuing more debt and how the rating agencies would view that, which was addressed.

This concluded the discussion on this topic. The above is not inclusive of every comment but is a summary.

*The Board recessed at 10:13 a.m. and reconvened at 10:35 a.m.*

**BUDGET PROCESS**

Budget/Management Director Yi addressed briefly how the budget process worked starting at the department level.

**SETTING BOARD PRIORITIES**

The Board reviewed the FY2012-FY2013 Adopted Budget Priorities, which were ranked by Priority Levels, 1 - 7 with one 1 being the highest.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner James, to keep the same FY2012-2013 Adopted Budget Priorities for FY2013-2014.

It was the consensus of the Board to take a break and give Commissioners an opportunity to review the priorities, which were posted, prior to voting on the motion.

*The Board recessed at 11:06 a.m. and reconvened at 11:24 a.m.*

Commissioner James asked about growth in revenue. County Manager Jones said it was too early to tell.

Commissioner Ratliff asked that Non-Communicable Illness and Disease Prevention/Treatment be moved from Priority Level 3 to Priority Level 1.

Commissioners Dunlap and James withdrew their motion to keep the same priorities for FY2013-2014.

It was the consensus of the Board to move Non-Communicable Illness and Disease Prevention/Treatment from Priority Level 3 to Priority Level 1 as requested by Commissioner Ratliff.
Commissioner Leake asked that Adult Abuse, Neglect Prevention and Protection be moved from Priority Level 4 to Priority Level 2 and Child and Adolescent Mental Health Services from Priority Level 3 to Priority Level 2 and move Tourism from Priority Level 2 to Priority Level 3.

It was the consensus of the Board to move Child and Adolescent Mental Health Services from Priority Level 3 to Priority Level 2 and move Tourism from Priority Level 2 to Priority Level 3 as requested by Commissioner Leake.

No action was taken with respect to moving Adult Abuse, Neglect Prevention and Protection from Priority Level 4 to Priority Level 2 because there was nothing proposed to be removed from Priority Level 2 to allow for the addition of Adult Abuse, Neglect Prevention and Protection.

Commissioner Ridenhour asked that Historic Preservation be moved from Priority Level 7 to Priority Level 6.

It was the consensus of the Board to move Historic Preservation from Priority Level 7 to Priority Level 6 as requested by Commissioner Ridenhour.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the FY2013-2014 Priorities as presented and previously approved by the Board for FY2012-FY2013 with the following changes: 1) move Non-Communicable Illness and Disease Prevention/Treatment Priority to Priority Level 1, 2) move Child and Adolescent Mental Health Services to Priority Level 2 and move Tourism to Priority Level 3, and 3) move Historic Preservation to Priority Level 6.

FUTURE WORKSHOP TOPICS

The Board was asked to provide staff with topics for future Budget/Public Policy Workshops. The following topics were noted:

- Joint Meeting with Charlotte-Mecklenburg Board of Education per Commissioners Leake, Dunlap & Fuller
- Introduction of Department Directors per Commissioner Leake
- Community Services Grant Process per Commissioner Leake
- Consolidated Human Services Agency per Commissioner Dunlap
- HR policy regarding termination and whether the Board or the County Manager should be the last in the chain, per Commissioner Dunlap
- Transportation per Commissioner Ratliff
- Economic Development per Commissioner Ratliff
- Overview of Mecklenburg-Union Metropolitan Planning Organization (MUMPO) and the county’s role with respect to transportation overall, per Commissioner Bentley
- DSS update on director recruitment process, per Commissioner Leake. (It was noted that staff was currently working with a recruiter.)
- DSS current operational structure per Commissioner Leake
- Update on Health Department transition per Commissioner Leake

Chairman Cotham asked was there an annual review of DSS by the state. **General Manager Michelle Lancaster said she was not familiar with what Chairman Cotham was inquiring about, but that there was a federal review that took place in 2007.**

Commissioner James said the Board should be involved in personnel decisions with respect to high level positions. He doesn’t think the Board should be involved in every personnel matter. Commissioner James said the Board shouldn’t select the candidate, but could give input on the selection.
Commissioner James said it was a question of how much oversight the Board should have in certain hiring matters.

Commissioner James said if a problem arises the Board should have access to that personnel file.

Commissioner James said the Board needed to consider whether there should be a process that involved the Board more.

Commissioner James said if the Board was not going to have that authority, then the Board should move on.

**Continuation of Topics**

- Update on HIV with respect to setting up an advisory board per Commissioner Leake
- Job creation; where the job growth was going to be in the future; how to develop a strategy for job readiness when it came to the areas of technology, science and math per Commissioner Fuller
- Think Tank regarding entrepreneurship per Commissioner Ridenhour
- Getting businesses to assist with educating children about the job market per Chairman Cotham;
- UNC-Charlotte, Chamber of Commerce, Central Piedmont Community College, and Charlotte-Mecklenburg Schools involvement in job readiness

**Commissioner Bentley** said a lot of the topics noted could be addressed through the committee structure.

Commissioner Bentley said she would like to see at least two or three of the Board committees reactivated.

**Budget/Management Director Yi** said staff would send the Board the additional workshop dates as an FYI.

Budget/Management Director Yi asked the Board to let the County Manager know if there was a desire to change the start time of Budget/Public Policy Workshops from 3:00 p.m. to 2:00 p.m. because to change the time would require a vote by the Board to do so, otherwise it would have to be done as a special meeting.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

**Chairman Cotham** and other newly elected Commissioners thanked staff and experienced Board members for their input and guidance.

**County Manager Jones** thanked the Board for their level of engagement. He encouraged the Board to let staff know if they had any questions.

County Manager Jones read a note from MeckLink employees thanking the Board for its support, which was signed by all employees.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board, the meeting be adjourned at 12:24 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, 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 located at 600 East Fourth Street 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 5, 2013.

**ATTENDANCE**

**Present:**
- Chairman Patricia Cotham and Commissioners
  - Karen Bentley, Dumont Clarke, George Dunlap,
  - Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
  - and Matthew Ridenhour
- County Manager Harry L. Jones, Sr.
- County Attorney Marvin Bethune
- Clerk to the Board Janice S. Paige

**Absent:**
- None

---

**-INFORMAL SESSION-**

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0800, 13-0805, 13-0809, 13-0816, 13-0817, 13-0820, 13-0821, and 13-0827.

**STAFF BRIEFINGS - NONE**

**(13-0834, 13-0835, 13-0837) CLOSED SESSION – PERSONNEL MATTER, BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY**

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Personnel Matter, Business Location and Expansion and Consult with Attorney.

*The Board went into Closed Session at 5:40 p.m. and came back into Open Session at 6:55 p.m.*

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

---

**-FORMAL SESSION-**
FEBRUARY 5, 2013
Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Bentley, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Cub Scouts from Pack 13, University City United Methodist Church assisted with the Pledge of Allegiance to the Flag.

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

(13-0836) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Jeff Collins, President of the Board of Directors for the Carolina Carrousel Thanksgiving Day Parade and Scholarship Foundation and Executive Director Linda Vespa addressed the need for financial support in order to keep the tradition of the parade occurring.

Chairman Cotham informed Mr. Collins and Ms. Vespa that under the rules regarding Public Appearance speaking, that requests for funding was not allowed. They were directed to touch basis with staff regarding their financial request. Mr. Collins and Ms. Vespa thanked the Board for that guidance.

John Bradford, a commissioner from the Town of Cornelius addressed the 2011 Revaluation. He asked the Board to approve a resolution asking the State Legislature give the Board the authority to refund any taxpayer from 2011-2012 that overpaid. Mr. Bradford said if the Board already had such authority a resolution should be approved, nonetheless, to show the Board’s commitment to do the “right thing.” Mr. Bradford said persons who overpaid should be refunded with interest.

Mr. Bradford asked the Board to suspend appeals before the Property Tax Commission. He asked that Pearson’s Appraisal Service be a part of the reviews, because they would take an “unbiased approach” with taxpayers, bring confidence back into the process and would get matters settled without having to go back and forth to Raleigh to the Property Tax Commission.

Mr. Bradford said he was informed the Property Tax Commission would not consider Pearson’s data, which he felt they should and that the Board should ask them to.

Mr. Bradford said the current Board of Equalization and Review needed to be replaced.

Mr. Bradford said he was informed the current Board of Equalization and Review was not taking the recommendations of Pearson’s. He said the Board should encourage them to do so.

Blanche Penn addressed upcoming Black History Month activities being held at the Wallace Pruitt Recreation Center, February 18-23, 2013 highlighting the achievements of African Americans.

A copy of a flyer regarding the events is on file with the Clerk to the Board.

Teri Saurer on behalf of N.C. Parents Advocating for School Health, Dr. Jessica Saxe, family physician and chair of the Child Health Committee of the Mecklenburg County Medical Society, and Cheryl Herberg, president of the School Nurses Association of N.C. addressed the need for School Nurses and thanked the Board for making this need a priority.

A copy of handouts regarding the need for School Nurses is on file with the Clerk to the Board.
Cheryl Emanuel with the Mecklenburg County Health Department, Regina Fleenor with the American Heart Association, Jan Wagner with Presbyterian Hospital, Terrilyn Cook, and Rev. Rusty Price, addressed Heart Disease Awareness Month and thanked the Board for its efforts in this area through the Health Department. They were joined at the podium by Desirae Small with Delta Sigma Theta Sorority, and Pastor Landry Rae with New Friendship Presbyterian Church in Huntersville.

(13-0818) APPOINTMENT

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Susan Tompkins to the Waste Management Advisory Board as recommended by the Charlotte City Council to fill an unexpired term expiring May 18, 2013 and for a full three-year term expiring May 18, 2016.

Note: She replaces Rich Deming.

(13-0839) APPOINTMENT - MECKLENBURG EMS JOINT AGENCY BOARD OF COMMISSIONERS

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Dr. Matthew Hanley to the Mecklenburg EMS Joint Agency Board of Commissioners.

Note: Per the Amended and Restated Joint Undertaking Agreement between Mecklenburg County and the Charlotte-Mecklenburg Hospital Authority that created the Mecklenburg Emergency Medical Services Agency, each Joint Agency Commissioner shall be appointed for a term of three years or until such Commissioner's successor is nominated and appointed; provided, however, that any Commissioner appointed to fill a vacancy occurring for any cause prior to the expiration of the term shall serve for the remainder of the unexpired term. There is no limit to the number of successive terms in which a Commissioner may serve.

He replaces Buck Wiggins.

PUBLIC HEARINGS

(13-0825) STREET NAME CHANGE

Motion was made by Commissioner James, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing to receive comments on the proposed renaming of a portion of Alexanderana Road to Eastfield Road, a portion of Alexanderana Road to Dixon Farm Road, a portion of Eastfield Road to Independence Hill Road and a portion of Alexanderana Road to Arthur Davis Road.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting...
yes, to close the public hearing on the proposed renaming of a portion of Alexanderana Road to Eastfield Road, a portion of Alexanderana Road to Dixon Farm Road, a portion of Eastfield Road to Independence Hill Road and a portion of Alexanderana Road to Arthur Davis Road; and approve the renaming of a portion of Alexanderana Road to Eastfield Road, a portion of Alexanderana Road to Dixon Farm Road, a portion of Eastfield Road to Independence Hill Road, and a portion of Alexanderana Road to Arthur Davis Road.

(13-0832) STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County’s participation in the Street Lighting Assessment project for the Mountain Point Subdivision.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to 1) acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Mountain Point Subdivision; and 2) to close the public hearing and adopt the Final Assessment Roll Resolution Street Lighting Project Mountain Point Subdivision.

Resolution recorded in full in Minute Book ______ Document # ______.

ADVISORY COMMITTEE REPORTS

(13-0819) CHARLOTTE-MECKLENBURG COALITION FOR HOUSING (CMCH) PROGRESS REPORT

The Board received a progress report from the Charlotte-Mecklenburg Coalition for Housing. Mike Rizer, chairman gave the report.

Note: The Charlotte-Mecklenburg Coalition for Housing (CMCH) is a community-based board that was appointed to implement the Charlotte-Mecklenburg Ten Year Plan to End and Prevent Homelessness. Members are appointed by the Board of County Commissioners (BOCC), the Charlotte City Council and the Charlotte Mayor. It is composed of people with experience in housing, philanthropy, finance, legal services, education, real estate development, human services and public safety. Ex-officio members are the Mecklenburg County Community Support Services Department Director, the Charlotte Neighborhood and Business Services Director and the Charlotte Housing Authority Chief Executive Officer. The Board develops strategies to meet the Ten-Year Plan goals for housing, outreach and homelessness prevention, and makes recommendations to the BOCC and Charlotte City Council for implementation of proposed strategies.

The presentation addressed the committee’s charge, goals, structure, subcommittees, progress to date, number of homeless in Charlotte/Mecklenburg County; and their next steps.

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

Comments
Commissioner Dunlap asked what challenges did the committee face as a result of the financial crisis that hit the community as it related to being able to assist those in need of affordable housing, which was addressed.

Commissioner Dunlap asked was anything being done to educate the community regarding affordable housing within respective communities, which was addressed.

Commissioner Dunlap asked was the committee doing anything to educate the public on the definition of the “working poor,” which was addressed.

Commissioner Leake asked how were things looking with seven years remaining on the Ten-Year Plan, which was addressed. Mr. Rizer noted that the Plan was developed in 2007 and that the committee wasn’t appointed until 2010, thus, there was a lot of work to be done.

Commissioner Ratliff asked what was being done to prevent the communities’ “working poor” from becoming the next generation of homeless, which was addressed from a housing perspective.

Chairman Cotham asked about those that were homeless and had a criminal record and unable to get affordable housing, which was addressed. Mr. Rizer acknowledged that this was an issue but not one that he was well versed on and could address specifically.

Chairman Cotham asked that the committee consider looking at this issue. Mr. Rizer said they would.

Chairman Cotham thanked Mr. Rizer for the report.

MANAGER’S REPORT

(13-0846) MECKLINK MEDICAID WAIVER UPDATE

The Board received an update on the implementation of the MeckLink Medicaid Waiver.

County Manager Jones noted the Mercer Group, hired by the state, in a consultation role, came last week to conduct a review of MeckLINK and that it was a positive visit. He said Mercer was scheduled to come back on February 13, 2013 for another review.

MeckLINK Behavior Health Director Phil Endress noted the following:

- To go-live with the Medicaid Waiver on March 1, 2013, MeckLINK will submit to two additional readiness reviews by Mercer Consulting.
- Mercer is to determine whether there is a high degree of probability that MeckLINK can accomplish all critical tasks necessary to go-live on March 1, 2013, as deemed in a manner consistent with previous readiness reviews of LME-MCOs implementing the waiver.
- Mercer and DHHS gave immediate verbal feedback to continue preparation and plan for second review, per Mercer’s January 30, 2013 Review.
- Per Mercer, “MeckLINK has demonstrated significant progress to implement by March 1, 2013 provided that progress continue on the same pace and that all outstanding ‘critical’ tasks be fully resolved prior to March 1, 2013.”
- 100% of interested provider agencies, group practices, and licensed independent practitioners have fully executed contracts with MeckLINK.
- 95% of all providers have completed training on the Alpha claims processing system.
- Priority Tasks for February were reviewed.
  - Dashboards and report finalization
A copy of the report is on file with the Clerk to the Board.

Commissioner Leake requested a copy of Director Endress’ PowerPoint.

Commissioner Leake asked about the number of persons that had been employed to work with MeckLINK, the location of those employees, the need for additional employees and in what areas, which was addressed.

Commissioner Clarke said some providers expressed to him concerns they had regarding the fact that they do not have a lot of reserves and want to make sure their claims were paid promptly. He asked if staff was confident that claims would be paid promptly and properly, so that providers don’t have to be concerned about their delivery of services being disrupted. Commissioner Clarke asked was there a back-up system if the primary system doesn’t work properly.

Director Endress said per statute, claims must be paid within 30 days and that it was staff’s goal to do it sooner than that. Director Endress said it was important that providers submit their claims files timely. He explained how the process would work.

Commissioner Clarke encouraged staff to solicit the cooperation from those providers who have not responded to staff’s request for the necessary information to get claims processed.

Commissioner Fuller said he would have expected the following areas to have been completed when Mercer visited last:

- The Call Center Overflow contract referenced on page 4 of the Mercer report
- Claims and Information Technology issues noted on page 16 of the report
- Financial Reports and Dashboards noted on page 19 of the report
- Other reporting issues noted on page 20 of the report.

Commissioner Fuller asked had the lease been signed with respect to a centralized location to house staff. County Manager Jones said it was put on hold, pending the decision to go-live.

Commissioner Fuller asked which areas would be housed at the location and the expected timeframe of accomplishing this, which was addressed.

Director Endress said once MeckLINK went live there would be on-going reviews by Mercer and the State of MeckLINK operations to make sure the goals were being met.

Commissioner Ratliff asked about the hiring process, which was addressed.

This concluded the discussion. No action was taken or required. The above is not inclusive of every comment but is a summary.
The Board received a status report on the 2011 Revaluation Review Work Plan. General Manager/County Assessor Bobbie Shields gave the update. He was assisted by Emmett Curl with Pearson’s Appraisal Service. The following was noted:

- Goals of Revaluation Action Plan
- Assessor’s Office Mission
- Summary of Key BOCC Dates
- Status Report Proposed Work/Rework Plan with respect to:
  - Legislative Issues
  - Management Issues
  - Next Revaluation
  - Appeals Process
  - Minor Issues
  - Major Issues

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

Comments

Commissioner Leake asked about homes in District Two, specifically Clanton Park. Commissioner Leake said a lot of homes were valued less than what homeowners thought they should have been valued. Mr. Curl said they would address values that increased and decreased. Mr. Curl encouraged Commissioner Leake to contact him and he would be happy to sit down and address any specific concerns she had.

Commissioner Fuller requested a copy of the PowerPoint. General Manager/County Assessor Shields said a copy of the PowerPoint would be available on-line.

Commissioner Fuller asked about the recruitment process for hiring a new County Assessor. General Manager/County Assessor Shields said he would like to find out more about the Board’s expectations but typically, staff would go through the application process, narrow the list of applicants down and present those to the Board for consideration.

General Manager/County Assessor Shields reminded Chairman Cotham that per the 2011 Revaluation Review Action Plan, which was approved by the previous Board on November 27, 2012, the chairman is to appoint a subcommittee of the Board to work with the revaluation and appeals process. General Manager/County Assessor Shields said the subcommittee might want to participate in some of the interviews as well.

General Manager/County Assessor Shields recommended the subcommittee be appointed next week or no later than the first week of March because the process needs to get started.

Chairman Cotham asked had the County worked with the search firm it planned to use to recruit a new County Assessor in the past and was consideration given to local executive search firms. General Manager/County Assessor Shields said yes and that the proposal that was sent out specifically asked for those that were experienced in hiring assessors.

Chairman Cotham asked about the implementation status of recommendations offered by Pearson’s. Mr. Curl said the focus was on the appeals process and those neighborhoods where there were high concentrations.
Chairman Cotham asked about the replacement of the Board of Equalization and Review, per action taken by the previous Board. General Manager/County Assessor Shields said discussion concerning the Board of Equalization and Review would take place at the Board’s Budget/Public Policy meeting next Tuesday, February 12, 2013.

Chairman Cotham said she was asked by a constituent would appeal hearings at the Property Tax Commission level be suspended until after Pearson’s completed its evaluation. General Manager/County Assessor Shields said staff at the Property Tax Commission were working with property owners to schedule the appeals and that they were aware of the need to talk to some of the property owners to see if things could be resolved. He said the Property Tax Commission was being flexible in its scheduling.

Mr. Curl said staff had worked through some of the processes and that they were involved in anything that’s scheduled to be heard and that staff has asked for their opinion and to be witnesses if called upon.

Commissioner Ridenhour asked was it possible that at next week’s Budget/Public Policy meeting a response could be provided to answer the following questions: 1) Is it possible for recordings of Board of Equalization and Review meetings to be made available to a taxpayer to use as reference material for future appeals if needed? 2) Is it possible that decisions could be rendered immediately following a hearing rather than at the end of the day? General Manager/County Assessor Shields said those issues could be addressed at next week’s meeting.

General Manager/County Assessor Shields said the purpose of next week’s Budget/Public Policy meeting was to help set up a process and that once the Chairman appoints the Board’s Subcommittee to work with the Board of Equalization and Review and the new Board of Equalization and Review was appointed, part of the charge would be to look at the process and to make changes to the process as needed.

Commissioner Bentley returned to the dais.

Commissioner Ridenhour commented on future revaluations and suggested that consideration be given to hiring an outside agency to conduct future revaluations.

Commissioner Ridenhour said there was a “tendency” for governments to over value properties because government needs those tax dollars to fund programs. Commissioner Ridenhour said if a local outside agency was used to conduct revaluations, not only would it be putting people to work, but that “natural bias” would be removed from the equation and it would come up with values more in line with what constituents and homeowners felt their property was worth.

Commissioner Dunlap asked was it possible that a taxpayer who went through the appeals process and had their values adjusted last year, would have to go through that process again and possibly be informed their values needed to be readjusted again.

General Manager/County Assessor Shields said each time the value of someone’s property changed, the property owner had the right to appeal.

General Manager/County Assessor Shields said once the value was set, unless there was a change in the property or an error, then the value is set, it doesn’t change again.

Commissioner James said he would like to know if there was a way to quantify the size of the error. General Manager/County Assessor Shields said as Pearson’s continues its work, it might be possible to determine how many values increased and how many decreased.

Commissioner James said this would be important to know for budgetary reasons.
Commissioner Clarke commented on a speaker who appeared before the Board once, who said having gone through the appeals process and reaching an acceptable determination that he would not want to go through that process again, if there was a change made due to a review of the major and minor issues by Pearson’s.

Commissioner Clarke asked would the wishes of those in that same situation be considered.

General Manager/County Assessor Shields said if the value changed, the taxpayer had to be notified.

Commissioner Clarke asked was it possible the review that’s taking place could impact what was settled upon with respect to someone’s property that had gone through the appeals process. The response was yes.

Commissioner Clarke asked was that applicable to those that didn’t appeal as well. The response was yes.

Commissioner Clarke asked was it staff’s intent to provide the Board with a report on every single piece of property as to whether there was a change in value. The response was no.

General Manager/County Assessor Shields said the Board would receive a summary report showing the net affect of the changes.

Commissioner Clarke asked would the summary report show the percentage of those affected and the financial impact when you net out the refunds due to lower values and the additional taxes due to higher values. The response was yes.

Commissioner Clarke asked about the timeline for the Board’s receipt of the summary report.

General Manager/County Assessor Shields said this was an on-going process because staff would soon be receiving appeals for 2013 and that they had already started to come in. Thus, a date would have to be set to end the appeals, which was something that would be discussed at next week’s Budget/Public Policy meeting.

This concluded the discussion. No action was taken or required. The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS & REQUEST – NONE

CONSENT ITEMS

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0814) ORDINANCE REVISIONS - LUESA FEE ORDINANCE & BUILDING DEVELOPMENT ORDINANCE

1. Amend the LUESA Fee Ordinance to delete provisions charging for electrical, mechanical, and plumbing journeyman examinations.

2. Amend the Building-Development Ordinance to revise definitions and requirements related to mechanical and plumbing journeyman’s program and contractor licenses.
Ordinances recorded in full in Minute Book ______ Documents # ______and ______.

(13-0822) APPOINTMENT OF REVIEW OFFICERS

Amend “Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2” to add the names of William R. Washam III and Wayne Herron as Review Officers and to delete the name of Karen Floyd from the Resolution adopted August 14, 1997.

Resolution recorded in full in Minute Book ______ Document # ______.

(13-0823) LAND DONATION - NORTHLAKE REAL ESTATE INVESTORS, LLC PROPERTY

Accept the donation of Tax Parcels 025-221-10 (+/- 7.565 acres) and 025-221-11 (+/- 6.218 acres) on Long Creek and Dixon Branch from Northlake Real Estate Investors, LLC Property.

Note: The subject property is a portion of a +/- 23.96 acre, mixed-use non-residential development approved through the City of Charlotte’s rezoning process in 2011. As part of that approval, the developer was required to donate property (+/- 13.783 acres) to the County for future greenway construction along Long Creek and Dixon Branch.

(13-0824) CONSTRUCTION CONTRACT - AMERICAN LEGION MEMORIAL STADIUM ATHLETIC FIELD LIGHTING

Award a construction contract to MUSCO Sports Lighting, LLC in the amount of $795,000 for the American Legion Memorial Stadium Athletic Field Lighting.

(13-0826) AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2012 real estate and personal property taxes.

Note: The advertisement is a notification to taxpayers of outstanding tax balances. As of January 22, 2013, $46,262,318.34 of the $863,736,383.83 levy remains unpaid. In accordance with NCGS 105-369(a), the governing board must order the tax collector to advertise the tax liens.

(13-0828) TAX REFUNDS

Approve refunds in the amount of $103,702.48 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(13-0833) MINUTES

FEBRUARY 5, 2013

2) Authorize the Clerk to amend the minutes of January 2, 2013 to correct the wording of the motion associated with Item 13-0762 Grant Application-NC Clean Water Management Trust Fund to reflect the revised wording that was approved by the Board, rather than the original wording of the item.

3) Authorize the Clerk to amend the minutes of November 20, 2012 to correct the wording of the motion associated with Item 12-0613 Street Lighting Final Assessment by deleting the word Coffey, which the submitting department, included by mistake.

(13-0847) BOARD BULLETIN

Receive the County Manager’s Board Bulletins published since the last Board meeting.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-0800) CAPITAL RESERVE REQUEST - FREEDOM PARK SIDEWALK REPAIR AND REPLACEMENT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize and appropriate expenditure of $91,163 from the Freedom Park Capital Reserve account to repair and replace the concrete and asphalt sidewalks at Freedom Park.

Commissioner Leake removed this item from Consent for more public awareness.

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

(13-0805) BUDGET AMENDMENT - MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to recognize, receive and appropriate additional State funds in the amount of $44,542 for bridge funding in Mecklenburg County catchment area.

Commissioner Leake removed this item from Consent for more clarity.

(13-0809) CAPITAL RESERVE REQUEST - AQUATIC FACILITIES

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to

1. Appropriate $17,500 from the Consolidated Aquatic Capital Reserve Fund for swim competition timing equipment at the Mecklenburg County Aquatic Center.

2. Appropriate $35,350 from the Consolidated Aquatic Capital Reserve Fund for fitness and pool lift equipment at Ray’s Splash Planet.
FEBRUARY 5, 2013

3. Appropriate $5,500 from the Consolidated Aquatic Capital Reserve Fund for pool equipment at Marion Diehl Recreation Center Pool.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0816) GRANT APPLICATION - CLEAN AIR ACT, SECTION 103, SPECIAL PURPOSE FEDERAL GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to

1. Approve the submission of the County's FY13 CAA Section 103, Special Purpose federal grant application.

2. Upon Award of grant, recognize, receive and appropriate the CAA Section 103 grant award.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0817) ADVISORY COMMITTEE BYLAWS/APPOINTMENT - HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to

1) Approve the amended by-laws for an Advisory Committee for the Home and Community Care Block Grant (HCCBG) for older adults.

2) Appoint members to an Advisory Committee for the HCCBG for Older Adults as recommended and noted below.

Note: The amendments to the by-laws for the Advisory Committee were made to reflect that the Department of Social Services (DSS) is now serving as the designated lead agency for the administration of the Home and Community Care Block Grant (HCCBG). For several years, DSS has served as co-lead agency along with the Council on Aging (COA). However, COA does not have staff and its future is unknown, so DSS is serving in this lead agency capacity. The HCCB grant requires the annual appointment by the Board of an Advisory Committee to assist in gathering input and obtaining consensus regarding the content of the plan. This appointment will assist the lead agency in developing the County Aging Funding Plan for Fiscal Year 2014.

Home & Community Care Block Grant Committee 2012-2013 Roster (Revised 1/14/13)

Laura Wasson (Committee Chair, GS) P Department of Social Services
Corsha Caughman (PP, Housing) 2013 Charlotte Housing Authority
Darrell Cunningham (GS, SC-Social Services) 2012 Department of Social Services
Darryl Crenshaw (CR) P - Interim Division Director Veterans Services
Jacqueline Glenn (GS-SC-Health)P

12
Commissioner Leake removed this item from Consent for more public awareness.

**A copy of the By-laws is on file with the Clerk to the Board.**

**Commissioner Ridenhour returned to the dais.**

**(13-0820) BUDGET AMENDMENT - CASEY GRANT - DSS (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services FY13 budget to recognize, receive and appropriate $83,000 from Casey Family Programs for the Child Welfare Initiative Program.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0821) BUDGET AMENDMENT - DSS ENERGY PROGRAMS (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY13 Budget to recognize, receive and appropriate additional revenue and corresponding expenditures as follows:
A. Crisis Intervention Payment (CIP) -- $1,000,000
B. Low Income Energy Assistance & Crisis Intervention Payments Administration (LIEAP/CIP) -- $279,417.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0827)  BUDGET AMENDMENT - LUESA/WATER QUALITY (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the LUESA FY13 budget to recognize, receive and appropriate $140,000 for LUESA/Water Quality and carry forward the unspent balance to FY 2014.

Note: Funds are being received from New Birth Worship Center for a violation of the Town of Huntersville Ordinance by failing to maintain and repair required Best Management Practice (BMPs). On July 31, 2009 New Birth Worship Center, located in Huntersville, submitted to Mecklenburg County and the Town of Huntersville a cash bond for maintenance of required water quality BMPs for $140,000. The purpose of the bond is to guarantee that maintenance and repair of the right of way and BMPs as specified on the approved plans for the New Birth Worship Center in accordance with the Town of Huntersville Ordinance. New Birth Worship Center is presently in default of the terms of the maintenance bonds and is in violation of the Town of Huntersville Ordinance by failing to maintain and repair of all improvements as required by the terms of the Ordinance. Pursuant to the terms of the cash bond, Mecklenburg County will use the funds from the cash bond to complete the maintenance issues. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default has occurred. Any funds remaining after completion of these improvements (including compensating the County for staff time and attorney’s expenses) will be returned to the Worship Center.

Commissioner Leake removed this item from Consent for more clarity.

(13-0835)  BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session to discuss Business Location and Expansion.

The Board went into Closed Session at 9:32 p.m. and came back into Open Session at 10:17 p.m.

Commissioners Bentley, James, Leake, and Ratliff were absent when the Board came back into Open Session and for the remainder of the meeting.

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 5-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:20 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, 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 located at 600 East Fourth Street 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 19, 2013.

**ATTENDANCE**

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour

County Manager Harry L. Jones, Sr.

County Attorney Marvin Bethune

Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Bentley, Clarke, Dunlap, and Ratliff were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0792, 13-0829, 13-0843, 13-0849, 13-0850, 13-0861, and 13-0862.

(13-0881) STAFF BRIEFINGS - TANGER/SIMON OUTLET CENTER PROJECT – TAX INCREMENT GRANT REQUEST

The Board received information regarding possible County participation in a tax increment grant to support the development of an outlet center and accompanying development in the Steele Creek area.

The matter was presented by County Economic Development Director John Allen and Jeff Brown, Attorney for Tanger/Simon.

Commissioners Ratliff, Dunlap, and Bentley entered the meeting as the presentation began.

Note: Tanger Factory Outlet Centers and Simon Property Group along with Steele Creek (1997) Limited Partnership/Childress Klein are proposing to develop a 445,000 square foot upscale outlet center on an 82 acre site at Steele Creek Road/I-485/new Dixie River Road. An additional 80,000 square feet of retail, restaurant and office development and a 120 room hotel is also planned for the site. Significant ($8.5 million) infrastructure improvements (utilities and roads) are needed to support the new development, creating the need for a public/private partnership.
In order to make the project financially viable, the developer has requested a 10 year, 45% tax increment grant (TIG) from the City and County. The TIG is based on new property taxes generated by the development, with a total estimated value capped at $5.98 million total.

The following staff concerns were shared:

- The County’s core responsibilities do not include funding of road improvements.
- The County chose not to participate in providing infrastructure support for IKEA (among others). The City, however, provided a 90% TIG for the site infrastructure.
- A preliminary fiscal impact analysis suggests that County incremental taxes from the proposed project may not be sufficient to pay the expected increased costs of core County services.
- It is difficult to reliably quantify the sales tax impact of new retail due to the mechanics of the State’s sales tax distribution formulas and the possibility of displacement sales.
- This project potentially sets a precedent of providing County tax incentives for retail.
- Other options to pay for the necessary road improvements may exist.

The County Manager’s position was also shared as noted below:

“At its recent strategic planning retreat, the board heard that economic growth and job creation should be a high priority for the County. Therefore, due to the project’s significant new capital investment and job creation, and potential for creating additional spinoff development, the Manager’s position is that the County should participate in the TIG in order to ensure that the project comes to fruition.”

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

Comments

Commissioners asked the following questions, which were addressed.

Commissioner Fuller asked for clarity on staff’s concerns, particularly the concern regarding the preliminary fiscal impact analysis suggesting that County incremental taxes from the proposed project may not be sufficient to pay the expected increased costs of core County services.

Commissioner Leake asked was there a difference between this type of financial participation and the business investment grants.

Commissioner Bentley asked why was it more expensive to develop in Mecklenburg and was their policies and/or regulations in place causing it to be more expensive.

Commissioner Bentley asked about the fiscal impact relative to the cost of services.

Commissioner Bentley asked was there any data available indicating how far someone would be willing to drive for these jobs.

Commissioner James asked what was the difference between this proposed development and the Bissell Development.

Commissioner James asked about a specialized taxing authority.

Commissioner Ridenhour asked was there plans already in place to make road improvements in the area.
Chairman Cotham asked about communication with the Charlotte Area Transit regarding transit services in the area.

County Manager Jones addressed his recommendation to support the project.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to support the request made of the County to participate in the tax increment grant (TIG) for the Tanger/Simon Outlet Center project as presented by staff.

(13-0865, 13-0891, 13-0867) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, PERSONNEL MATTER AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney matters to be discussed in Closed Session: Mecklenburg County vs. Hotels.Com, LP; Hotwire, Inc.; Trip Network, Inc. (d/b/a Cheap Tickets); Travelport Americas, LLC (f/k/a Cendant Travel Distribution Services Group, Inc.); Expedia, Inc., Internetwork Publishing Corp.(d/b/a Lodging.com); Lowestfare.com, Inc.; Orbitz, LLC; Priceline.com Inc.; Site59.Com, LLC; Travelocity.Com, LP; Travelweb LLC; and Travelnow.com, Inc.

Note: Business Location and Expansion was removed from the agenda.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Personnel Matter and Consult with Attorney.

The Board went into Closed Session at 5:46 p.m. and came back into Open Session at 6:04 p.m.

Commissioner Clarke was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Bentley, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION

(13-0886) RECOGNITION OF MECKLINK BEHAVIORAL HEALTHCARE STAFF

The Board recognized the contributions of MeckLINK Behavioral Healthcare staff to prepare for implementation of the 1915 (b) (c) Medicaid Waiver on March 1, 2013 and thanked them for their commitment to managing the best possible behavioral health services for Mecklenburg County consumers, families and the community.

Note: On February 15, 2013, MeckLINK Behavioral Healthcare, a department of Mecklenburg County Government, received final confirmation from the North Carolina Department of Health & Human Services that MeckLINK would implement the 1915 (b)(c) Medicaid Waiver on March
1, 2013. Over the past months, MeckLINK staff worked tirelessly to ensure that MeckLINK is ready to assume local management of Medicaid funding for mental health, intellectual development disabilities and/or substance abuse services.

(13-0866) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Jim Bensman addressed the lack of an opportunity for citizen’s to participate or provide input in Board discussions at Budget/Public Policy meetings. Mr. Bensman said at Regular meetings time is limited, as well, for citizen input or comment.

Mr. Bensman thanked Chairman Cotham for her willingness to meet with citizens separate and apart from those meetings, in order that they might be heard.

Mr. Bensman expressed disappointment with two emails that he said were sent recently by Commissioners Ratliff and Dunlap accusing Chairman Cotham of “misbehavior” and calling him “a liar,” and that he may have fraudulently voted in the November election. Mr. Bensman said when he voted, he was a resident of Mecklenburg County. Mr. Bensman said he thought he’d seen a new tone of congeniality on the Board, but he was mistaken.

APPOINTMENTS

(13-0859) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Lori Lynch to the Adult Care Home Advisory Committee for a three-year term expiring February 28, 2016.

AIR QUALITY COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Gordon Miller to the Air Quality Commission as a General Public representative to fill an unexpired term expiring August 31, 2015.

He replaces Anthony Kent.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Jonathan Bahr to the Building Development Commission as the Charlotte Chamber of Commerce representative and as Chairman to fill an unexpired term expiring July 31, 2013.

He replaces Matthew Lucarelli.
FIRE COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Harley Cook and Kevin Fox to the Fire Commission for three-year terms expiring March 31, 2016.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Jeff Beebe, John Carson and Paul Rossi to the Information Services & Technology Committee for three-year terms expiring February 28, 2016.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Tristan McMannis to the Park and Recreation Commission as the Southern Town representative to fill an unexpired term expiring June 30, 2014 and Jude Harding as the North Region 2 representative to fill an unexpired term expiring June 30, 2015.

They replace Kristen Shaben and Jeffery Torte.

PERSONNEL COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint David Liss to the Personnel Commission to fill an unexpired term expiring June 30, 2014.

He replaces Charles Loring.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Rita Plyler and Louis Watts to the Waste Management Advisory Board for three-year terms expiring March 14, 2016.

PUBLIC HEARINGS - 6:30 PM - NONE

ADVISORY COMMITTEE REPORTS

(13-0860) WOMEN'S ADVISORY BOARD REPORT

The Board received the 2012 Annual Report from the Women's Advisory Board.
Jamie Daniell, Chairperson of the Women’s Advisory Board gave the report. She was accompanied at the podium by several members of the Women’s Advisory Board. Advisory Board member Lisa Yarrow assisted with answering questions. The following was covered in the report:

- Mission Statement of the Women’s Advisory Board
- 2012 Accomplishments
- 2012 Women’s Equality Day including Survey Results of Top 5 Categories of Concern for Women in Mecklenburg County
- Summary of Recommendations
  - Continue County funding, time and logistic support of the new Battered Women Shelter.
  - Continue County funding, time and logistic support of the new Supervised Visitation Exchange Center.
  - Promote equality in the workplace with regard to recruitment, training, promotion, and wages.
  - Continue to fund programs to promote healthy lifestyles throughout the county.
  - Conduct a pay equity audit at the County level and eliminate pay disparity between male-dominated and female-dominated jobs requiring comparable levels of education and expertise.
  - Improve transparency in salaries of County Employees
  - Require a component of the Community Service Grant Programs to include curriculum designed to address budgeting, money management, goals and the importance of credit.
  - Recommend that budgeting and financial planning becomes a part of programs that receive County funding.
  - Establish a Community Support Fund in the BOCC budget.
  - Continue funding the Women’s Advisory Board Annual Women’s Equality Day Celebration at $1,500.00

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

Comments

Commissioner Bentley requested the data used by the Women’s Advisory Board that lead it to recommend a pay equity audit at the County level be conducted.

Commissioner Clarke suggested that the Women’s Advisory Board include in future reports, data regarding the increasing trend of wives being the higher wage earner in the family.

Chairman Cotham thanked the Women’s Advisory Board for its report.

MANAGER’S REPORT

(13-0830) CULTURAL VISION PLANNING

The Board received an update from the Arts & Science Council (ASC) on the cultural vision planning process, as well as a "state of the cultural community" update. The ASC also asked the Board to consider supporting a public-private partnership task force to address the current and future cultural sector’s future role in the community and the required revenue model to support it.

The update and request was presented by Linda Lockman-Brooks, ASC Board Chair; Scot Provancher, ASC President; and Hugh McColl. The following was covered:
A copy of the presentation is on file with the Clerk to the Board.

Comments

Commissioner James questioned whether there was a process for government in solving this issue and whether the process for government would turn into “taxes.”

Commissioner James questioned the need for a task force and instead use the existing ASC Board of Directors to deal with this issue.

Mr. Provancher said the ASC had been “grappling” with this issue for quite some time and that part of the value of a broader task force was to get a “set of brains” in the room that weren’t on the ASC Board and not necessarily that engaged in the cultural sector, in order to bring in a different perspective. Further, the use of a task force was another way of being transparent and for getting the issue well vetted.

County Manager Jones spoke in support of the creation of a task force and referenced how beneficial the concept was when studying the future of the Library.

Commissioner Leake asked about the role of the proposed task force which was addressed.

Commissioner Bentley spoke in support of the task force and the proposed composition.

Commissioners Fuller and Ridenhour spoke in support of the task force.

Chairman Cotham asked about access to the cultural sector by the poor, which was addressed.

Commissioner James asked about the cost of the task force. Mr. Provancher said they were in the process of determining the cost.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to support the formation of a public-private partnership task force to address the current and future cultural sector’s future role in the community and the required revenue model to support it.

(13-0876) PROSPERITY FOR GREATER CHARLOTTE PROJECT

The Board received a report on the Prosperity for Greater Charlotte Project, which was part of the Comprehensive Economic Development Strategy (CEDS) of the Centralina Council of Governments (COG).

Note: The Comprehensive Economic Development Strategy process was a US Department of Commerce, Economic Development Administration, sponsored national program. The Centralina Comprehensive Economic Development Strategy for our nine-county Economic Development District in the Greater Charlotte region was first developed in 2004. An updated five-year plan was adopted in 2007. The CEDS outlines an approach to regional growth and prosperity that builds on the region’s strengths, emphasizes key regional industry clusters, and prioritizes
economic development projects. A required five-year update for the 2012-2017 CEDS was completed in September 2012.

Michael Manis, Director of Community and Economic Development with the Centralina Council of Governments gave the report.

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

Comments

Commissioner Dunlap addressed the usefulness of the report presented by Mr. Manis.

Commissioner Bentley asked how could the data be used by Central Piedmont Community College (CPCC) or Charlotte-Mecklenburg Schools (CMS) on a daily basis in relationship to their long-term strategic plans, in order to get students prepared based on the report’s data. Mr. Manis said CPCC and CMS participated in the focus groups and had been involved.

Commissioner Bentley asked had a presentation been made to the Board of Education. Mr. Manis said no, but he would be happy to do so.

Commissioner Bentley encouraged Mr. Manis to go before the Board of Education.

Commissioner Clarke said he was concerned about the number of jobs that had been lost in the construction field and in manufacturing. Commissioner Clarke asked Mr. Manis to comment on the job losses in these areas and how to address that issue going forward, which he did.

Chairman Cotham thanked Mr. Manis for the report.

STAFF REPORTS & REQUESTS

(13-0871) PROCESS FOR ADDRESSING MINOR ISSUES IDENTIFIED IN 2011 REVALUATION REVIEW

The Board received a presentation from the County Assessor’s Office regarding addressing minor issues identified in the 2011 Revaluation Review.

Dave Vance, Special Assistant to the Assessor for Real Property Valuation presented the matter to the Board. The following was covered:

- Immediate Board Actions Item 4
- Goals
- Minor Issues-Definition
- Process Steps
  - Statistical Analysis of Property Records
  - Redesigned Property Records Card
  - Review of Individual Property Attributes
  - AssessPro Database
- Implementing Minor Changes

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

Comments
Commissioner Leake said her concern dealt with the issue of two identical homes across the street from each other but with different values. She said the homes were in the Steele Creek area.

Mr. Vance explained what was meant by minor issues. Mr. Vance said although this was a “major” issue from the homeowners perspective, it would not be considered a “major” issue if that issue was not significant in numbers, such that it would impact the overall assessment of that neighborhood.

Commissioner Leake asked was staff working with Pearson’s Appraisal Service. Mr. Vance said yes.

Commissioner Fuller asked for clarity on the definition of “minor” issues and was it the same definition as stated in Pearson’s Appraisal Service’s report. Mr. Vance said it was refined. He said when staff received the original report from Pearson’s Appraisal Service that it was categorized as major, minor, and acceptable. He said as they received information from Pearson’s Appraisal Service there were varying degrees of how that was defined. He said they tried to encompass the information received from Pearson’s Appraisal Service and got with Pearson’s to see if they could put their “arms” around a better defined definition of minor. Mr. Vance said what they came up with was that in certain neighborhoods, because they were finding some irregularities, but not major irregularities in number where it would offset the entire neighborhood to be redone, that those irregularities would be defined as minor.

Commissioner Fuller asked if minor issues would have any effect on a homeowner’s property value. Mr. Vance said it could.

General Manager/County Assessor Bobbie Shields said a minor issue referred to something that had to do with the property record card, which meant what people had listed as impacting their property, such as the number of rooms, type of material their house was made of, etc.

General Manager/County Assessor Shields said a minor issue was something that impacted data integrity. He said they defined minor issues as those things dealing with inaccuracies on the property record card.

Commissioner Fuller asked General Manager/County Assessor Shields if he thought minor issues could effect valuation. General Manager/County Assessor Shields said yes it could.

General Manager/County Assessor Shields noted that minor, didn’t mean it wasn’t important.

General Manager/County Assessor Shields said the definition of minor issues was as stated in the presentation, which read: “Minor issues are defined as inaccurate property data or variables. These are quantified as individual or a limited number of individual errors that do not impact the overall quality or assessments in a given neighborhood. This process is designed to improve the overall data integrity in the database for the next real property revaluation.”

Commissioner Bentley asked was Pearson’s Appraisal Service’s definition of major and minor issues the same as the ones being used by staff.

General Manager/County Assessor Shields said when staff reviewed the Pearson’s Appraisal Service report, they had some difficulty defining what was meant by major issues and minor issues. He said it wasn’t as hard to understand major issues, because those were issues that impacted an entire neighborhood.

General Manager/County Assessor Shields said when it came to minor issues there wasn’t a definition of minor issues. He said what staff did was to define exactly what was meant by
minor issues and that staff chose to define it as issues impacting data integrity, inaccuracies on the property record card.

General Manager/County Assessor Shields said that definition was shared with Pearson’s Appraisal Service.

Commissioner Bentley asked was Pearson’s Appraisal Service in agreement with staff on its definition of minor issues.

Emmett Curl with Pearson’s Appraisal Service said as they were going through neighborhoods and doing spot checks of individual properties, they would find things that were left off of a property, such as an unfinished basement, that was finished. He said those kinds of things do effect and would change the value of that property, but not the entire neighborhood.

Mr. Curl said they were not looking house to house to find all of these. He said the process that staff developed would help identify some of them. He said if staff could get the sketch of the building out there as well in a format that was easier and more customer friendly then the current property record card, which he said was very “uncustomer” friendly, that would be very useful.

Mr. Curl said with respect to the minor issues, said in his mind, every one of them would be fixed in the next revaluation, because all of them won’t be found in this process. He said they would find the remaining ones that weren’t found and fix them in the next reappraisal. He said that’s what they meant by minor.

Mr. Curl said things that effect individual properties were put in the minor category. He said it wouldn’t be minor to that property, but it would be minor with respect to the whole neighborhood.

Commissioner Clarke asked Mr. Curl if he had read staff’s definition of minor issues and whether he agreed with it and was it consistent with what Pearson’s Appraisal Service identified as minor issues in its report. Mr. Curl said yes.

Commissioner James asked for clarity on the process for identifying minor issues, which was addressed.

Mr. Curl updated the Board on the work of Pearson’s Appraisal Service staff.

Commissioner Fuller asked for clarity on how would a property owner’s value get changed as a result of there being a change because of a minor issue and who would determine that value, which was addressed by Mr. Vance.

General Manager/County Assessor Shields said once they identify a change, then the Schedule of Values would be applied to determine if there’s a change in value.

General Manager/County Assessor Shields said if there’s a value change then a notice would be sent to the property owner notifying them of that change.

Commissioner Bentley referenced a forthcoming news article that had comments from N. C. Senator Tarte regarding the County’s 2011 Revaluation and the quality of its data. Commissioner Bentley said according to the article, Senator Tarte said he was told that 40% of the County’s data was “corrupt.” Commissioner Bentley asked General Manager/County Assessor Shields to comment on the statement that 40% of the County’s data was “corrupt.”

General Manager/County Assessor Shields said he had no idea where that number came from. He said staff was in the process of determining what was the condition of the data.
General Manager/County Assessor Shields said he would be very surprised if that number was accurate.

Commissioner Bentley asked Mr. Curl to comment on what staff presented with respect to dealing with the minor issues.

Mr. Curl said there were two things that needed to be tweaked. 1) A sketch (the actual footprint of the foundation of the house, including garages, carports, decks, etc.) of the property needed to be available with a description, accessible to the public. Mr. Curl said the current descriptions were very “cryptic”. He said there needed to be a table that defined what everything was. He said the public needed to be able to provide feedback as to whether that sketch was accurate.

Mr. Curl said secondly, that feedback from the public should be monitored very closely, so that the public can be responded to timely.

Commissioner Bentley asked was the Assessor’s Office structured to respond back to the public that may provide feedback.

General Manager/County Assessor Shields said staff would work to have sketches available. He said they would be looking at the resource needs as they move forward.

Commissioner Bentley asked Mr. Curl on a scale of 1-10, with 10 being very open to his company’s feedback and embracement of their presence in the County Assessor’s Office and 0 being unresponsive and unengaged and unwilling to partner with them, how would he rate the County Assessor’s Office. Mr. Curl said to his knowledge the relationship has been “very good.” He said staff had been very receptive. He said there had been some discussion with respect to staff wanting to know and understand why they’ve come to some of the determinations that reached, which was normal. Mr. Curl said he would rate the relationship at a 7 or 8.

This concluded the discussion. It is not inclusive of every comment but is a summary.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the process for addressing and resolving the minor issues identified by Pearson’s Appraisal Services during its review of the Mecklenburg County 2011 Revaluation as recommended by staff.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-0890) 2011 REVALUATION LEGISLATION

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

Motion was made by Commissioner James, seconded by Commissioner Ridenhour, to approve the following motion: “The Mecklenburg County Board of Commissioners agrees, in concept, with legislation authorizing retroactive property appraisals back to January 1, 2011 necessary to eliminate inequities identified in the report by Pearson’s Appraisal Service that would include issues of resulting taxpayer reimbursement and taxpayer levies (if required by law) and authorize the County Attorney, Marvin Bethune, to work with legislators and legislative staff to draft a bill that accomplishes this goal and the goal of insuring that the legislation is carefully crafted to accomplish the desired result, avoid unintended consequences, give County
Commissioners protection from any potential personal liability for authorizing and paying any refunds, and minimize the chances of challenges to its constitutionality."

Commissioner James said his goal was simply to transmit to the legislature the following:
1. "That we would like to offer refunds for 2011 and 2012 legally to ANY property owner identified in our revaluation audit,
2. That we would prefer to not offer tax 'levies' unless 'required by law',
3. That the changes would apply to both major and minor items,
4. That the changes would apply to those that appealed and those that did not,
5. That the Commission would like legal protection regarding the refunds, and
6. That the Commission would like the legislation to minimize the chance of constitutional challenge."

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

The following persons appeared to speak in support of Commissioner James’ motion:
- Kathy Davis
- Ron Kelly
- Barb Scott (Ms. Scott in addition to being in support of the motion, asked the Board to ask the question of how would land values and equity be dealt with in identifying and dealing with minor issues. She also referenced a variable on the property record card called effective year built that need to be accurate.)

Commissioners Ratliff and Dunlap returned to the dais.
- Jay Privette
- William Green

Commissioner Clarke asked Chairman Cotham was it correct that she would be meeting with N.C. Senator Tarte regarding proposed legislation with respect to this issue on Friday, February 22, 2013.

Chairman Cotham said yes, she along with some other members of the Board had been invited to meet with Senator Tarte.

Commissioner Clarke said he was not invited and asked that the County Attorney join those that were invited to the meeting. He would also like to know what transpired.

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following motion: "The Mecklenburg County Board of Commissioners agrees, in concept, with legislation authorizing retroactive property appraisals back to January 1, 2011 necessary to eliminate inequities identified in the report by Pearson’s Appraisal Service that would include issues of resulting taxpayer reimbursement and taxpayer levies (if required by law) and authorize the County Attorney, Marvin Bethune, to work with legislators and legislative staff to draft a bill that accomplishes this goal and the goal of insuring that the legislation is carefully crafted to accomplish the desired result, avoid unintended consequences, give County Commissioners protection from any potential personal liability for authorizing and paying any refunds, and minimize the chances of challenges to its constitutionality."
MANAGER’S REPORT

Dr. E. Winters Mabry informed the Board that he and Deputy Health Department Director Bobbie Cobb were appearing before the Board in its dual capacity as the Board of County Commissioners and the Board of Health with respect to Items (13-0873) Health Department Transition Update, (13-0874) Report On HIV Advisory Boards, and (13-0875) Cancer Prevention Study.

(13-0873) HEALTH DEPARTMENT TRANSITION UPDATE

The Board received an update on the status of the transition of Health Department services from Carolinas HealthCare System to County staff.

Note: Currently, the majority of Health Department services were provided under contract by Carolinas HealthCare System. Beginning July 1, 2013, these services would be provided directly by Mecklenburg County Health Department staff.

Health Director Dr. E. Winters Mabry and Deputy Director Bobbie Cobb reported on this matter. The following was noted:

- History behind the Health Department Transition
- Challenges Faced
- Human Resource Issues
- Information Technology Issues
- Procurement Issues
- Lease Issues
- Staff Training

Comments

Commissioner Dunlap asked about retirement for those former County employees that went to work for Carolinas HealthCare System and would be coming back to the County, which was addressed.

Commissioner Leake asked about the Transition Team, which was addressed.

Commissioner Leake requested the names, gender, and race of those that serve on the Transition Teams.

Commissioner Leake asked who were the consultants used by the Health Department. She also requested salary information for the various positions.

Commissioner Fuller asked was there an executive transition team, which was addressed.

Commissioner Fuller asked was there a written transition plan, which was addressed.

Commissioner Fuller requested a copy of the transition plans.

Commissioner Fuller asked about the use of paid consultants and the cost, which was addressed. County Manager Jones said staff would provide that information.

Commissioner Fuller asked about the overall cost of the transition thus far, which was addressed.

Commissioner Fuller asked about expected savings as a result of the transition, which was addressed.
Commissioner Fuller asked about the hiring process, which was addressed.

Commissioner Fuller requested information on the number of competitive executive positions that had been filled and those remaining.

Commissioner Fuller requested a copy of the organizational chart.

Commissioner Fuller asked about the displacement of current employees with respect to those that may have been in a leadership position, but as a result of the transition, would no longer be in that leadership role.

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

Commissioner Clarke asked what were the top three risks or concern for having a successful transition. Dr. Mabry said the number one concern was transitioning the school health nurses over. He said they were a high valued commodity within the medical community. Dr. Mabry said they could easily be recruited by other organizations because of their time and experience in being both nurses and case managers.

Commissioner Clarke asked about Dr. Mabry’s pending retirement at the end of the fiscal year and its impact on the transitioning. County Manager Jones said staff would begin the process of hiring a search firm to recruit for Dr. Mabry’s replacement.

General Manager Michelle Lancaster informed the Board the County also had a Medical Director, Dr. Stephen Keener who worked on the Hospital side of the contract. General Manager Lancaster said a decision had to be made going forward on how to handle those two positions of health director and medical director.

General Manager Lancaster said the goal was to have someone in place by the time the transition occurred.

General Manager Lancaster noted the experience and longevity of Deputy Director Cobb and that of current Medical Director Keener. She said she was very confident of the Health Department staff. General Manager Lancaster said Dr. Mabry had also offered to come back in a consultative role at some point if needed.

County Manager Jones said another issue, not of immediate concern, but something that should be kept in mind, was that the Hospital assumed the cost or debt for new facilities. County Manager Jones said there was not an immediate need for a new facility, but it could be in the future if the County had to expand its health clinics. He said the County would have to now assume that cost or debt.

Chairman Cotham asked if there were any African Americans on the executive transition team. The response was yes, Gwen Simmons the County Information Technology Director.

General Manager Lancaster said the executive transition team was reflective of areas of expertise.

Commissioner Leake said there was concern in the community that the Health Department did not reflect the community it served.

General Manager Lancaster said once persons became employees of the County, as a result of the transition, demographic information would be provided to the Board.

Dr. Mabry said there was one group that was under represented in the Health Department
with respect to staffing, the Hispanic population and not African Americans.

Dr. Mabry said there were not enough Hispanic professionals in the Health Department to meet the one-third of its customers that were basically Hispanic. He said that was the Health Department’s greatest diversity challenge currently.

Dr. Mabry said the Health Department staff was very well matched in terms of the demographics of staff matching up with the demographics of the African American clients coming through. Dr. Mabry said there was demographic data available to indicate that.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Dr. Mabry for his presentation.

**REPORT ON HIV ADVISORY BOARDS**

The Board received a report on the Mecklenburg County HIV/AIDS Council that was formed in 2006 and on the Ryan White Charlotte Transitional Grant Area (TGA) Advisory Board that was formed in 2009.

Note: *The Mecklenburg County HIV/AIDS Council (MCHAC) was an advisory council formed in 2006 and charged by the Board of County Commissions to develop specific strategies and recommendations for a broad-based comprehensive community plan to eliminate HIV/AIDS in Mecklenburg County. The Ryan White Charlotte TGA Advisory Board was formed in 2009 to provide advisory review of the regional needs assessment and comprehensive plans, as well as to recommend the priority setting and resource allocation of Ryan White regional funds.*

Health Director Dr. E. Winters Mabry and Deputy Director Bobbie Cobb reported on this matter. The following was noted:

- History of the two boards
- A comparison of the HIV Advisory Boards, with respect to jurisdictions, membership, and purpose.

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

Comments

Commissioner Leake asked about the composition of the Ryan White Charlotte Transitional Grant Area (TGA) Advisory Board, which was addressed.

It was noted that the co-chairs of the Mecklenburg County HIV/AIDS Council served on the Ryan White Charlotte Transitional Grant Area Advisory Board. The Board of County Commissioners does not make appointments to the Ryan White Advisory Board. Further, that the only representative the Board appoints to the Mecklenburg County HIV/AIDS Council is the chair of the Board’s Health & Community Support Committee, which was not functioning at the present time. Thus, there’s no Board representative currently on the Mecklenburg County HIV/AIDS Council.

It was noted that when the Mecklenburg County HIV/AIDS Council was formed, it was given the authority to recruit and select its own membership. Appointments for membership on the Ryan White Advisory Board was done by the Health Department.
FEBRUARY 19, 2013

It was also noted that the Ryan White Advisory Board, per federal law, can’t make funding decisions. Funding decisions were made by the Ryan White program manager and the Health Director with input from the advisory board.

Commissioner Leake asked what was the budget for Ryan White. The response was around $5 million annually.

Dr. Mabry noted that significant progress made with respect to dealing with HIV/AIDS in the community. He said for the last ten years, the mortality rate for persons with HIV had continually dropped by 66%, which he said spoke to the work being done by the medical community, those involved in outreach and the public health community, along with the input of the Mecklenburg County HIV/AIDS Council and the Ryan White Charlotte Transitional Grant Area Advisory Board. Dr. Mabry said the number of HIV cases and incidences of HIV had also gone down.

Commissioner Fuller asked was there a duplication of effort on the part of the Mecklenburg County HIV/AIDS Council and the Ryan White Charlotte Transitional Grant Area Advisory Board, which was addressed. It was explained that they have different responsibilities and areas of jurisdiction.

Commissioner Fuller asked about the difference between having a planning council versus an advisory board as it related to Ryan White, which was addressed.

Commissioner Fuller asked was the County responsible for administering the Ryan White funds for the region. The response was yes.

Commissioner Fuller suggested the Board give thought to perhaps only having one advisory board.

Commissioner Dunlap asked had anything been done to address the concern that had been expressed regarding Mecklenburg County’s representation on the Ryan White Advisory Board versus representation by other counties. Dr. Mabry said there was pretty good representation from most of the counties from those that deliver some type of care. He said it was problematic sometimes for the consumers with HIV from the outlining counties to come in. Dr. Mabry said some of it had to do with difficulty in recruiting consumers to represent some of the areas. He said the County did a pretty good job at having the required number of specified agencies represented.

Commissioner Dunlap said there had also been a concern regarding consumers serving in a capacity where they also made decisions about who the providers were, with some of those consumers also being providers. Dr. Mabry said each year when various agencies provide them with their proposals for grant money, there’s an evaluation team that evaluates both the proposal and the performance record. Dr. Mabry said they use outside advisors in addition to the Ryan White Advisory Board.

Commissioner Dunlap said it had been expressed to him that some consumers felt that consumers who were also providers had an “unfair advantage” over other providers.

Commissioner Dunlap said he understood the complexity of this issue, but that as much as it was possible, the message needed to be sent that consumers who were also providers, didn’t have an advantage and explain why that wouldn’t happen.

Dr. Mabry said there was a complaint process. He encouraged Board members who receive complaints to share that information with staff because persons may not be using the complaint process.
This concluded the discussion. The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Dr. Mabry for his presentation.

(13-0875) CANCER PREVENTION STUDY

The Board received a report on the Cancer Prevention Study (CPS-3), a research study of the American Cancer Society.

Health Director Dr. E. Winters Mabry reported on this matter.

Note: Cancer is the leading cause of death in Mecklenburg County and North Carolina. The American Cancer Society’s Epidemiology Research Program is inviting men and women between the ages of 30 and 65 years who have no personal history of cancer to join this historic research study called CPS-3. Locally, residents have an opportunity to volunteer to be a part of this study in March.

A copy a brochure regarding the study is on file with the Clerk to the Board.

(13-0885) LEGISLATIVE UPDATE

The Board received an update on legislative matters from the N.C. General Assembly.

Assistant to the County Manager Brian Francis gave the update. The following legislative matters were addressed:

- Revaluation (It was noted the resolution approved by the Board earlier in the meeting would be used as guidance when speaking with members of the Legislative Delegation regarding the Board’s position with respect to this matter.)
- Potential Airport Authority (Legislation was filed that would take control of the Airport away from the City of Charlotte and would create an independent airport authority that would govern the Charlotte-Douglas International Airport. Also under the proposed legislation the Board of County Commissioners would appoint one (1) member to the airport authority board.)
- Upgrades to the Bank of America Stadium (The City of Charlotte is taking the lead on this. He’s been informed that the proposal would not involve participation on the County’s part. Also, they want to ensure that the stadium remains on the tax rolls. There has been some talk in Raleigh regarding the County’s possible participation with respect to perhaps a countywide food and beverage tax rather than a citywide. Also, the possible use of the additional food and beverage tax not just for improvements at the stadium but also for improvements in the community’s infrastructure to attract amateur sports, mainly around Bojangles Arena.)

Comments

Commissioner Bentley asked with respect to the stadium upgrades, if the Board needed to indicate its position at this time. Assistant Francis said since the Board had not seen the specific proposal, that it would be better to wait and that he would probably be back to the Board to seek its position. He recommended that in the interim Board members give thought to this matter.

Commissioner Dunlap asked was the conversation taking place in Raleigh concerning other infrastructure improvements as it related to potential amateur sports, the same as what was
mentioned to the Board when the City approached the County regarding the acquisition of the Charlotte Inn on Independence Boulevard across the street from the Bojangles Arena.

**County Attorney Marvin Bethune** said information was shared regarding the redevelopment of the Bojangles Arena, but there was not a specific proposal with respect to the property the County participated in acquiring being turned into athletic fields.

**Commissioner Clarke** referenced the article where comments were made by Senator Tarte regarding the County's 2011 Revaluation, where he stated reliable sources shared information with him that 40% of the County's data was “corrupt.” Commissioner Clarke asked Assistant Francis to see if he could find out who the reliable sources were.

Commissioner Clarke said if Senator Tarte won’t tell Assistant Francis, that Chairman Cotham or any of the other Commissioners meeting with him on Friday, try to find out and inform the entire Board of who those reliable sources were.

**Commissioner Bentley** asked that the Chairman or County Manager place the matter of the Board’s possible participation with respect to the Bank of America Stadium upgrades on an upcoming agenda for discussion.

**Commissioner Leake** asked if the City of Charlotte had asked the Board for a response. Assistant Francis said no, but he suspected that the legislature may at some point in the near future.

Commissioner Clarke noted for the record that he would not be able to participate in a decision regarding the Bank of America Stadium upgrades and the County's involvement because his law firm represented the Panthers.

Chairman Cotham thanked Assistant Francis for the update.

**COUNTY COMMISSIONERS REPORTS & REQUEST**

**(13-0864) ECONOMIC DEVELOPMENT COMMITTEE**

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve re-establishing/re-activating an Economic Development Committee to serve during the entire calendar year 2013, which according to Board policy requires the Board Chairman to appoint members to the Committee and name a Committee Chair within 30 business days of the Board establishing the committee. Consistent with the previous Economic Development Committee, the purpose of the Economic Development Committee is to make recommendations to the Board that contribute to business and job growth in Mecklenburg County.

*Note: Commissioner Fuller volunteered to serve.*

**(13-0883) DISTRICT 2 UPDATE**

Commissioner Leake gave an update on District 2 with respect to events she attended in District 2.
CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0844) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds in the amount of $9,152 for Park and Recreation and $25,969 for Business Support Services Agency-Business Financial Management.

Note: All reimbursements are for stolen and damaged items.

(13-0848) LAND DONATION - STEWART CREEK GREENWAY

Accept the donation of Tax Parcels 065-132-02 (+/- 3.04 acres), 065-132-03 (+/- .33 acres), 065-132-04 (+/- 1 acre), 065-134-01 (+/- .84 acres) and 065-134-16 (+/- .18 acres) on Stewart Creek Tributary #2 from Charlotte Lakewood Properties, LLC.

Note: The subject parcels are located along Stewart Creek in the Lakewood neighborhood in west Charlotte. Portions of the parcels are in the floodplain, and Charlotte Lakewood Properties has offered the properties to the County for inclusion in the greenway program.

(13-0851) LAND ACQUISITION - HAZARD MITIGATION PROGRAM

1. Accept the “Offer of Sale of Real Estate” from Jason Perkins, owner of property at 3020 Harbinger Court (Tax Parcel 095-102-63) for $135,000.

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This acquisition is a continuation of ongoing flood mitigation efforts that have resulted in more than 250 buildings being removed from the floodplain.

(13-0858) PROCLAMATION - GREAT AMERICAN CLEAN UP FOR KEEP MECKLENBURG BEAUTIFUL

Adopt a Proclamation designating March 1 through May 31, 2013 in Mecklenburg County as the “Great American Clean Up.”

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

(13-0863) DONATION - PARK & RECREATION

Approve, recognize, receive and appropriate $5,000 donation for improvements to Frazier Park from Center City Partners.

Note: The funds will be applied to grading and landscaping the area surrounding the recently renovated basketball courts.
Approve minutes of Regular meeting held February 5, 2013 and Closed Session held February 5, 2013.

**BOARD OF EQUALIZATION AND REVIEW (BER) COMPENSATION**

Approve compensation for members of the Board of Equalization and Review as follows:

- Chair: $125 per meeting
- Members: $100 per meeting
- (Overtime at the rate of $15 per hour after the initial three hour period)

**SESTERCENTENIAL RESOLUTION REQUEST TO GENERAL ASSEMBLY**

Direct staff to seek a resolution from the North Carolina General Assembly honoring the founders of Mecklenburg County on the occasion of the County's 250th anniversary.

**RESOLUTION APPROVING A LEASE EXTENSION WITH THE MYERS PARK TRINITY LITTLE LEAGUE**

Adopt a resolution approving a lease extension with the Myers Park Trinity Little League at Randolph Road Park and Grier Heights Park Athletic Fields.

*Resolution recorded in full in Minute Book ____ Document # _______.*

**CAPITAL RESERVE REQUEST - PARK & RECREATION (EQUESTRIAN CENTER)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve, authorize and appropriate expenditure of $10,000 from the “Equestrian Center” Capital Reserve account to renovate the restroom building at the Latta Equestrian Center.

Commissioner Leake removed this item from Consent for more public awareness.

**BUDGET AMENDMENT - WORK FIRST BLOCK GRANT/TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate additional Federal revenue of $348,563 for Work First Block Grant.
Commissioner Leake removed this item from Consent for more public awareness and for clarity. Rodney Adams with the Department of Social Services addressed this matter.

**(13-0843) GRANT APPLICATION - SMART START CHILD HEALTH AND SAFETY (HEALTH DEPARTMENT)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

1. Approve submitting three grant applications totaling $930,000 to Mecklenburg Partnership for Children of Mecklenburg County to support programs promoting child health and safety.

2. If awarded, recognize, receive and appropriate awarded funds.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0849) NOTICE OF INTENT - FIRST AMENDMENT TO LEASE, EASEMENT, AND MANAGEMENT AGREEMENT FOR THE OPERATION OF THE LATTA RECREATION CENTER**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled, “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Amend the Lease, Easement and Management Agreement for the Operation of the Latta Recreation Center.”

**Resolution recorded in full in Minute Book ____ Document # _______.**

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0850) BUDGET AMENDMENT - MECKLINK BEHAVIORAL HEALTHCARE (REVENUE DECREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve amending the MeckLINK FY13 budget to reduce Federal revenue and expenses by $37,500 for the Strengthening Families Program.

Commissioner Leake removed this item from Consent for more public awareness.

**(13-0861) MECKLINK BEHAVIORAL HEALTHCARE SECOND QUARTER FY2013 REPORT**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to Recognize and receive the Second Quarter FY 2013 MeckLINK Behavioral Healthcare Report.

**FINANCIAL MANAGEMENT**

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Actual</th>
<th>% Received</th>
</tr>
</thead>
</table>

21
### Revenue Source

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>% Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>7,047,768</td>
<td>1,374,103</td>
<td>19.50%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,361,354</td>
<td>9,585,934</td>
<td>35.03%</td>
</tr>
<tr>
<td>County</td>
<td>27,084,859</td>
<td>122,844</td>
<td>0.45%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>61,493,981</td>
<td>11,082,881</td>
<td>18.02%</td>
</tr>
</tbody>
</table>

### Service Continuum

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>% Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>12,013,093</td>
<td>2,049,690</td>
<td>17.06%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>7,348,128</td>
<td>1,128,453</td>
<td>15.36%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>6,749,468</td>
<td>1,469,447</td>
<td>22.17%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>7,614,230</td>
<td>1,507,778</td>
<td>19.80%</td>
</tr>
<tr>
<td>CHS Contract</td>
<td>10,528,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Mental Health</td>
<td>9,526,112</td>
<td>1,816,156</td>
<td>19.07%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>7,714,777</td>
<td>3,084,357</td>
<td>39.98%</td>
</tr>
<tr>
<td>CHS Contract</td>
<td>10,528,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>9,526,112</td>
<td>1,816,156</td>
<td>19.07%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>61,493,981</td>
<td>11,082,881</td>
<td>18.02%</td>
</tr>
</tbody>
</table>

### Net (Revenues - Expenditures)

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>% Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>7,047,768</td>
<td>1,374,103</td>
<td>19.50%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,361,354</td>
<td>9,585,934</td>
<td>35.03%</td>
</tr>
<tr>
<td>County</td>
<td>27,084,859</td>
<td>122,844</td>
<td>0.45%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>61,493,981</td>
<td>11,082,881</td>
<td>18.02%</td>
</tr>
</tbody>
</table>

**Note:** In accordance with General Statute 122C-115.1(e), within 30 days of the end of each quarter of the fiscal year, the program director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

Commissioner Leake removed this item from Consent for more public awareness

**GRANT APPLICATION - RE-ENTRY PLANNING GRANT (CRIMINAL JUSTICE SERVICES)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve submission of a grant application in the amount of $150,000 from the U.S. Department of Justice for planning a model prisoner re-entry initiative and if awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Tom Eberly, Director of Criminal Justice Services addressed this matter and what his Division did.

**ADJOURNMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes,
that there being no further business to come before the Board that the meeting be adjourned at 12:17 a.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
MARCH 5, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 5, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Kim Ratliff

____________________

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0880, 13-0887, 13-0892, and 13-0789.

STAFF BRIEFINGS - NONE

(13-0895, 13-0896) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 6-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:07 p.m.

Commissioners Dunlap and James were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

____________________
Chairman Cotham called this portion of the meeting to order, which was followed invocation by Commissioner Clarke, the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

CONSENT ITEMS

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to approve the following item(s):

(13-0872)  CHARLOTTE-MECKLENBURG SCHOOL SAFETY INSPECTIONS

Designate Mecklenburg County Fire Marshal’s Office and the Charlotte Fire Department Fire Prevention Bureau as the primary agencies to conduct public school inspections in accordance with North Carolina GS 115C-525.

Note: Per the North Carolina General Statutes 115C-525, every school building shall be inspected two times each year to make certain that no fire hazards exists and that all building systems and equipment are properly installed and maintained in a safe manner. GS 115C-525 also requires the Board of Commissioners of each county to designate the persons to make these inspections. For a number of years these inspections have been made by both the Mecklenburg County or City of Charlotte fire inspectors, and by the Mecklenburg County electrical inspectors. Since fire inspectors are trained to identify the types of hazards that are checked during these school safety inspections, the duplicate inspections by the electrical inspectors are not necessary. The Mecklenburg County Fire Marshal’s Office (MCFM) will be the designee for schools located outside the City of Charlotte jurisdiction and the Charlotte Fire Prevention Bureau (CFD) for schools located inside the City of Charlotte jurisdiction as the persons to make the school inspections required by GS 115C-525, with Mecklenburg County Code Enforcement supporting efforts as needed.

(13-0878)  DONATION - PARK & RECREATION DEPARTMENT

Recognize, receive and appropriate a $50,000 sponsorship from Harris Teeter, Inc. for the Park and Recreation Department’s Bark in the Park Event and dog park improvements.

(13-0884)  PURCHASE AGREEMENT - ROMARE BEARDEN PARK FURNISHINGS

Authorize the County Manager to negotiate and execute a purchase agreement with Landscape Forms in the amount of $189,732.39 for site furnishings at Romare Bearden Park.

(13-0888)  TAX REFUNDS

Approve refunds in the amount of $1,042,398.64 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

A list of the refund recipients is on file with the Clerk to the Board.
MARCH 5, 2013

(13-0889) FIRST AMENDMENT TO LEASE, EASEMENT AND MANAGEMENT AGREEMENT FOR THE OPERATION OF THE LATTA RECREATION CENTER

Adopt a resolution entitled, “Mecklenburg County Board of Commissioners Resolution Authorizing the First Amendment to the Lease, Easement and Management Agreement for the Operation of the Latta Recreation Center.”

Note: The lease and management agreement is with The Charlotte Bridge Association, Inc. (the “CLUB”).

Resolution recorded in full in Minute Book _____ Document # ________.

(13-0901) BOARD BULLETIN

Receive the County Manager’s Board Bulletins published since the last Board meeting.

Note: The Board Bulletin is a newsletter sent out by the County Manager to keep the Board informed about policy matters and other key issues related to Mecklenburg County government.

(13-0899) MINUTES

Approve minutes of Regular meeting held February 19, 2013, Budget/Public Policy meeting held December 11, 2012, and Closed Session held February 5, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-0880) GRANT APPLICATION - COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS SOCIAL WORKER (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to approve submitting a renewal grant application for $65,000 to the Sisters of Mercy Foundation to be effective July 1, 2013 and if awarded, recognize, receive and appropriate awarded funds.

Note: The grant application is due March 18, 2013. These funds will support a social worker who assists families waiting for Community Alternatives Program for Disabled Adults to access necessary services that allows elderly clients to remain at home, reducing nursing home usage and saving Medicaid costs.

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Health Director Winters “Wynn” Mabry, addressed this item.

(13-0887) AMENDMENT TO PARK AND RECREATION FACILITIES ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and
Ridenhour voting yes, to approve amendment to the Mecklenburg County Park and Recreation Facilities Ordinance.

Note: Since all nine Commissioners were not present, this matter will require a second reading. It will be placed on the Board’s March 19, 2013 agenda.

Commissioner Leake removed this item from Consent for more public awareness and clarity.

Park and Recreation Director Jim Garges, addressed this item.

**13-0892) LEASE AGREEMENT - ASSESSOR’S OFFICE**

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a lease with the Town of Mint Hill for office space for the budget and audit section of the Assessor’s Office.

Commissioner Leake removed this item from Consent for more public awareness and clarity. Commissioner Leake questioned the cost of the office space for only three employees.

General Manager/County Assessor Bobbie Shields and County Attorney Marvin Bethune addressed this item.

**13-0789) MECKLINK BUDGET AMENDMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to recognize and appropriate $5,000,000 in Medicaid revenue to provide for initial operation of MeckLINK for behavioral healthcare services.

Note: Based on readiness reviews completed in February 2013 by Mercer Human Services Consulting, it has been determined that MeckLINK is able to go live under the 1915 (b)/(c) waiver on March 1, 2013. MeckLINK will oversee services for beneficiaries in Mecklenburg County. This action will provide budgetary authority for initial operations, including claims payments, for MeckLINK.

Commissioners Leake and Fuller removed this item from Consent for more public awareness and clarity.

MeckLink Behavioral Health Director Phil Endress addressed this item.

**13-0898) PUBLIC APPEARANCE**

The following persons appeared to speak during the Public Appearance portion of the meeting:

Betty Marlin, RN, CEO of Primary Health-Care of Charlotte, PA addressed the need for affordable healthcare and services available at Primary Health-Care of Charlotte. Ms. Marlin also addressed a Wellness Walk that will take place on March 16. She shared a brochure about the walk.

Flay Hoover spoke in opposition of his son, Devin Flay Hoover, being in the custody of the Mecklenburg County Department of Social Services. Mr. Hoover said his son was 22 years old,
autistic and resided in a local Group Home. Mr. Hoover said his son needed to be home and that his son desired to be home. Mr. Hoover said his rights as a father were being violated.

* A copy of a handout from Mr. Hoover is on file with the Clerk to the Board. *

**APPOINTMENTS - NONE**

**PUBLIC HEARINGS - 6:30 PM - NONE**

**ADVISORY COMMITTEE REPORTS**

**(13-0893) MOUNTAIN ISLAND LAKE MARINE COMMISSION**

The Board received a report from the Mountain Island Lake Marine Commission. Kari Lanning, Chairman of the Mountain Island Lake Marine Commission gave the report. The following was covered in the report:

- Focus of the Commission
- Major 2012 Accomplishments
- 2013 Priorities
- Concerns
- Partnerships
- Contact Information
- 2013 Meeting Schedule

*Note: The Mountain Island Lake Marine Commission deals with matters of boating, water safety, property use and recreational use of the lake. Mecklenburg County and Gaston County appoint three members each, and Lincoln County appoints one person.*

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

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

Comments

Commissioner Ridenhour referenced soil erosion control issues at Brown’s Cove, which was in the Lake Wylie area. He asked if Mountain Island Lake was experiencing that same problem. Ms. Lanning said she didn’t think so, but would have to defer to County staff in the water quality division to provide a definite response. Ms. Lanning said a concern for Mountain Island Lake was with the huge wake that “beats up” against the shoreline and erodes the shoreline as it stands.

Commissioner Clarke asked about the relationship amongst the various entities represented on the Marine Commission. Ms. Lanning said everyone was striving to work together for the benefit of those that use the lake.

Commissioner Clarke asked about the location of coal waste ponds, which was addressed.

Chairman Cotham thanked Ms. Lanning for the report.

**MANAGER’S REPORT**

**(13-913) FY2014 CAPITAL PROJECT PRIORITIES**
The Board received a report on the proposed capital project priorities for FY2014. Finance Director Dena Diorio presented this matter.

**Commissioner Bentley returned to the dais.**

The following was covered:

- Project Evaluation and Ranking Process
- Funding
- FY2014 List – Previously ranked projects and Newly ranked projects
- Allocation of FY2014 Capital Funds
- Next Steps

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

Comments

Commissioner James asked had anything been received from Central Piedmont Community College (CPCC). Director Diorio said CPCC officials met with the County Manager and presented their capital plan. Director Diorio said one of the next steps was to figure out what’s going to be done in terms of a possible referendum for CPCC. Director Diorio said CPCC was currently out of authorization and had exhausted all of the projects that had been authorized by the County. Director Diorio said a strategy also had to be determined for Charlotte-Mecklenburg Schools (CMS) because they were looking at a new capital needs assessment, as well.

Director Diorio said staff would be working over the next several months on putting a plan together for presentation to the County Manager and the Board on how to put together a possible referendum for CPCC, CMS, and other County projects.

Commissioner James asked what was CPCC’s reasoning for a $438 million capital request. Director Diorio said that’s what CPCC said their needs were.

County Manager Jones said the amount represented a 10-year plan for CPCC that took into consideration the growth CPCC has had in their student population.

Commissioner James asked had CMS revised their capital plan. Director Diorio said it was her understanding they were working on a revised 10-year needs assessment.

Commissioner James said based upon the amount of funds the County had and its projects, that CPCC and CMS capital requests needed to be within the realm of possibility.

Director Diorio said staff’s goal was to bring back a plan for a referendum that was affordable for the County.

Commissioner James asked if anything changed with CMS’ ranking. Director Diorio said the projects shown were the projects that were remaining.

Director Diorio said the only change CMS made was with Hawthorne Elementary School by pushing the construction dollars out to 2015, which allowed CMS to accommodate the Security Project.

Commissioner James asked what was the difference between CMS’ ranking and the County’s. Director Diorio said it was pretty similar and explained further.
Commissioner Dunlap asked about the County’s priorities and CMS’. He noted how Highland Creek Elementary didn’t make the list for 2014 and how Hickory Grove Elementary made the list. He asked about the prior ranking of other projects shown as being newly ranked projects, some of which previously ranked lower than some that didn’t make the list. Director Diorio explained how the process worked with respect to the criteria used to rank projects.

Director Diorio said CMS priorities didn’t necessarily 100% aligned with the County’s criteria.

Commissioner Dunlap said it gave the appearance the County was the one moving up the lower ranked priorities of CMS.

Director Diorio said the County was applying the criteria that the Board said was important for determining which projects got funded.

Director Diorio said CMS had different priorities which would move the project to a different place on the list.

Commissioner Dunlap asked was there a way to meet with CMS so that they could align their priorities with the County’s priorities, so that what CMS ultimately prioritized got funded.

Commissioner Dunlap said he also wanted to know how could you rectify the issue that came up last year, of having CMS projects that made the list that were not ranked as high as those that didn’t make the list.

Director Diorio said staff had worked with CMS to determine those things that were important, such as growth, which the County now took into consideration.

Director Diorio said CMS was aware of the County’s criteria and could determine whether or not they wanted to align their priorities to the County’s criteria or not. She said that was CMS’ choice.

Director Diorio said the process used was a data driven process.

Commissioner Dunlap asked about Hickory Grove Elementary School and whether the existing Hickory Grove Elementary Schools would continue to be used. Director Diorio said she would find out.

Commissioner Dunlap asked about remaining capacity if all of the projects presented were funded. Director Diorio addressed the question.

Commissioner Leake commented on the CMS Security Plan. She noted that CMS did not present to the Board any information regarding bringing in school security experts to assist them with the plan. She questioned how CMS came up with their dollar amount.

Commissioner Leake asked about Lincoln Heights Park. Director Diorio said it made the list for 2014.

Commissioner Leake asked about CPCC’s Broadcast Center, which was addressed by Director Diorio. Director Diorio said staff would rename that to reflect the reallocated purpose of those dollars.

Commissioner Bentley asked for clarification on the Regional Sports Complex. Director Diorio said it was the Sports Complex in Matthews and not in north Mecklenburg.
Commissioner Bentley asked whether the amount shown for Ramsey Creek was for a complete build out or just design work. Director Diorio said she would get more information regarding Ramsey Creek.

Commissioner Bentley asked for clarification on the unallocated amount shown. Director Diorio explained that this was set aside in order to address unanticipated capital needs that might come up.

Commissioner Fuller asked about the $20 million for the CMS Security Project and was it correct that CMS had asked for $33 million. Director Diorio said CMS removed the fencing, which decreased the amount.

Commissioner Fuller asked was it correct that CMS was reconsidering the entire project. Director Diorio said it was her understanding that CMS was reviewing and doing additional research on their request before bringing it back to the Board for consideration.

Commissioner Fuller asked had or would there be additional movement of projects because of the CMS Security Project. Director Diorio said if the amount remained close to the $20 million there wouldn’t be any further movement. Director Diorio said if the CMS Security Project didn’t move forward, then there would be some things that could move up from FY15 to FY14.

Director Diorio said if the CMS Security Project came in higher than $20 million it would present somewhat of a problem, because the County’s capacity was capped. Director Diorio said funds would not be available to add to that project.

Commissioner Fuller asked what communication was taking place with CMS regarding the effect of security project on the priority list. Director Diorio said that conversation had taken place and that CMS understood and knew where the project fell on the list. Director Diorio said everyone was aware of what was on the list.

Commissioner James said if CMS decided not to do the Security Project, they should not think that would “automatically” get them a pass to move something else into that slot, if it was not originally something they had listed.

Director Diorio said if the security project didn’t move forward there were two options, 1) CMS could move the $14 million for Hawthorne Elementary back up to 2014 or move Highland Creek Elementary up to 2014.

Commissioner James said it would be good to know if CMS planned to move things around if they don’t do the security project.

County Manager Jones said it would be April before CMS came back to the Board regarding the security project.

**STAFF REPORTS & REQUESTS**

**2011 REVALUATION REVIEW STATUS REPORT**

The Board received a status report from Pearson’s Appraisal Services regarding review of the 2011 Revaluation. General Manager/County Assessor Bobbie Shields introduced Fred and Bob Pearson of Pearson’s Appraisal Services who gave the report.

The following was covered:

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

Comments

Chairman Cotham asked about the reports that were turned over to the Assessor’s Office and the turnaround time for a response or action. Mr. Fred Pearson said per a meeting that was held with staff, it was agreed that 30 days from staff receipt of the reports was ample time for staff to review and notify taxpayers of any changes.

Chairman Cotham asked about the status of the reviews and notification to taxpayers. General Manager/County Assessor Bobbie Shields said staff was working to meet the 30 days turnaround with respect to reviewing the recommendations and responding to taxpayers.

Commissioner Bentley requested a report showing the number of Pearson’s recommendations with respect to appraisals that were accepted by the Assessor’s Office, rejected, or negotiated and if rejected or negotiated, the rationale behind it.

Commissioner James asked about the status of neighborhood reviews. He specifically asked what the findings were for the Eastover area. Mr. Bob Pearson responded. Mr. Pearson said land value was a “big” problem in the Eastover area.

Commissioner James requested a summary report of the dollar difference with respect to what land and home values were before the review and after the review by Pearson’s Appraisal Services.

Commissioner James requested a report on the number of files submitted to the Tax Assessor’s Office by Pearson’s Appraisal Services to date, the number that had been reviewed, and the number pending review.

Commissioner Fuller asked for clarification on what’s to occur once Pearson’s Appraisal Services turned it findings/recommendations over to the Assessor’s Office. Mr. Bob Pearson explained.

General Manager/County Assessor Shields said what staff was dealing with was a difference in approach. He said using the lot method was a standard method for mass appraisals, which was what the County was doing and not individual appraisals.

General Manager/County Assessor Shields said it was expedient to assign a value to a lot regardless of the size difference. He said Pearson’s approach involved looking at each individual lot and making a distinction.

General Manager/County Assessor Shields said in light of Chairman Cotham’s comment on several occasions that Pearson’s Appraisal Services was the “expert,” the instructions he gave to the Assessor’s Office staff was that if the difference was solely a judgment difference between Pearson’s and a County appraiser, then Pearson’s judgment would prevail.

General Manager/County Assessor Shields said if the professional appraiser, however, in the Assessor’s Office believed that there was something inherently wrong with the approach, they had a “professional” obligation to sit with Pearson’s and discuss the matter.
Commissioner Fuller said he’d heard from constituents that there were conflicts between Assessor’s Office staff and Pearson’s staff. General Manager/County Assessor Shields said he would not refer to it as conflicts between staff and Pearson’s but rather a difference of opinion amongst professionals.

General Manager/County Assessor Shields said he made it clear to staff that there would not be any debate with Pearson’s around a judgment call. He said staff understood Pearson’s role.

Commissioner Fuller asked what needed to be done to speed the process up between what’s transpiring between the Assessor’s Office and Pearson’s, so that taxpayers could get the relief they’ve been waiting on.

General Manager/County Assessor Shields asked that the Board allow staff to work with Pearson’s through the process and to get the notices out to taxpayers, and as a Board, to not do anything at this point.

General Manager/County Assessor Shields said when staff reported back at a subsequent meeting, the Board could then make its assessment with respect to how well staff was working with Pearson’s and whether issues of concern had been resolved.

Commissioner Fuller asked for clarity regarding the appeals process, which was confirmed.

Commissioner Fuller said he’d heard from constituents that there continued to be resistance from staff with respect to the appeals that constituents were making. Commissioner Fuller said he’d heard that when citizens go to Raleigh to appear before the Property Tax Commission that they encounter a lot of attorneys on behalf of the County.

General Manager/County Assessor Shields said there were mainly two attorneys that worked with the Assessor’s Office. He stated further that taxpayers could have representation as well when they went before the Property Tax Commission.

Commissioner Fuller asked General Manager/County Assessor Shields if he believed it was true that staff was not accepting Pearson’s recommendations. General Manager/County Assessor Shields said he did not think that was the case, but that he would let Pearson’s representatives respond.

Mr. Bob Pearson said they had not been involved in the appeals process at the Property Tax Commission level for anyone that’s going now.

General Manager/County Assessor Shields said Emmett Curl with Pearson’s Appraisal Services had accompanied, on occasion, the County on cases before the Property Tax Commission.

Mr. Fred Pearson stated that per a meeting with Assessor’s Office staff today, he felt better. He said he expressed the importance of getting things turned around and notifying property owners. He said he expressed Pearson’s concerns, the Board’s and the concerns of others that had been communicated to them.

Chairman Cotham asked whether Mr. Pearson felt bad with respect to staff prior to the meeting that was held today.

Mr. Pearson said he had not had that much dealing with staff prior to now and that he was not sure what the status of things were.

Mr. Pearson said they offered to assist staff in any way they could.
Commissioner Dunlap asked whose authority was it to assess property in Mecklenburg County. General Manager/County Assessor Shields said it was the County Assessor’s authority.

Commissioner Dunlap asked was it because of the County Assessor’s authority that Pearson’s Appraisal Services had to submit its findings to the County Assessor. General Manager/County Assessor Shields said yes.

Commissioner Dunlap commented on mass appraisals versus individual appraisals.

Commissioner Dunlap asked about the Eastover area. Mr. Bob Pearson said all of the issues in the Eastover area were major issues. He said the same was true for Myers Park.

Commissioner Dunlap asked about the Lake Norman area. Mr. Bob Pearson said a good bit of the Lake Norman area would probably be as it was in Eastover and Myers Park. He said staff member Emmett Curl was handling that area of the County.

Commissioner Dunlap asked the Pearson’s about their appraisal process, which they addressed.

Commissioner Dunlap asked the Pearson’s to comment on whether they thought County staff had been fair in this process.

Mr. Bob Pearson said they felt Pearson’s and the Assessor’s Office staff needed to work together on this process for the good of the project. He said they felt customer service had been very weak in the County.

Mr. Bob Pearson said “if you have good customer service and you’re able to talk to people, you resolve problems.” Mr. Pearson said there shouldn’t be conflict with staff. He said it really wasn’t a conflict between Pearson’s and staff. He said the taxpayer was not the enemy. He said everyone was in this together.

Mr. Pearson said they heard from some of the staff present at today’s meeting that they wanted to get back to having that one on one relationship with taxpayers.

Commissioner Dunlap said it sounded like somewhere along the way that the process the County use to follow, they stopped following. Mr. Pearson said that’s what he heard at today’s meeting.

Commissioner Dunlap said it was important that in hiring a new County Assessor, that all of the Board’s concerns be made known to that individual and especially with respect to customer service.

Commissioner Ridenhour asked who was Pearson’s specifically dealing with in the Assessor’s Office regarding the acceptance of their recommendations for values. General Manager/County Assessor Shields said the primary staff involved was Eric Anderson, Project Manager, David Vance and Chuck Hicks who work day to day with Pearson’s, and Kimberly Horton, who’s involved in the Property Tax Commission cases. General Manager Shields said occasionally he would meet with Pearson’s executives, as well as.

General Manager/County Assessor Shields addressed turnaround time and other factors that came into play.

General Manager/County Assessor Shields said needed resources in terms of staff was being reviewed and the results of that review would be shared with the Board.
Mr. Fred Pearson said he believed Chuck Hicks and David Vance in the Assessor’s Office were the main two staff approving Pearson’s recommendations with respect to values.

Commissioner Ridenhour asked about the Board of Equalization and Review’s role in this process. General Manager/County Assessor Shields said the information was taken to the Board of Equalization and Review while they were in session because they have the responsibility of approving changes to the abstract.

Commissioner Ridenhour asked was there any way to “tighten up” the 30 days turnaround schedule and perhaps get it changed to 14 days. General Manager/County Assessor Shields said he’d asked that decisions regarding Eastover be made by Friday, March 8, 2013.

Commissioner Clarke referenced a comment made by Pearson’s staff member Emmett Curl at a previous meeting of the Board regarding staff’s openness to Pearson’s recommendations. He noted that Mr. Curl ranked the relationship between the Assessor’s Office and Pearson’s Appraisal Services at a 7 or 8.

Commissioner Clarke asked the Pearsons present if they stood by that ranking and the comments made by Mr. Curl with respect to the working relationship between the two.

Mr. Fred Pearson said everyone from the tax office had been very “courteous.” He said he felt better after he met with staff today and talked with them about the process and how many neighborhoods they had approved, per the work Pearson’s had completed. Mr. Pearson said what would “really” be the determination would be how quick staff could do a turnaround and notify the taxpayer of the decisions Pearson’s made.

Mr. Bob Pearson in response to Commissioner Clarke’s question regarding their stance with respect to Mr. Curl’s previous comment, said Mr. Curl answered the question based on what happened at a date and time and that he stood behind what Mr. Curl said “at that day and time.” Mr. Pearson said if the Board was to ask Mr. Curl that same question, he would say that they’d only done 12 of his parcels at that time and he believed they were all accepted. Mr. Pearson stated further that Mr. Curl had 67 more outstanding that he didn’t know what staff’s response was.

Commissioner Clarke said he sensed that the Pearson’s present were saying something different from what Mr. Curl had said to the Board, since they felt the need to “qualify” their response to his question.

Commissioner Clarke said although there was a desire on the part of some Commissioners to speed this process up, that sometimes speeding up the process was not “exactly the best thing to do.” Commissioner Clarke said process was about taking time to do things carefully and to consider not only Pearson’s recommendations, but the background and the depth of experience that Assessor’s Office staff had and taking the time to “do it right.” He said “speeding it up lots of time can produce a bad result.”

Commissioner Clarke asked about review of the Eastover area and whether they’ve only reviewed those parcels that were currently being appealed by the property owners to the Property Tax Commission. Mr. Bob Pearson said those were the ones “sitting on the table ready to go.”

Mr. Pearson said he left a plan for the remaining parcels.

Commissioner Clarke asked had he only reviewed the 27. Mr. Bob Pearson said yes.

Commissioner Clarke asked were the 27 the only lots in neighborhood P530 (Eastover) that he’d made a recommendation to staff on. Mr. Bob Pearson said they made a complete plan and
left it. He said they broke the plan into 12 sub-neighborhoods, they adjusted the lots in the neighborhood and that now the buildings have to go back in and be looked at.

Commissioner Clarke asked how many properties were currently in the Assessor’s Office with a recommendation from Pearson’s Appraisal Service as to a change in the value that were awaiting resolution. *Mr. Bob Pearson said 27.*

Commissioner Clarke asked General Manager/County Assessor Shields if the 27 referenced by Mr. Pearson, the cases he asked staff to have completed by Friday, March 8, 2013. *The response was yes.*

Commissioner Clarke asked the Pearsons if that was soon enough. *Mr. Bob Pearson said that was fine.*

Commissioner Clarke asked the Pearsons about a comment made regarding land value changes on streets in the Eastover area, but not on all streets. Commissioner Clarke asked who made those changes. *Mr. Bob Pearson said he was referring to the Board of Equalization and Review.*

Commissioner Clarke asked was it correct then that the changes were done by the Board of Equalization and Review and not staff. *Mr. Pearson said staff made recommendations to the Board of Equalization and Review, but that Commissioner Clarke was correct the Board of Equalization and Review made the changes he was referring to.*

Commissioner Clarke asked the Pearsons was it common for Boards of Equalization and Review that meet in panels for some of them to change land values but not all of them. *Mr. Bob Pearson said for the most part it worked that way, but they’ve never had this many appeals in their experience.*

Commissioner Clarke asked the Pearsons if they’d read the proposed legislation regarding revaluation. *Mr. Bob Pearson said yes.*

Commissioner Clarke referred to the proposed legislation and asked Mr. Pearson how long he thought it would take his firm to “conduct a total review of all the values in Mecklenburg County by neighborhoods and make recommendations as to the true value of those properties as of January 1, 2011.”

*Mr. Fred Pearson said they should have their work done on the reviews probably by the end of October.*

Commissioner Clarke asked would that be on a parcel by parcel basis. *Mr. Fred Pearson said they were reviewing the parcels. He said they were doing an office review, that they have certain reports that they run and that they would field check those reviews. He said they would not be looking at every parcel on site.*

Commissioner Clarke said the legislation called for having “a qualified appraisal company to conduct a total review of all the values in the county by neighborhoods and make recommendations as to the true value of the properties.”

Commissioner Clarke said in addition, the Board was to change the tax records to ensure the values reflect the true values. Commissioner Clarke said he didn’t know how that could be done without a per parcel recommendation by Pearson’s Appraisal Service.

*Mr. Fred Pearson said they had a scope of work that they were working within and that it required them to do certain analysis. He said they would field check that analysis, major neighborhoods completely or they would recommend they be completely reworked.*
Mr. Pearson said their scope of work might be a little different from what’s called for in the proposed legislation.

Commissioner Clarke said that was an important point with respect to Pearson’s Appraisal Services scope of work versus what’s called for in the proposed legislation. Commissioner Clarke said there’s a belief by some that what Pearson’s Appraisal Services was doing would “dovetail” with what the legislation was requiring. Commissioner Clarke said he was concerned that that wasn’t the case. He said people’s expectations would be that when Pearson’s Appraisal Services completed its work in October that the County would be able to reset all of the values or make sure that all values in the county on every piece of property was correct.

Mr. Fred Pearson said they hoped to recognize neighborhoods that had major issues and get that corrected and also neighborhoods that had minor issues. He said they were responsible for correcting a lot of the lake sales and also like in Myers Park up to 5,000 parcels and County staff was to correct the balance of those.

Commissioner Clarke said he understood that Pearson’s Appraisal Services was doing what the County asked them to do.

Commissioner Clarke said he had every expectation that the County, the acting County Assessor and his staff would work collaboratively with Pearson’s Appraisal Services on the parcels being appealed to the Property Tax Commission and try to resolve them.

Commissioner Leake asked that the firm contracted with to assist the County with its customer service efforts as it relates to the Assessor’s Office be present at the next Board meeting, so that the Board could receive an update.

General Manager/County Assessor Shields said the president of Customer Service Solutions was present and that he would be returning at the next Board meeting to address the Board.

Commissioner Bentley asked about lot evaluations, the County’s approach and Pearson’s Appraisal Services approach. Mr. Bob Pearson addressed this question.

Commissioner Bentley asked about Pearson’s experience in Wake County, including their knowledge of their staffing levels. Mr. Bob Pearson addressed this question.

County Attorney Bethune noted in response to Commissioner Fuller’s earlier comment regarding the County having lawyers at Property Tax Commission hearings, that the County was required by law to have a lawyer present. County Attorney Bethune said the norm was that there would only be one attorney, but that he was aware of one instance when two went up.

Chairman Cotham asked was there ever an occasion where the County had an attorney to sit in on a meeting between the County Assessor and a property owner. County Attorney Bethune said he didn’t know the answer to that question, but that he did recall meetings that took place at his office between a property owner, an attorney and someone from the Assessor’s Office in an attempt to get a matter settled to avoid going to the Property Tax Commission.

Chairman Cotham asked the Pearsons to give their assessment of the County’s Board of Equalization and Review.

Mr. Fred Pearson said it was his understanding that Pearson’s recommended the Board of Equalization and Review give taxpayers a specific appointment times, however, it didn’t believe that recommendation had been implemented.
MARCH 5, 2013

General Manager/County Assessor Shields said the Board’s Ad Hoc Revaluation Committee would begin meeting next week to discuss Board of Equalization and Review procedures.

Chairman Cotham also referenced the comment by Mr. Curl with Pearson’s Appraisal Services at a previous meeting regarding how he would rank the County’s relationship with Pearson’s Appraisal Services. Chairman Cotham asked the Pearsons if they were comfortable with the 7 or 8 ranking stated by Mr. Curl.

Mr. Fred Pearson said no. He said prior to the meeting held today with Assessor’s Office staff he would have ranked the relationship at 4-5, but since the meeting he would rank it a 5. Mr. Pearson said that could change. He said staff needed to go through the process, review the work they’d provided, and notify the property owners.

Chairman Cotham requested reports from staff on the progress being made by the Assessor’s Office staff on a frequent basis. Chairman Cotham said the reports didn’t have to be anything elaborate, just some basics about what had occurred say in a particular week.

General Manager/County Assessor Shields and Mr. Fred Pearson said they would work together to provide the Board with a routine status report of some sort.

Chairman Cotham asked about the remaining number of appeals to go before the Property Tax Commission. General Manager/County Assessor Shields said to date, 546 Property Tax Commission cases had been completed and 1,377 were remaining.

County Attorney Bethune noted that the Property Tax Commission scheduled the hearings and not staff.

Chairman Cotham asked about qualified and non-qualified appraisals and requested a definition in writing of what a qualified appraisal was.

Commissioner Dunlap asked the Pearson’s were they frustrated because they’ve done the work but the taxpayers don’t know what that new tax value was. Mr. Fred Pearson said that was correct.

Commissioner Dunlap asked Mr. Pearson would he feel better about the relationship between Pearson’s Appraisal Services and Assessor’s Office staff once they knew the notices had gone out to taxpayers. Mr. Pearson said staff’s points would “go up.”

The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked General Manager/County Assessor Shields and the Pearsons for their report.

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

(13-0911) REPORT ON HIV ADVISORY BOARDS

The Board received a report on the Mecklenburg County HIV/AIDS Council that was formed in 2006 and on the Ryan White Charlotte Transitional Grant Area (TGA) Advisory Board that was formed in 2009. The report was a comparison of the two advisory boards.

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

General Manager Michelle Lancaster addressed this matter.
MARCH 5, 2013

General Manager Lancaster said with Board approval staff would report back with more specifics regarding this matter and the formation of a Ryan White Funding Planning Council for the Board to consider. She said staff would report back no later than the second Board meeting in April.

Commissioner Leake commented that the formation of a Ryan White Funding Planning Council was something that constituents had been inquiring about for quite some time.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to direct the County Manager/staff to prepare a process and plan for implementation of a Ryan White Funding Planning Council for Board action no later than at the April 16, 2013 Board meeting. Further, that this should follow the Ryan White federal guidelines for Ryan White funding recipients.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-0905) SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Commissioner Ridenhour addressed the formation of a Small Business and Entrepreneurship Advisory Board. The following was noted with respect to the need for a Small Business and Entrepreneurship Advisory Board:

“In recent years, Charlotte and Mecklenburg County have become a hub of small business and entrepreneurship. From Commissioner Leake’s Small Business Consortium, to CLTjoule, there is a growing buzz about what is happening locally in the small business and entrepreneurial communities. It would be helpful to have a citizens advisory board, tasked with informing the Board about latest developments in these communities, what regulations are inhibiting small business, and how the county can assist in growing this important part of our business sector.”

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to approve the formation of a new advisory board to the BOCC, comprising 11 members, (one from the existing city Business Advisory Committee), with the following as the duties/purpose: "To provide recommendations and advice to the Board of County Commissioners regarding ways to streamline permitting processes for new and expanding businesses; to provide input to the Board of County Commissioners regarding proposed changes in building codes, policies, and taxes; to advise the Board of County Commissioners about specific challenges small businesses and entrepreneurs encounter in the county; and to inform the Board of County Commissioners about new developments in the local small business and entrepreneurial communities."

(13-0912) RE-ESTABLISHMENT OF BOARD STANDING COMMITTEES

Chairman Cotham addressed the re-establishment of standing committees of the Board.

Chairman Cotham noted the boards that were previously in place. She also suggested the possible formation of a Customer Service Committee.

Commissioner Dunlap spoke in support of having committees, but noted issues that occurred in the past with respect to committees that caused them to become inactive.
MARCH 5, 2013

Commissioner Dunlap suggested this matter be placed on a Budget/Public Policy agenda for a more detailed discussion with respect to which committees should be re-established, rather than taking action at tonight’s meeting to re-establish all of them.

Commissioner Bentley echoed Commissioner Dunlap with respect to discussing this matter in more depth at a future meeting to determine which committees would serve the needs of the Board the most.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to table discussion on the re-establishment of standing committees of the Board of County Commissioners until the Board’s Special Budget/Public Policy Meeting on March 26, 2013.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:27 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
MARCH 19, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 19, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

____________________

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0887, 13-0906, 13-0917, 13-0922, 13-0925, 13-0930 and 13-0935.

STAFF BRIEFINGS - NONE

(13-0928, 13-0929, 13-0938) CLOSED SESSION – LAND ACQUISITION, CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel # 055-311-08 located on Little Rock Road.

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Land Acquisition, Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:05 p.m. and came back into Open Session at 6:35 p.m.

Commissioners Dunlap and James were present when the Board came back into Open Session. They entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order, which was followed by invocation by Commissioner Clarke, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(13-0931) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Heather Semmens asked the Board to support a statewide initiative entitled “Ban the Box” on job applications that asked about arrest records. She said the goal of the initiative was to help the 1.6 million individuals living in the state who have a criminal record to provide them the opportunity for employment. The initiative seeks to ban the box on applications that asked persons if they’d ever been arrested. Ms. Semmens said the desire was that this question be removed at the initial stage of the employment process and asked only of those that were selected as finalist for a position. She said this would give the interviewer an opportunity to get to know the applicant without pre-judging them based on their background. Ms. Semmens said after the criminal background check, the person would be given an opportunity to review the record and comment on their charges and their efforts to move forward.

Nancy Hudson thanked the Board for its continued support of the Charlotte Community Health Clinic. She also addressed services provided by the clinic.

Consent Items – Question Raised

Chairman Cotham expressed a desire to move Consent Items up on the agenda.

Commissioner Dunlap raised the question of whether this was possible to do in light of the Board’s Policy regarding the agenda format. He also addressed why Consent Items were placed at the end of the agenda.

Following discussion of this matter, County Attorney Bethune said it would take a two-thirds vote of the Board in order to move Consent Items up on the agenda, according to Roberts Rules of Order. He said traditionally the chairman has moved items around on the agenda without opposition, but if there was opposition, then the Board would have to decide.

No motion was made to move Consent Items up on the agenda, thus the meeting proceeded as outlined.

(13-0887) AMENDMENT TO PARK AND RECREATION FACILITIES ORDINANCE - SECOND READING

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to defer consideration of Item 13-0887 Amendment to Park and Recreation Facilities Ordinance - Second Reading until the April 2, 2013 meeting
and that it not be placed as a Consent item on the agenda.

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

(13-0918) NOMINATIONS/APPOINTMENTS

AUDIT REVIEW COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Richard Harris to the Audit Review Committee to fill an unexpired term expiring December 3, 2015.

He replaces Jeffrey Browning.

**Commissioner James returned to the dais.**

**Commissioner Bentley left the dais and was absent for the remainder of the meeting.**

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Kay Roderick to the Nursing Home Community Advisory Committee for a three-year term expiring February 28, 2016.

PERSONNEL COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Daniel MacRae to the Personnel Commission to fill an unexpired term expiring August 30, 2014 and Lee Robertson and Nikki Trotter to fill unexpired terms expiring June 30, 2014.

They replace Sherryl Baker, Daniella Williams and Eric Zion.

TRANSIT SERVICES ADVISORY COMMITTEE

The following persons were nominated for appointment consideration to the Transit Services Advisory Committee by Commissioner Clarke: Edward Jernigan and Teri Saltzman.

Note: An appointment will occur on April 2, 2013.

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

(13-0919) APPOINTMENT

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake and Ratliff voting yes, to
appoint Frederick Hammermann to the Waste Management Advisory Board as recommended by the Charlotte City Council to fill an unexpired term expiring May 18, 2013 and for a full three-year term expiring May 18, 2016.

He replaces Susan Tompkins.

Commissioner Ridenhour returned to the dais.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-0926) REVENUE UPDATE

The Board received a status update on major County revenues from Finance Director Dena Diorio. The following was covered:

- Property Taxes
- Sales Tax
- Sales Tax Refunds
- Investment Income
- FY2013 Revenue Forecast
- FY2013 Projected Revenue General Fund
- FY2014 Estimates
- Possible Impact
- FY 2015 and Beyond

Comments

Commissioner Leake asked about the impact of the 2011 Revaluation, which Director Diorio addressed.

Commissioner Leake requested information on the total cost to date expended by the County as a result of issues surrounding revaluation, which should include Pearson’s Appraisal Services cost and County staff cost.

Commissioner Leake, as a separate issue, requested information on the amount of revenue generated from the 2013 CIAA Basketball Tournament.

Commissioner Ratliff noted for the public’s awareness that the 2011 Revaluation refund process would be lengthy for some residents, as well as, resolving issues associated with the 2011 Revaluation. She said the results of the 2011 Revaluation would impact the County for quite some time.

Commissioner Dunlap asked had there been any analysis of the expected revenue to be generated, per Pearson’s Appraisal Services’ work, from increases in values. Director Diorio addressed this but said a specific number was not known at this time, only an estimated range.

Commissioner Fuller asked about the setting of last year’s tax rate as it related to revaluation, which Director Diorio addressed.
Commissioner Fuller asked for clarification of the statement in the report regarding “perception by the rating agencies of instability in the tax base,” which Director Diorio addressed.

Commissioner Fuller said “the longer this revaluation situation persist, we continue to endanger the very basis of how we provide services in this county.” Commissioner Fuller said this was why he keeps “pushing” for the County to get through the correction of the 2011 Revaluation.

Commissioner Fuller said he was concerned about the potential reduction in the revenue base, which had the “consequence” of reducing the County’s ability to provide services in the community.

County Manager Jones said given where the County was and as he prepares his budget, that because 1) the County’s revenue would be “strained” and 2) the County would be looking at reduced revenue, that it was going to be “very difficult” to sustain services at the current level. He said it would be difficult to increase education funding and to fund other planned expenses going forward. County Manager Jones said it would be a “challenging” budget.

Commissioner James asked for an analysis of how the towns would be impacted per the revenue update given by Director Diorio.

Chairman Cotham asked Director Diorio to explain the rating agency process and what it meant, which she did.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

STAFF REPORTS & REQUESTS

(13-0921) MECKLINK UPDATE AND BUDGET AMENDMENT

The Board received an update on MeckLINK operations from MeckLINK Behavior Health Director Phil Endress. The following was covered:

• Key Go-Live Metrics – March 1 – March 14
• MeckLink Customer Service
• Customer Service to Consumers
• Customer Service to Providers
• Managed Care Revenue Terms
• FY13 Budget (March-June)
• Appropriate Medicaid Revenue
• Transfer Funding to MeckLink

Comments

Commissioner Leake asked about the provider payment turnaround time and remaining staff needs, which was addressed by Director Endress.

Commissioner Clarke said there was concern by some of the larger more established providers that they may not be paid in a timely and accurate manner. Director Endress addressed that concern. It was noted that the County was required to pay every Medicaid claim received that meets the requirements for payment within 30 days once that determination was made. He said if payment was not made within 30 days of that determination, the County would have to pay interest on that amount.
Commissioner Clarke asked was the County receiving a fixed dollar amount for every person in the county that was eligible for Medicaid, whether or not they’re receiving mental health, developmental disability services or not. Director Endress said yes.

Commissioner Clarke said was it correct that usually what occurred was that 20% of the providers provided 80% of the services. Director Endress said that was true to some extent.

Commissioner Clarke asked had the Governor and the General Assembly not rejected the expansion of the Medicaid offered through the Affordable Health Care Act, the amount of Medicaid funds available to MeckLINK to provide services would have been greater. Director Endress said yes. He said it was possible that the County could have received another $35-$40 million a year.

Commissioner Ratliff asked about the morale of MeckLINK employees, now that MeckLINK had gone live. Director Endress said morale was good. He said everyone was excited.

Commissioner Dunlap asked for clarification regarding the various types of denials that existed and the denial of claims in general. Director Endress explained the differences and when claims were denied.

Commissioner Dunlap asked was there an evaluation tool in place to determine whether a provider’s services met the criteria that was set forth. Director Endress addressed several measures that were in place.

Commissioner Dunlap asked were there any plans to reduce the number of providers that were currently in place. Director Endress said no.

Commissioner Fuller said concern had been expressed to him by providers regarding the matter of 20% of the providers providing 80% of the services. Commissioner Fuller asked what could be done to expand that 20% to give other providers an opportunity to provide services. Director Endress said one of the “big” marketing pieces for a provider was to provide a quality service. He said “word of mouth” between consumers was very “influential.” Director Endress said it was the consumer’s choice as to who they would like to receive services from, as long as that provider was in the network. He said communication between consumers and providers was critical in changing that 20%.

Commissioner Fuller asked about the coordination of mental health services within the county and whether MeckLINK could provide the leadership that appeared to be needed in the community. Director Endress said yes and that was where the Service Plan came into play and the authorization of services.

Commissioner Fuller said he was speaking more in terms of thought leadership, providing a forum for providers to come together to talk about vision, and the future of mental health services within the county. Director Endress said he felt MeckLINK would be positioned for that type of role at a later date, but not currently.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate $68,500,000 in additional Medicaid revenue to fund Medicaid Waiver operations for the remainder of FY13.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the transfer of up to $18,200,000 in County, State and Federal funding from the General Fund to the MeckLINK Fund to provide for the non-Medicaid operations.
This concluded the discussion. The above is not inclusive of every comment but is a summary.

(13-0933) 2011 REVALUATION REVIEW STATUS REPORT

The Board received a status report from Pearson’s Appraisal Service regarding their review of the 2011 Revaluation.

Fred and Bob Pearson of Pearson’s Appraisal Service gave the report. The following was covered:

- Neighborhood Review
- Commercial Review
- Residential Review
- Residential Lake Review
- Software Engineering/Data Analysis Team
- Impact of Value Changes on Work

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

Comments

Commissioner Dunlap asked about properties that had already been adjusted either by the Board of Equalization and Review or the Property Tax Commission and what would happen if it was determined by Pearson’s Appraisal Service’s review that the property value was different; whose recommendation would be accepted as being correct. Mr. Fred Pearson said the County would accept Pearson’s Appraisal Service’s recommendation.

Commissioner Leake said there was still concern by many in District Two regarding the lowering of values in some neighborhoods.

Commissioner Clarke asked about Pearson’s estimation of a 2% impact on the County’s tax base as a result of its review compared to staff’s estimation of 3%. Mr. Fred Pearson said 3% was the “upper limit” and 2% was “in the ballpark.”

Commissioner Clarke asked the Pearsons to work closely with County staff regarding the percentage of impact, because it was a critical matter with respect to the County Manager developing his recommended budget.

Commissioner Clarke asked about the review of the Myers Park area, which Mr. Bob Pearson addressed.

Commissioner Clarke asked was staff accepting the recommendation of Pearson’s Appraisal Service if the disagreement was just a matter of a difference of opinion. Mr. Bob Pearson said yes, but that staff would note their objection.

Commissioner Clarke asked whether in instances where the disagreement between staff and Pearson’s Appraisal Service was not a matter of a difference of opinion, but rather a disagreement about methodology was Pearson’s recommendation still accepted. Mr. Bob Pearson said yes.

Mr. Bob Pearson said it was all coming together. He said “the biggest issue” had to do with land value.

Commissioner Clarke asked what would be the response to a property owner in Myers Park with respect to when they would know if their value changed. Mr. Bob Pearson said the plan
was to push forward those that had an immediate appeal to the Property Tax Commission. He said **all** of them should be ready in about a week and certainly by April 1.

Commissioner Fuller asked what was the purpose of revaluation. *Mr. Bob Pearson said the purpose of revaluation was to “equalize taxes so that everyone pays their fair share.”* He said if everyone’s property was assessed at 100% of the fair market value, then everyone was paying a fair tax.

Commissioner Fuller asked about other consequences of revaluation aside from the tax base. *Mr. Bob Pearson addressed this matter and noted the risk of losing funds for utilities.*

This concluded the discussion. The above is not inclusive of every comment but is a summary.

**13-0934   ASSESSOR’S OFFICE CUSTOMER SERVICE ASSESSMENT**

The Board received a report from Ed Gagnon, principal with Customer Service Solutions, on the assessment of the Assessor’s Office customer service culture. The following was covered:

- Introduction to CSS
- Project Goals from the BOCC
- Project Focus
- Project Scope
- Project Phases
- Structure of Expected Deliverable
- Key Project Components
- Started with Voice of the Customer
- Reviewed Process and Communications-Oriented Information
- Turned Focus Internal
- Received/Requested Additional Information
- Upcoming Activities Planned

*Note: As part of the work plan adopted by the Board for the 2011 Revaluation Review, the County Manager contracted with Customer Service Solutions to conduct an assessment of the Assessor’s Office customer service culture. The assessment includes identifying the high priority areas that would most quickly and cost-effectively improve responsiveness to customers, while adopting/maintaining a solid, long-term strategy to ensure a customer oriented culture throughout the Assessor’s Office.*

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

Comments

Chairman Cotham asked about the company’s interaction with taxpayers/customers, which was addressed.

Chairman Cotham asked about employee training in the area of customer service. *Mr. Gagnon said their focus and intent was to create a plan to create a culture of customer service and to look at the customer’s experience and offer recommendations. He said they would recommend training as a part of their plan.*

Chairman Cotham said she thought Customer Service Solutions would provide training but it appeared it was instead doing more of an evaluation of the Tax Assessor’s Office. *Mr. Gagnon said Customer Service Solutions would provide the County with a Customer Service Improvement Plan, which was the direction they received from the County.*
Commissioner Clarke asked Mr. Gagnon if Customer Service Solutions had done work for the County in the past. The response was yes.

Commissioner Clarke asked about the implementation process Customer Service Solutions had experienced based on its work with other County departments, had their recommendations been implemented.

Mr. Gagnon said with the vast majority of the projects Customer Service Solutions had worked on for the County, there had been some implementation. He said the key to implementation was having someone to take ownership of the plan.

Commissioner Clarke asked Mr. Gagnon to comment on the hiring of a new tax assessor with respect to that person following up with the plan they’ll be providing. Mr. Gagnon said Customer Service Solutions would be happy to sit down with the new assessor to give background on the development of the plan and to explain the plan. He said that could be done informally and that a contract would not be needed. Mr. Gagnon said it should be emphasized to the new tax assessor the impact Customer Service Solutions’ Plan would have on customer satisfaction with the Tax Assessor’s Office going forward.

Commissioner Clarke suggested the Board ask Customer Service Solutions to provide the Board with questions that would be good to ask potential candidates for the tax assessor position around the issue of customer service.

Commissioner Clarke said the Board should keep in mind that when it came to customer service the Board had a role as well with respect to providing resources and facilities.

Mr. Gagnon said facilities did play a big role in customer service. He said when customers have to wait in hallways that was not a good experience.

Commissioner Ridenhour suggested consideration be given to having Customer Service Solutions take a look at the final product work that’s being developed by the Board’s Revaluation Advisory Committee from a customer service perspective.

Mr. Gagnon said Customer Service Solutions would be happy to review the Board’s Revaluation Advisory Committee’s work, if that was the desire of the Board. He said their contract would not have to be expanded in order for that to occur.

Mr. Gagnon said the plan was to have their final report ready in May.

Chairman Cotham asked Mr. Gagnon if he would include in one of the focus groups he planned to put together, some of the taxpayers that had been very vocal and involved regarding the 2011 Revaluation issue. Mr. Gagnon said yes and that he would work with staff to identify those individuals.

Chairman Cotham asked that Mr. Gagnon communicate with Tom Derham for input as well and to identify who some of those taxpayers were.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

(13-0940) NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY (NC FAST)

The Board received a report regarding the implementation of NC FAST in Mecklenburg County from Rodney Adams, Director of the Economic Services Division with the Mecklenburg County
Department of Social Services and Roy Young with the North Carolina Department of Social Services (NCDSS).

Note: North Carolina Families Accessing Services through Technology (NC FAST) is a program designed to improve the way the NC Department of Health and Human Services and county departments of social services do business. NC FAST introduces new technological tools and business processes that will enable workers to spend less time on administrative tasks and more time assisting families.

The following was noted:

- NC FAST was successfully implemented in Mecklenburg County over the weekend, March 16, 2013.
- There were no significant system issues to be noted.
- 75,000 food and nutrition services cases must now be manually converted prior to any further transactions being completed.
- The State has provided on-site technical assistance to assist with the conversion.
- The Department of Social Services received a favorable response from the state’s NC FAST Readiness review team regarding the County’s implementation of NC FAST.
- Staff was pleased with its initial results, but recognize there were challenges ahead, because the manual conversion process may cause some delays in issuing benefits to residents.
- Additional temporary staff was hired to assist with case conversion and overtime would continue in an effort to mitigate delays.
- The Department has partnered with its community partners if food assistance was needed.
- A contingency fund was also established to assist if needed.

Mr. Young said he was very impressed with what he’d seen in Mecklenburg County. Mr. Young addressed other programs that would be forthcoming.

Comments

Chairman Cotham expressed concern for delays in the receipt of benefits and asked that staff do everything it could to minimize those delays. Mr. Adams said staff would work to mitigate any delays and that if there were, staff would make sure families received food to tie them over.

COUNTY COMMISSIONERS REPORTS & REQUESTS

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

(13-0903) AUDIT REVIEW COMMITTEE REPORT

The Board received the Audit Review Committee Compliance Report. Commissioner Clarke, chair of the Audit Review Committee gave the report.

Finance Director Dena Diorio addressed the proposed extension of the external audit contract with Cherry Bekaert and Holland.

A copy of the report is on file with the Clerk to the Board.
MARCH 19, 2013

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour voting yes, to 1) Approve a one-year extension of the external audit contract with Cherry Bekaert and Holland for the June 30, 2013 fiscal year audit, based on the April 21, 2009 Audit Review Committee recommendation for the initial contract.

Commissioner Fuller returned to the dais.

(13-0937) SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the Purpose, Membership Criteria and By-Laws of the Mecklenburg County Small Business and Entrepreneurship Advisory Board, whose creation was approved by the BOCC at its March 4, 2013 meeting. Direct the Clerk to the Board to begin accepting applications for the 11 positions on the SBEAB; set the date for nominations to be made at the May 21, 2013 meeting; and set the date for appointments to be made at the June 4, 2013 meeting.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0907) GRANT APPLICATION - ARTS AND SCIENCE COUNCIL CULTURAL PROJECTS GRANT (PARK AND RECREATION)

Approve submission of a grant application of up to $5,000 from the Arts and Science Council Cultural Projects Grant. Recognize, receive and appropriate grant funds if awarded.

Note: If awarded, the grant would be used to offer a youth 4-H program. The application would include a request for a 4-H Tech-x-cite Curriculum on motor sports, for a 12-week program that would begin in the fall serving ages 9-13. If the grant is awarded, the grant funds of up to $5,000 would be received next fiscal year (FY2014). An In-Kind County match of $5,000, which would come from the Park and Recreation budget, is required.

(13-0908) DONATION - PARK & RECREATION

Recognize, receive and appropriate $5,888 donation for maintenance and improvements to the Sean Clark Memorial Garden in Blythe Landing Park.

(13-0909) PROPERTY ACQUISITION - HAZARD MITIGATION PROGRAM FLOODPLAIN ACQUISITION

Accept the “Offer of Sale of Real Estate” from Frederick Warren, owner of property at 1011 Andrill Terrace (Tax Parcel 075-093-04) for $5,000.

Note: This action was necessary to acquire a vacant lot in the Irwin Creek floodplain. The lot is in the vicinity of numerous other properties acquired by the County. Acquiring this lot will culminate previous mitigation efforts on this street and would allow the County to petition the City to abandon the entire street in the floodplain. It also would prevent any redevelopment on
MARCH 19, 2013

the lot within the floodplain, increase community open space and provide opportunities to improve water quality through floodplain restoration.

(13-0910) CONSTRUCTION CONTRACT - MORRISON FAMILY YMCA, PHASE III AT BALLANTYNE COMMUNITY PARK

Award a construction contract to Shiel Sexton Company, Inc. in the amount of $1,852,000 for the construction of the Morrison Family YMCA, Phase III. Recognize and appropriate $775,000 from the YMCA of Greater Charlotte.

*Note: The project site is located in the Ballantyne area of South Charlotte, bordered by Community House and Bryant Farms Roads. The YMCA contributed $775,000 towards total cost of the project.*

(13-0920) TAX REFUNDS

Approve refunds and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

*A list of the refund recipients is on file with the Clerk to the Board.*

(13-0932) MINUTES

Approve minutes of Regular meeting held March 5, 2013 and Closed Sessions held February 19, 2013 and Special Meeting Closed Session held February 5, 2013.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

(13-0906) CAPITAL RESERVE REQUEST - MALLARD CREEK RECREATION CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to appropriate $58,400 in capital reserve funds for improvements to Mallard Creek Recreation Center’s lobby, multi-purpose rooms and gymnasium and fitness room.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0917) RENOVATION OF HISTORIC GEORGE E. DAVIS HOUSE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to approve the Resolution authorizing the Charlotte Mecklenburg Historic Landmarks Commission to receive and renovate the George E. Davis House at Johnson C. Smith University.

*Resolution recorded in full in Minute Book ______ Document # ______.*

Commissioner Leake removed this item from Consent for more public awareness.
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to adopt the FY2014 Authorization Park & Recreation Approved November 4, 2008 Referendum, Land Bonds Approved November 6, 2007 Referendum, County Facilities and School Facilities Approved November 6, 2007 Referendum capital project ordinances and amend the FY2013 Authorization Park & Recreation Approved November 4, 2008 Referendum capital project ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2014 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19TH DAY OF MARCH 2013:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:

- Mecklenburg Aquatic Center
- Double Oaks Pool
- Veterans Park Shelter
- Historic holly Bend House
- Long Creek Greenway
- Charles Park Shelter
- McAlpine Greenway
- Freedom Park Shelter
- Mecklenburg County Regional Sports Complex
- Evergreen Nature Preserve
- Park Road Shelter
- Renaissance Park
- Flat Branch Nature Preserve
- Eagles Landing Park
- Hornets Nest Shelter
- West Charlotte Recreation Center
- Briar Creek Greenway
- Southwest Park
- Cordelia Park Shelter
- Ramsey Creek Park
- Palsades Park
- Irwin Creek Greenway
- Reid Park
- Campbell Creek Greenway
- Teddington Park
- Torrence Creek Greenway
- Friendship Partnership

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, $65,020,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

| Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds | $65,020,000 |

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute Book ______ Document # ______.
Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute Book ______ Document # ______.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2014 AUTHORIZATION COUNTY FACILITIES
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA,
THIS THE 19th DAY OF MARCH 2013:

Section I. That for the purpose of providing funds, together with any other available funds, for the Sheriff’s Office Expansion project including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, $5,230,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from Pay-As-You-Go/Other County Funds: $5,230,000

Ordinance recorded in full in Minute Book ______ Document # ______.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2014 AUTHORIZATION SCHOOL FACILITIES
APPROVED NOVEMBER 6, 2007 REFERENDUM
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA,
THIS THE 19th DAY OF MARCH 2013:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

- Olympic High School
- West Mecklenburg High School
- Garinger high School
- Indoor air Quality
- Hickory Grove Elementary School
- Hawthorne Elementary School

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months’ school term as required by Section 2 of Article IX of the North Carolina Constitution, $45,321,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds: $45,321,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General fund or unspent County proceeds in the Capital Projects funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Section IV. That this ordinance is effective July 1, 2013.

Ordinance recorded in full in Minute Book ______ Document # ______.

MECKLENBURG COUNTY, NORTH CAROLINA
The following ordinance was offered as an amendment to and restatement of the June 5, 2012 FY 2013 Authorization Park and Recreation Facilities Approved in November 4, 2008 Referendum Capital Project Ordinance.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF March 2013:

Section I. That for the purpose of providing funds, together with any other available funds for the following projects:

- Ballantyne Park
- Wesley Heights Greenway
- First Ward Park

including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, $10,965,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:
Proceeds from sale of bonds, Other Revenue, Pay-As-You-Go/Other County Funds $10,965,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute Book Document #.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0925) BANKING SERVICES CONTRACT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to approve appointment of Bank of America to provide banking services for Mecklenburg County for five years beginning July 1, 2013.

Commissioner Leake removed this item from Consent for more public awareness and to ask about banking services with Mechanics and Farmers Bank. Finance Director Diorio addressed this matter.

(13-0930) AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to approve the list (Exhibit A) provided by staff as surplus, and adopt a resolution authorizing sale of surplus personal property by public auction on April 13, 2013.

Resolution recorded in full in Minute Book Document #.

Commissioner Leake removed this item from Consent for more public awareness.
(13-0935) PROCLAMATION - SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to adopt a proclamation designating March, 2013 as “Social Work Appreciation Month” in Mecklenburg County.

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

13-0928 CLOSED SESSION-LAND ACQUISITION –LITTLE ROCK ROAD PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour voting yes, to authorize the County Manager to negotiate and execute documents necessary for the acquisition of Tax Parcel #055-311-08 (+/- 1.846 acres) on Little Rock Road from Ms. June Robertson for $18,000.

Note: The acquisition of this parcel is consistent with the County’s 2008 Adopted Parks Master Plan which identified the need for additional parkland in this area. Also, the parcel is along Paw Creek which is a major creek corridor within Mecklenburg County.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:14 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk Patricia “Pat” Cotham, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 2, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, George Dunlap,
Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Bentley, Clarke and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0939, 13-0947, 13-0948, 13-0950, 13-0955, 13-0956, 13-0957, 13-0958, 13-0959, 13-0961 and 13-0974.

STAFF BRIEFINGS - NONE

(13-0969, 13-0938, 13-0966) CLOSED SESSION – LAND ACQUISITION, PERSONNEL MATTER AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcels 023-301-01 (±3.572 acres) and 023-301-02 (±0.947 acres) on Mountain Island Lake.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake and Ratliff voting yes, to go into Closed Session for the following purposes: Land Acquisition, Personnel Matter and Consult with Attorney.

The Board went into Closed Session at 5:00 p.m. and came back into Open Session at 6:41 p.m.

Commissioner Bentley, Clarke and Ridenhour were present when the Board came back into
Open session. They entered the meeting during Closed Session.

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

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

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Dunlap to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and failed 4-4 with Commissioners Cotham, Fuller, Leake and Ridenhour voting yes and Commissioners Bentley, Clarke, Dunlap and James voting no, to move Consent items up on the agenda.

(P13-0975) PUBLIC APPEARANCE

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

APPOINTMENTS

(P13-0970) TRANSIT SERVICES ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Transit Services Advisory Committee:

Round One

Edward Jernigan  Commissioners Bentley, Clarke, Dunlap, and Fuller
Teri Saltzman  Commissioners Cotham, James, Leake and Ridenhour

Round Two

Edward Jernigan  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour

Chairman Cotham announced the appointment of Edward Jernigan to the Transit Services Advisory Committee for a three-year term expiring February 3, 2016.

He replaces Chris McKillop.

(P13-0971) NOMINATIONS/APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW
All applicants were nominated for appointment consideration to the Board of Equalization and Review by Commissioner Dunlap. The applicants were: Joanne Allen, James Barnett, Paul Bass, Stephen Brady, Michelle Buckley, James Calder, Michael Calhoun, Cleve Daniels, Kathy Davis, Clinton Flouhouse, Robert Flowe, Franklin Freeman, Brett Furniss, Douglas Gentile, Linda George, William Green, Sandra Handy, David Hollifield, Rufus Hutchinson, Kristen Kidwell, Dolores Knudsen, Joshua Leonard, Joel Levy, Unithia McGruder, Robert Miller, Robert Orsi, Terrie Orsi, Eugene Poore, Alfreda Reynolds, Lee Robinette, John Stroup, Tommy Teague, Nobie Thrasher, Alfred Tucker, Jeffrey Turnbull, Brian Tyson, Nick Vilord, Alvenia Warren, Terry Whitehurst, Joseph Willoughby, Emily Zuyus.

Note: Appointments will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Board of Equalization and Review must undergo an interview process.

Commissioner Clarke asked County Attorney Bethune to provide the Board with the statute regarding the appointment of a Board of Equalization and Review and the required qualifications.

(13-0982) APPOINTMENT -- CENTRALINA ECONOMIC DEVELOPMENT COMMISSION PUBLIC AND PRIVATE SECTOR REPRESENTATIVES

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to reappoint Commissioner George Dunlap as the Board’s public sector representative and Robert Hillman as the Board’s private sector representative on the Centralina Economic Development Commission (CEDC) for three-year terms beginning April 5, 2013 and ending March 31, 2016 as requested by the CEDC.

Commissioner Leake requested additional information regarding the make-up of the CEDC and the terms of service.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

(13-0964) PERSONNEL COMMISSION POLICY/CHARTER REVISION

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to approve revisions to the Personnel Commission Policy/Charter.

The revisions are as follows:

- Change the name from the Personnel Commission to the Human Resources Advisory Committee.
- Reduce membership from 13 to 11.
- Require the members of the Commission to have expertise in some area of human resources.
- Allow the Personnel Commission to review applications for membership on the Committee and make a recommendation to the Board of County Commissioners on appointments.
- Amend the Personnel Commission’s duties and responsibilities to be more aligned with those of an advisory board.
• Amend policy to allow meetings to be held in locations other than the Charlotte-Mecklenburg Government Center.

Human Resources Director Chris Peek and Hank Federal, Chair of the Personnel Commission presented this matter to the Board.

*Policy/charter recorded in full in Minutes Book _____, Document # _____.*

**PUBLIC ARTS COMMISSION PROGRESS REPORT**

The Board received a progress report from the Public Arts Commission. Patricia Fletcher a member of the Public Arts Commission and Nicole Bartlett, Program Director, Arts & Science Council gave the report. The following was covered:

- Public Art Program Background
- Public Art Program Mission
- 10 Years of 1% for Art Funding
- Public Art Commission FY-13 – Program Oversight
- Overview of Public Art Commission Responsibilities
- Overview of Public Art Process
- Status of Projects since Last Update
- New Projects

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

Chairman Cotham thanked them for the report.

**MANAGER’S REPORT - NONE**

**STAFF REPORTS & REQUESTS**

**AMENDMENT TO PARK AND RECREATION FACILITIES ORDINANCE - SECOND READING**

Commissioner Ridenhour addressed the proposed amendment to the Mecklenburg County Park and Recreation Facilities Ordinance. He also addressed what was involved in getting a concealed weapons permit.

Commissioner Ridenhour said the amended ordinance as proposed by staff was too restrictive.

Commissioner Ridenhour asked the Board to consider amending the Park and Recreation Facilities Ordinance by using the following language: Concealed weapons may not be carried by an active participant in a sporting event, on an athletic field, gymnasium, or swimming pool; additionally concealed weapons may not be carried on any playgrounds located on any County parks. Concealed weapons may be carried inside recreation facilities so long as the building has not be reserved for any official County meetings.

Commissioner Ridenhour said he realized the proposed wording may need to be revised by the County Attorney to make sure it was compliant with state statutes.

Commissioner Ridenhour said the Board could “strap” the ordinance all together and just be compliant with state law. He said the state statute changed in 2011, states concealed carry weapons were allowed to be carried on parks grounds, except if a local governing body
restricts them and that they may only restrict them in certain places, such as a playground, athletic fields, or recreation center.

The following persons appeared to speak in opposition to the proposed amendment to the Park and Recreation Facilities Ordinance as proposed by staff and in support of Commissioner Ridenhour’s proposed wording: Donovan Hubbard, Christine Hine, Roxane Laxton, Daniel Rufty, and Gary Laxton. They expressed concern for the language proposed by staff and unintended consequences, per that language. They also addressed the right of persons to protect themselves, per the Second Amendment to the U.S. Constitution.

Motion was made by Commissioner Bentley, however, there was not a second, to repeal the Park and Recreation Facilities Ordinance in its entirety, which would then allow the County to address the matter of carrying concealed handguns in a park in accordance with the state law. Thus, there would not be a special ordinance for Mecklenburg County.

County Attorney Bethune said he would not recommend the Board repeal the Park and Recreation Facilities Ordinance because it addressed other matters related to parks.

County Attorney Bethune said he could bring back to the Board after receiving further instructions, a revised ordinance that would say weapons were prohibited except for those persons who have valid concealed carry permits in accordance with state law (the applicable statute would be listed.), which would make the ordinance in compliance with state law.

County Attorney Bethune said currently under state law, a local government had the right to prohibit open carry.

County Attorney Bethune said if the Board also wanted to not prohibit open carrying that was another level of changes that could be made.

Commissioner Dunlap asked Director of Park and Recreation Jim Garges to address this matter from staff’s perspective.

Director Garges addressed the current law with respect to this issue, as well as the proposed amended ordinance. Director Garges recommended the Board allow staff to come back with a revised ordinance.

Director Garges said the Board would have to decide if allowing concealed handguns at playgrounds, athletic facilities, inside recreation centers was in the best interest of all of the citizens of Mecklenburg County. Director Garges said he did not think it would be in the best interest of all citizens.

Commissioner Dunlap asked about the number of instances that had occurred in County parks over the last couple of years, specifically involving weapons. Director Garges said he would get that information.

Commissioner Dunlap asked was it correct that current state law prohibits handguns in certain places in public parks. Commissioner Ridenhour said that was not correct.

Commissioner Ridenhour said handguns could be carried any place in a public park according to state law, the local governing body decides otherwise.

Commissioner Dunlap expressed concern for persons being able to bring handguns in at an athletic event or other events where there was a large gathering of people.

Commissioner Dunlap said some of the examples cited by Commissioner Ridenhour made sense, so perhaps there was a compromised that could be reached. He suggested a
compromise that wouldn't “drastically” restrict the Second Amendment right to carry a weapon and that would also protect the majority of the people who would be in a place where there was a large gathering of people.

Director Garges shared information that was received regarding crimes on park property that involved firearms. He said there were 13 incidences in 2011, 6 in 2012, and 1 in 2013 to date.

Commissioner Ridenhour asked was it known how many of those incidences involved persons with a concealed weapons permit. Director Garges said it did not.

Commissioner Ridenhour said it was his belief that it was not the person with a concealed weapons permit that was committing the crimes.

Director Garges said places such as Memorial Stadium, recreation centers, playgrounds, and facilities where large numbers of people gather was not a safe place for anyone to carry a weapon.

Commissioner Clarke raised the issue of dealing with this matter with respect to school property that’s also used by Park and Recreation. Commissioner Clarke raised this issue in light of state law regarding carrying weapons on educational property, which he said was prohibited.

Commissioner Clarke suggested the Board approve the amendments as presented by staff. He said what was proposed by staff was permissible under state law.

Commissioner Ridenhour asked that the definition of pistol, as referenced in the proposed amended ordinance, not include the words that it’s intended to be fired with one hand. Commissioner Ridenhour said the proper way to fire a pistol was with two hands.

Discussion continued.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and failed 4-4 with Commissioners Bentley, Cotham, James, and Ridenhour voting yes and Commissioners Clarke, Dunlap, Fuller, and Leake voting no, to amend the Park and Recreation Facilities Ordinance by using the following language: Concealed weapons may not be carried by an active participant of a sporting event, on an athletic field, gymnasium, or swimming pool; additionally concealed weapons may not be carried on any playground located on any County parks; and to direct the County Attorney to draft an ordinance to that effect and allow the County Attorney to tweak this language as deemed appropriate in order to be in compliance with state law.

County Attorney Bethune suggested the Board allow him to bring another version(s) of a proposed amendment to the Park and Recreation Facilities Ordinance, as well as, the amendment that was originally proposed by staff for the Boards consideration, taking into account the comments that had been made.

Commissioner Dunlap said his concern was for the protection of people at large gatherings.

Commissioner Dunlap asked about the school property issue noted by Commissioner Clarke and in light of the fact that some school grounds were used by Park and Recreation.

It was the consensus of the Board to allow County Attorney Bethune to bring this matter back before the Board in May.
APRIL 2, 2013

(13-0943) BUSINESS INVESTMENT PROGRAM GRANT: OFF BROADWAY SHOES, INC. AND RACK ROOM SHOES, INC.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 7-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes and Commissioner James voting no, to adopt a resolution approving a Business Investment Program grant to Off Broadway Shoes, Inc. and Rack Room Shoes, Inc. for a total estimated amount of up to $340,375 and authorize the County Manager to negotiate and execute a contract.

John Allen, Director of Economic Development presented this matter to the Board.

Resolution recorded in full in Minute Book_____ Document # _____.

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

(13-0945) BUSINESS INVESTMENT PROGRAM GRANT: OTTO ENVIRONMENTAL SYSTEMS NORTH CAROLINA

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 6-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller and Leake voting yes and Commissioner James voting no, to adopt a resolution approving a Business Investment Program grant to Otto Environmental Systems North Carolina for a total estimated amount of up to $120,328 and authorize the County Manager to negotiate and execute a contract.

John Allen, Director of Economic Development presented this matter to the Board.

Resolution recorded in full in Minute Book_____ Document # _____.

(13-0946) BUSINESS INVESTMENT PROGRAM GRANT: METROPOLITAN LIFE INSURANCE COMPANY

Commissioner Clarke asked to be excused from voting on Item (13-0946) Business Investment Program Grant: Metropolitan Life Insurance Company to avoid a conflict of interest. Commissioner Clarke acknowledged that his law firm represented Metropolitan Life Insurance Company.

Motion was made by Commissioner Fuller, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, and Leake voting yes, to excuse Commissioner Clarke from voting on Item (13-0946) Business Investment Program Grant: Metropolitan Life Insurance Company.

Commissioner Ridenhour returned to the dais.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to adopt a resolution approving a Business Program Investment grant to Metropolitan Life Insurance Company (MetLife) for a total estimated amount of up to $1,931,070 and authorize the County Manager to negotiate and execute a contract.

Resolution recorded in full in Minute Book_____ Document # _____.

7
CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to approve the following item(s):

(13-0949) GRANT APPLICATION -- NC DIVISION OF WATER QUALITY GRANT

1. Approve submitting a stream restoration grant application for $200,000 to the North Carolina Division of Water Quality (NCDWQ) Section 319(h) for Briar Creek between Monroe Road and Independence Boulevard.

2. Authorize the Board chairman to execute the Authorization to File Application and Enter Into a Grant Contract with NCDWQ.

3. Upon receipt of grant, recognize, receive and appropriate up to $200,000 in funds from the NCDWQ Section 319(h) Grant Program.

(13-0952) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds in the amount of $1,079 for Business Support Services Agency-Business Financial Management, $1,300 for the Sheriff's Office, and $134 for the Park and Recreation Department.

Note: All reimbursements are for stolen and damaged items.

(13-0953) GREENWAY DONATION -- WALKER BRANCH GREENWAY

Accept the donation of Tax Parcel 201-236-99 (+/- .898 acres) along Walker Branch for future greenway trail construction.

(13-0967) CONSOLIDATED GOLF COURSE CAPITAL RESERVE FUND

Amend the Consolidated Golf Course Capital Reserve Fund to include all revenue from the Tradition Golf Course for the purpose of funding capital improvements at all County-owned golf courses.

Ordinance recorded in full in Minute Book ______ Document # _______.

(13-0968) MINUTES

Approve minutes of Regular meeting held March 19, 2013 and Closed Sessions held March 19 and March 5, 2013.

(13-0979) PROCLAMATION -- FINANCIAL LITERACY MONTH

Adopt a proclamation designating April 2013 as "Financial Literacy Month" in Mecklenburg County.
A copy of the proclamation is on file with the Clerk to the Board.

THI S  C O N C L U D E D  I T E M S  A P P R O V E D  B Y  C O N S E N T

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

(13-0939) MECKLINK FINANCIAL REPORTS

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to receive the MeckLINK Behavioral Healthcare January and February 2013 Financial Reports

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>$7,047,768</td>
<td>$1,405,366</td>
<td>19.94%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,560,545</td>
<td>11,996,766</td>
<td>43.53%</td>
</tr>
<tr>
<td>County</td>
<td>26,986,515</td>
<td>8,801,098</td>
<td>32.61%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>$61,594,828</strong></td>
<td><strong>$22,203,230</strong></td>
<td><strong>36.05%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>$1,201,093</td>
<td>$4,819,452</td>
<td>40.12%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>7,348,128</td>
<td>2,188,617</td>
<td>29.78%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>6,749,468</td>
<td>3,889,300</td>
<td>57.62%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>7,614,230</td>
<td>3,071,690</td>
<td>40.34%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>10,528,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>9,626,959</td>
<td>3,652,573</td>
<td>37.94%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>7,714,777</td>
<td>4,581,598</td>
<td>59.39%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$61,594,828</strong></td>
<td><strong>$22,203,230</strong></td>
<td><strong>36.05%</strong></td>
</tr>
<tr>
<td>Net (Revenues - Expenditures)</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>
MeckLink Behavioral Healthcare
Statement of Revenues and Expenses
FY 2013, For the period ending February 2013

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>% Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>$7,047,768</td>
<td>$1,426,797</td>
<td>20.24%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>$27,605,087</td>
<td>$12,054,511</td>
<td>43.67%</td>
</tr>
<tr>
<td>County</td>
<td>$23,236,515</td>
<td>$14,631,398</td>
<td>62.97%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>$57,889,370</strong></td>
<td><strong>$28,112,705</strong></td>
<td><strong>48.56%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>% Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>$12,203,093</td>
<td>$6,336,784</td>
<td>51.93%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>$7,058,128</td>
<td>$2,627,027</td>
<td>37.22%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>$6,849,468</td>
<td>$4,554,934</td>
<td>66.50%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>$7,614,230</td>
<td>$3,473,313</td>
<td>45.62%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>$6,778,173</td>
<td>$0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>$9,671,501</td>
<td>$4,872,430</td>
<td>50.38%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>$7,714,777</td>
<td>$6,248,217</td>
<td>80.99%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>$57,889,370</strong></td>
<td><strong>$28,112,705</strong></td>
<td><strong>48.56%</strong></td>
</tr>
</tbody>
</table>

Net (Revenues - Expenditures) 0 0 0%

Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Service, the program director of the county program (i.e., MeckLINK, formerly Area Mental Health) shall present to each member of the Board of County Commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the Board of County Commissioners.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0947) PROCLAMATION -- CHILD ABUSE AWARENESS AND PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to adopt proclamation designating April 2013 as “Child Abuse Awareness and Prevention” month in Mecklenburg County.

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

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner James returned to the dais.

(13-0948) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to recognize and appropriate $56,267 for Land Development bond budget.
Note: Funds were received due to the default of a bond obligation for completion of subdivision requirements for Crosswinds Village Phase 2 Map 1. A letter of credit was provided on March 9, 2005 by Crosswinds Reality, LLC for completion of this work. The letter of credit was not renewed prior to its expiration date of March 9, 2009 and the County called the bond. Funds were also received due to the default of a bond obligation for completion of subdivision requirements for Crosswinds Village Phase 1 Map 1 & 2.

Commissioner Fuller removed this item from Consent for clarity purposes. David Woody with LUESA addressed this matter.

(13-0950) PROFESSIONAL SERVICES AGREEMENT -- ENGINEERING SERVICES (LUESA)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a contract with Kimley-Horn & Assoc, Inc. to provide professional engineering services.

Commissioner Fuller removed this item from Consent for clarity purposes.

(13-0955) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to recognize and appropriate for the Sheriff's Special Revenue Fund, $109,000 from Inmate Commissary. 2) Recognize and appropriate for the Sheriff’s Special Revenue Fund, $55,080 from Vocational Facility telephone revenue.

Commissioner Leake removed this item from Consent for more public awareness.

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

(13-0956) GRANT APPLICATION -- EXPANSION OF TREATMENT CAPACITY IN THE TREATMENT COURTS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to approve submission of a grant application in the amount of $325,000 from the Substance Abuse and Mental Health Services Administration for treatment services for offenders in the Mecklenburg County Treatment Courts. If awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0957) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to recognize, receive and appropriate $494,579 in revenue from the City of Charlotte for reimbursement of expenses incurred related to the Democratic National Convention.
Note: Last September, the Sheriff's Office provided additional staffing during the Democratic National Convention. This reimbursement is for the labor as well as equipment and supplies also required for the convention.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0958) LEASE AGREEMENT -- PEDIATRIC DENTAL PROGRAM

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a lease with Carolinas Healthcare System for dental office space for the Health Department's Pediatric Dental Program.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0959) LEASE AGREEMENTS -- PREGNANCY CARE MANAGEMENT, CARE COORDINATION FOR CHILDREN, AND HIV CASE MANAGEMENT PROGRAMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute leases with Carolinas Healthcare System for office space for the Health Department's Pregnancy Care Management, Care Coordination for Children, and HIV Case Management Programs.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Dunlap returned to the dais.

(13-0961) GRANT APPLICATION -- RE-ENTRY TREATMENT SERVICES (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to approve submission of a grant application in the amount of $430,000 from the Substance Abuse and Mental Health Administration (SAMSHA) for community-based treatment services for sentenced offenders re-entering society after incarceration. If awarded, recognize, receive and appropriate the grant funds.

Commissioner Leake removed this item from Consent for more public awareness and clarity. Tom Eberly, director of Criminal Justice Services addressed this matter.

(13-0974) PROCLAMATION -- COUNTY GOVERNMENT MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to proclaim April as County Government Month in Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness. Tom Eberly, director of Criminal Justice Services addressed this matter.

A copy of the proclamation is on file with the Clerk to the Board.
13-0969  CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels 023-301-01 (±3.572 acres) and 023-301-02 (±0.947 acres) on Mountain Island Lake in Charlotte from Elbert Associates for $420,000.

Note: The parcels will continue the County’s efforts at water quality protection for Mountain Island Lake which is the drinking water source for Mecklenburg County and portions of Gaston County. Additionally, the County envisions using the property as a passive, low impact waterfront park. This property is within close proximity to the County’s Haymarket Nature Preserve which is +/- 100 acres of land acquired in 2000 for watershed protection.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:02 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, 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, April 9, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour County Attorney Marvin Bethune Clerk to the Board Janice S. Paige

Absent: None

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

Chairman Cotham called the meeting to order.

The purpose of the meeting was to go into Closed Session to discuss Personnel Matter.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 2:31 p.m. and came back into Open Session at 3:10 p.m.

Commissioner Ratliff was present when the Board came back into Open Session. She entered the meeting during Closed Session.

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Chairman with the assistance of the County Attorney, to negotiate a letter of engagement with Felicia Washington to serve as Special Counsel to the Board of County Commissioners on matters related to the contract between the Manager and the County regarding the terms and conditions of his employment, and the Chairman is authorized to agree to the terms of such letter of engagement. Secondly, the Budget Director is authorized and directed to identify funds in the FY2013 budget that can be used to compensate the firm of the attorney selected to serve as Special Counsel, and the Director of Finance is authorized and directed to encumber and make payments from funds so identified.

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board, that the meeting be adjourned at 3:15 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 located at 600 East Fourth Street 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 16, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-0976, 13-0981, 13-0990, 13-0994, 13-0998, 13-1022, and 13-1024.

STAFF BRIEFINGS - NONE

(13-1008, 13-1010) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax parcel numbers 049-231-03 and 049-231-51.

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to go into Closed Session for the following purposes: Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:07 p.m. and came back into Open Session at 6:12 p.m.

Commissioner Ratliff was present when the Board came back into Open Session. She entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Dunlap to give the invocation, which was preceded by introductions and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to move agenda Item 13-1020 2011 Revaluation Review Committee Report up on the agenda, so that it could be addressed prior to the Manager’s Report.

AWARDS/RECOGNITION

(13-1004) PROCLAMATION -- VOLUNTEER RECOGNITION

The Board recognized individuals who had and were participating in Mecklenburg County’s Volunteer Program and serving on advisory boards.

Sophia Hollingsworth, Citizen Involvement Coordinator addressed the County’s Volunteer Program.

Note: Mecklenburg County and Hands on Charlotte entered into a partnership in October, 2011 to establish and operate the County’s volunteer program. Over many years, the County has had successful volunteer programs within individual departments, such as the Park and Recreation Department and the Department of Social Services. The partnership with Hands on Charlotte has enabled the County to implement a more comprehensive approach to utilize volunteer recruitment, training and management. Volunteers recruited by the County and Hands on Charlotte support County staff in the execution of their duties and, at times, provide expertise not otherwise available to County staff. Also, nearly 300 residents currently serve on 41 Board appointed advisory committees. The volunteer program is one aspect of MeckConnect, Mecklenburg County’s multifaceted strategy for increasing and enhancing citizen involvement.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation designating April, 2013 as National Volunteer Month in Mecklenburg County.

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

(13-1011) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Tom Derham extended an invitation to the AT&T Cadet Achievement Awards program on Thursday, April 18, 2013 at the Bojangles Coliseum at 6:30 p.m.

Ty Baumgartner, Coach at Olympic High School, presented Olympic’s Boys Basketball Team, winners of the State Championship.
Anthony Jones, Coach/Band Director at Harding High School, presented Harding’s Girls Basketball Team, winners of the State Championship.

Betty Anderson addressed Community Health Month and Village Heartbeat. She also announced a walk that would take place on April 27, 2013, Fitness Day on the Greenway, Planting Seeds of Wellness, at 8:00 a.m. at Wallace Pruitt Recreation Center and Wesley Heights – Irwin Greenway.

(13-0997) NOMINATIONS/APPOINTMENTS

WOMEN’S ADVISORY BOARD

The following persons were nominated for appointment consideration to the Women’s Advisory Board:

Heather Blake by Commissioner Ridenhour
Stephanie Gryder by Commissioner Dunlap
Teresa Smith by Commissioner Leake

Note: An appointment will occur on May 7, 2013.

(13-1006) APPOINTMENTS

BOARD OF EQUALIZATION AND REVIEW

Commissioner Bentley, Chair of the Board’s Ad Hoc Appointment Committee for appointments to the Board of Equalization and Review (BER), presented the Committee’s recommendations for appointment. The other committee members were Commissioners Fuller, Leake, and Ridenhour.

The Ad Hoc Committee for Board of Equalization and Review appointments made the following recommendations:

For a one-year term expiring April 15, 2014, the following nominees were recommended for appointment:
- Terri R. Orsi
- Robert Flowe
- James Calder
- Unithia McGruder
- Lee Robinette

For a two-year term expiring April 16, 2015, the following nominees were recommended for appointment:
- Cleve Daniels
- Jeff Turnbull – Mr. Turnbull was the committee’s recommendation for Chair of the BER.
- Rufus Hutchinson
- J.D. Willoughby
- Paul Bass
For a three-year term expiring April 16, 2016, the following nominees were recommended for appointment:

- Bruce Miller
- Lee Teague
- Nick Vilord
- Joel Levy – Mr. Levy is the committee’s recommendation for Vice Chair of the BER.
- Kathy Davis

A copy of the Ad Hoc Committee’s recommendation letter is on file with the Clerk to the Board.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake, to approve the Ad Hoc Appointment Committee’s recommendations for appointments to the Board of Equalization and Review as recommended.

Commissioner Dunlap asked that the motion be divided into three parts and a vote taken on each nominee rather than as a group.

Commissioner Dunlap expressed concern for diversity amongst those recommended for appointment to the Board of Equalization and Review (BER) by the Board’s Ad Hoc Appointment Committee. Commissioner Dunlap said for him diversity was not just about race, but in thought and ability. Commissioner Dunlap said per his review of those recommended, he noticed that only two were democrats. He said philosophically democrats tend to want to support government and that republicans tend to want to reduce government. Commissioner Dunlap said the Ad Hoc Committee’s recommendation had an “overwhelming majority of people who would want to reduce government at all cost.”

Commissioner Dunlap addressed the purpose of revaluation. Commissioner Dunlap said if the majority of the people believe “you’re taxed too high or that your tax value is too high, it reduces the revenue.” Commissioner Dunlap said the Ad Hoc Committee’s recommendation for membership did not include diversity in thought. He said it appeared there were people who were “liked minded and when that happens chances are, that the likelihood of reduced values will be permeated among the members of the board.”

Commissioner Dunlap said with respect to the prior BER that was not the case. Commissioner Dunlap questioned whether the members of the BER as recommended would be “fair according to their philosophy or belief or fair to the taxpaying citizens or fair to the community.” Commissioner Dunlap said he did not think that was taken into consideration when selecting the membership.

Commissioner Bentley and other members of the Ad Hoc Committee expressed their thought process when going through the interview process. They said political affiliation never crossed their minds. The members of the committee expressed how taking into consideration of one’s political affiliation would not have been the right thing to do. It was noted also, that members of the committee had no idea what an applicant’s political affiliation was.

Commissioner Dunlap, after further discussion, said he would be amenable to voting on the one (1) year and two (2) year nominees as a group and nominees for three (3) year terms individually.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Dunlap voting no, to appoint Terri R. Orsi, Robert Flowe, James Calder, Unithia McGruder, and Lee Robinette to the Board of Equalization and Review for a one-year term expiring April 15, 2014.
Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Dunlap voting no, to appoint Cleve Daniels, Jeff Turnbull, Rufus Hutchinson, J.D. Willoughby, and Paul Bass to the Board of Equalization and Review for a two-year term expiring April 16, 2015.

The vote was then taken on the following nominees as recommended by the Ad Hoc Appointment Committee:

Bruce Miller Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour

Bruce Miller received at eight votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Lee Teague Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Lee Teague received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Nick Vilord Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Nick Vilord received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Joel Levy Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Joel Levy received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Kathy Davis Commissioners Bentley, Cotham, Fuller, James, Leake, and Ridenhour

Kathy Davis received six votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Jeff Turnbull as Chair of the Board of Equalization and Review for the duration of his term.

Motion was made by Commissioner Bentley, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Joel Levy as Vice-Chair of the Board of Equalization and Review for the duration of his term.


(13-1019) APPOINTMENT - TOWN OF MINT HILL PLANNING BOARD
Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Tom Gatz to the Mint Hill Planning Board as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a term expiring June 30, 2014.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1020) 2011 REVALUATION REVIEW COMMITTEE REPORT

The Board received a report from the Board of County Commissioners’ 2011 Revaluation Review Committee. Commissioner Bentley, chair of the Committee, gave the report. The other members of the Committee were Commissioners Fuller, Leake, and Ridenhour.

Commissioner Bentley reviewed a preliminary draft of a Taxpayer Guide to the Board of Equalization and Review Hearing Process that will be provided to the Board of Equalization and Review.

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

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

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-0999) FY13 SERVICE AND RESOURCE DEMAND

The Board received a report on service and resource demand trends and potential implications for the FY14 budget. Monica Allen, Performance & Evaluation Manager gave the report. The report covered the following service areas: Human Services, Recreation, and Land Development.

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

Comments

County Manager Jones acknowledged the report did not address the known trends with respect to education services.

County Manager Jones said he was trying to get his “arms around” the question of what was the “real” poverty rate that existed in Mecklenburg County. County Manager Jones said what tended to happen was that the services the County had to provide was an extension of what the poverty rate was in the community.

Chairman Cotham asked County Manager Jones to define poverty rate. County Manager Jones said poverty rate referred to those individuals who lived at or below the federal poverty level.

Commissioner Clarke said the federal poverty guidelines for a family of four was $23,550.
Commissioner Clarke asked was the Medicaid data in the report inclusive of everyone on Medicaid, including those living in nursing homes. Director Allen said she wasn’t sure, but it did include families and children. Director Allen said she would find out if it included those in nursing homes.

Commissioner Clarke asked that in subsequent reports regarding Medicaid that it be broken down or clarified as to whether the Medicaid data included those in nursing homes.

Commissioner Clarke said there was a general misconception that Medicaid dollars were mainly spent on “poor” people of working age for healthcare and children. Commissioner Clarke said the “big” dollars were spent on persons in nursing homes.

Commissioner Leake asked if the homeless received Medicaid. Director Allen said she would find out.

Commissioner Ridenhour commented on Food Stamps and asked about the impact on the upcoming budget. County Manager Jones addressed the question.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

(13-1013) CMS PROPOSED SECURITY PROJECT

The Board received a briefing from Charlotte-Mecklenburg Schools (CMS) on a proposed security project.

Note: CMS was considering a series of security upgrades at local schools. The upgrades being considered were developed by a team that included CMS, law enforcement and information technology staff. CMS was requesting the County to fund these items as part of the FY2014 capital program.

The following CMS staff presented the report: Millard House, Chief Operating Officer, Dr. Valerie Truesdale, Chief Information Officer, Principals Jeremy Batchelor from James Martin Middle School, Eric Ward from West Mecklenburg High School, and Raymond Giovanelli from Grand Oaks Elementary School, CMS Police Chief Vincent P. Cesena and Police Chief Rob Hunter, Town of Matthews. The following was covered:

- Current Security Measures
- CMS Police Department 24-Hour Monitoring
- Ongoing Security Measures
- Goal: Enhance Security of Children and Staff
- Collaborative Partnerships
- Key Features of Security Enhancement Proposal
  - Secure identification system, including electronic access
  - Visitor management system
  - Student and staff identification in all schools
- Benefits of Features
  - Improved Communications with First Responders
  - Security Cameras
  - Video Monitoring
- Component Costs
- Annual Recurring Costs
- Timeline
Mr. House said CMS was pleased that if the Security Proposal was supported by the Board of County Commissioners that it would not effect existing capital projects that were “already on the table” from the 2007 Bond.

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

Commissioner Bentley returned to the dais.

Comments

Commissioner Leake asked was the entrance shown in the presentation with respect to electronic access, bullet proof glass. Mr. House said the glass was not bullet proof. He addressed how the electronic access would work.

Commissioner Leake asked about monitoring of the hallways by teachers, which was addressed.

Commissioner James asked about ID cards and what would happen if a student lost their card or swapped their card. Also, how would CMS know if the person using a card was indeed that person. Mr. House addressed this question.

Commissioner James suggested at some point CMS give thought to fingerprint scanners or something that would allow CMS to actually identify movement of students within the building.

Commissioner Ratliff asked about security with respect to walking zones, the areas where students walk to school. She asked that be taken into consideration as well.

The following persons spoke in support of CMS’ security proposal: Bill Anderson, Executive Director of MeckEd and Harold Dixon with the PTA. Mr. Anderson also noted the importance of School Resource Officers.

Commissioner Ridenhour asked about the annual cost associated with vandalism on school property, which was addressed.

Commissioner Ridenhour asked about afterhours access for school activities, which was addressed by CMS Police Chief Cesena.

Commissioner Ridenhour asked about feedback received from other areas of the country where these types of measures had been put in place, which was addressed.

Commissioner Ridenhour expressed concern for the human element in all of this.

Commissioner Ridenhour asked about input from security firms. CMS Police Chief Cesena said they consulted with U.S ISS, a local security firm, as well as, with the Department of Homeland Security.

Commissioner Bentley asked was there any evidence to show that the use of this proposed plan deterred bullying. Eric Ward, Principal at West Mecklenburg High School said there was no evidence, but when students know there are cameras around, it deters it somewhat.

Commissioner Bentley asked what was being done on school campuses to deter bullying. Raymond Giovanelli, Principal at Grand Oaks Elementary School and Eric Ward, Principal at West Mecklenburg High School addressed this.
Chairman Cotham asked about the use of security experts in the development of the proposed plan, which was addressed.

Chairman Cotham asked about the monitoring of cameras, which was addressed.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

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

**13-1014) CPCC PROPOSED CAPITAL PLAN**

The Board received a briefing from Central Piedmont Community College (CPCC) on a Proposed Capital Plan. Dr. Tony Zeiss, President of CPCC and Dr. Kathy Drumm, Vice-President gave the report.

*Note: Central Piedmont Community College (CPCC) has a proposed capital plan designed to address its need for additional space to accommodate current and future enrollment growth, academic program growth and to increase assignable square footage per FTE consistent with existing capital standards. The plan consists of approximately 20 projects ranging from land acquisition to new facilities. The plan contemplates increasing space by 1.2 million square feet and rehabilitating 235,000 existing square feet. It is anticipated that CPCC will request that the Board of County Commissioners approve a bond referendum for a portion of this plan for November 2013.*

The following was covered:
- CPCC’s Focus
- Student Population
- Campus Locations
- Partnership with the County
- Outreach Efforts
- Citizens Capital Budget Advisory Committee Capital Standards
- Academic Program Planning
- Future High Growth Programs
- Enrollment Projections
- Updated List of Projects
- Impact on Programs and Students Served
- Why CPCC Needs More Space

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

**Comments**

Commissioner Dunlap asked how many years would it take for CPCC to complete what it had proposed based on the County’s priority setting. *Dr. Zeiss said ten years.*

Commissioner Dunlap asked what would be the consequence of waiting ten years. *Dr. Zeiss said students would have to be turned away, which was currently occurring in some instances.*

Commissioner Dunlap asked about CPCC’s prioritization and particularly land acquisition. He asked why land acquisition not the “top” priority since land costs increased every year. *Dr. Drumm addressed this question.*
Commissioner Dunlap asked about land bonds, separate and apart from other bonds to build buildings and whether there was any additional dollars set aside or already approved in that category. Finance Director Dena Diorio said there were some outstanding land bonds and that she would provide the amounts at a later date. Finance Director Diorio addressed how land acquisition bonds had been handled in the past.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

(13-1025) CATAWBA RIVER DISTRICT CHICKEN TRACTOR PARTNERSHIP WITH CMS

The Board received a presentation from Edna Chirico, Executive Director of the Catawba River District, regarding the work of the Catawba River District, including its Chicken Tractor partnership with Charlotte-Mecklenburg Schools. The following was noted with respect to the Chicken Tractor partnership:

Note: Randy Klocke and his wife, Cynthia, own Rooster Hill Farms, a local multi-faceted farm in China Grove, North Carolina. Their farm provides all the locally-grown eggs to Healthy Home Markets in Charlotte and The Bradford Store in Huntersville. Randy is the designer and builder of a portable chicken coop - called a "HenPen" or "Chicken Tractor." Rooster Hill Farms is donating a Chicken Tractor to the Catawba River District. The Catawba River District is making this Chicken Tractor available for use by 11 schools in its regional partnership to support education, food awareness, health and wellness and sustainability. The Chicken Tractor will enhance the schoolyard garden experience. Schools will be invited to sign up to host the Catawba River District Chicken Tractor (CRDCT) on a weekly basis. The Catawba River District will transport the Chicken Tractor to and from the school sites and maintain the Chicken Tractor over the weekend and during the summer - unless requested at summer school programs.

Ms. Chirico said the purpose of the presentation was to make the Board aware of what the Catawba River District was doing and to seek the Board’s advocacy and encouragement of continued staff involvement with the Catawba River District.

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

Comments

Commissioner Ridenhour asked about regulations with respect to growing food on school property and not being able to serve it in the cafeteria. Ms. Chirico addressed state regulations regarding that.

STAFF REPORTS & REQUESTS

(13-0987) COLLABORATIVE COMMUNITY PLAN 2013

The Board received a report on a proposed Collaborative Community Plan. Leslie Johnson, Associate General Manager and Heidi Pruess with LUESA gave the report. Brian Collier with the Foundation for the Carolinas also participated in the presentation. The following was noted:

- City and County staff hired the International City/County Management Association (ICMA) to conduct a feasibility study for a community plan.
- County and City staff recommend adopting a hybrid of the ICMA feasibility study results toward the development of a Collaborative Community Plan. The hybrid approach includes:
  - Phased development of a visionary framework followed by a Collaborative Community Plan
Establishment of an executive level oversight committee
Establishment of a series of citizen workgroups
Robust community engagement

- The total cost of this initiative is estimated to be $300,000.
- The City of Charlotte and Mecklenburg County have agreed to share the cost.
- A funding application with The Foundation For The Carolinas will be submitted for $100,000 that, if approved, would equally reimburse the City of Charlotte and Mecklenburg County.
- At one of its meetings this month, the Charlotte City Council will also be asked to approve developing the Collaborative Community Plan and $150,000 for financial support of this effort.
- The deadline for submitting the grant application to The Foundation for the Carolinas is the end of April, with a decision on the grant funding made in early June.

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

Comments

Commissioner Leake asked how would the proposed plan address homelessness, housing needs, health issues, food deserts, etc. in the community. Ms. Pruess said at this point in the process, specific issues had not been identified because the desire was to allow the community to guide staff on what they saw as priorities that would be a part of the vision and the plan.

Commissioner Leake asked about the funding of the Plan. Ms. Pruess addressed the question.

Commissioner Bentley said she could not support the proposed Plan for philosophical reasons.

Commissioner Bentley referenced the Board’s approval of a $5 million grant received from HUD a few years ago. She asked would that not support the funding of the work staff was doing since it was really “the same end game.” Ms. Pruess said there was a difference between the Connect Our Future Regional Development Plan and what was being proposed. She said what was being proposed was Mecklenburg county specific and might include the topic areas addressed in the Connect Plan, as well as, additional topics.

Commissioner Bentley asked at what point would the Plan come back to the Board for approval and/or what would be the Board’s level of accountability. Ms. Pruess said staff would like to include elected officials in the public engagement process in developing the vision and plan. She said the vision would come back to the Board for approval and the next step would be development of the Plan.

Commissioner Ridenhour asked about the expected measureable result(s) as a result of this project. Ms. Pruess and Mr. Collier addressed this question.

Commissioner Ridenhour asked what all would be encompassed in this project. Ms. Pruess addressed this question. She said it would start with the Quality of Life Study.

Commissioner Ridenhour also asked about the difference between what was being proposed and the Connect Our Future Regional Plan, which was addressed.

Commissioner Bentley asked since transportation and housing could be areas of the proposed plan, did that mean that ultimately this plan or however it may “dovetailed” with the regional plan, could drive where roads, rail, and houses were built. Ms. Pruess said it was not envisioned to “get down” to that level.
Commissioner Fuller said a community vision was needed, however, he questioned the intent of the plan and whether the city, county, and towns were on the same page with respect to what the intent of the plan was.

Commissioner Fuller said he wasn’t sure if the project as outlined would meet the goal of having a comprehensive community vision. Commissioner Fuller said there were political and financial consequences to such a plan.

Commissioner Fuller asked Ms. Pruess to define sustainability.

Ms. Pruess said the intent of the proposal was to go beyond even what the traditional definition of sustainability was with the social, environmental and economic components and to include things like education, health, and specific issues in the community that identify where we want to be in the future as a community.

Chairman Cotham addressed the benefits of having a community plan, including the financial benefit.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner Bentley voting no, to approve development of a Collaborative Community Plan and authorize the County Manager to proceed with Phase I: Framework and subsequent Phase II: Collaborative Community Plan, including: Supporting a partnership of the City of Charlotte, Mecklenburg County Towns, and the Foundation For The Carolinas in citizen involvement toward creating the Framework and Collaborative Community Plan; and approval to submit a grant funding application to the Foundation For The Carolinas for up to $100,000 to support this effort, and recognize, receive and appropriate grant funds if awarded.

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

(13-0989) MECKLINK MONTHLY UPDATE -- CLAIMS PROCESSING AND PAYMENT

The Board received an update on MeckLINK Behavioral Healthcare Medicaid Waiver operations. Phil Endress, Director of MeckLINK Behavioral Healthcare and staff member Faye Sanders gave the update, which focused on March operations, Claims Processing and Payment to Providers.

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

Comments

Commissioner Clarke noted the State Department of Health and Human Services’ termination of a Medicaid Waiver contract with an equivalent organization in the western region of the state. Commissioner Clarke said he assumed the termination occurred because the organization was not controlling the expenditure of funds. Commissioner Clarke asked was staff controlling MeckLINK’s spending. Director Endress said yes, both through the utilization management process and the authorization process.

Director Endress said Western Highlands received a letter from the State asking that they cease operations at the end of July. He said Western Highlands, however, had been given a reprieve to develop a new pilot project that would combine primary healthcare and behavioral healthcare.

Commissioner Bentley asked about benchmarking. Director Endress said no benchmarking had occurred at this time.
Commissioner Dunlap asked was staff confident that claims would be paid timely, thus the County would avoid paying the 8% interest cost that would have to be paid to a provider if a claim was not paid within the 30 day time period. Ms. Sanders said a concerted effort was made every week to process claims to avoid getting to that stage. Ms. Sanders noted that the 8% interest was only applicable to “approved” claims.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

(13-1021) RYAN WHITE ADVISORY BOARD/PLANNING COUNCIL

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to defer until the May 7, 2013 meeting, receipt of information on the requirements for establishing a planning council for the Charlotte Transitional Grant Area (TGA) for Ryan White Part A Program.

(13-1008) CLOSED SESSION - LAND ACQUISITION - CHARLOTTE MECKLENBURG SCHOOLS ACQUISITION

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve acquisition of the Newell Elementary replacement school site at 431 Rocky River Road, tax parcel numbers 049-231-03 and 049-231-51(±22.804 acres), for $932,400 or $40,887.56/acre by the Charlotte-Mecklenburg Board of Education from Stewart Investments, LLC and Sara C. Stewart, trustee of the Revocable Trust.

Note: CMS plans to build a replacement school for Newell Elementary on the site.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve the following item(s):

(13-0983) DONATION TO PARALYMPIC SPORTS CLUB

Recognize, receive and appropriate a $1,146 donation from Mark Oil to the Paralympic Sports Club - Metrolina.

Note: The Paralympic Sports Club - Metrolina is a program offered under Mecklenburg County Park and Recreation / Therapeutic Recreation Section. This program is offered in partnership with the US Olympic Committee (Paralympics Sports). The primary goal of the partnership is to provide a community-based program aimed at involving youth and adults with physical and visual disabilities in sports and physical activity, regardless of skill level. The $1,146 donation is earmarked to be used to enhance the ability of the Paralympic Sports Club to provide programs to community members. The donation from Mark Oil is part of BP Oil’s Fueling Communities initiative, whereby BP provides grant funding every year to more than 11,000 of its local BP Station owners to support a local organization’s efforts in health, education, youth and housing.
(13-0985) CONSTRUCTION CONTRACT -- BALLANTYNE DISTRICT PARK ATHLETIC FIELD LIGHTING

Award a construction contract to MUSCO Sports Lighting, LLC in the amount of $545,000 for the construction of Ballantyne District Park Athletic Field Lighting.

(13-0988) PROCLAMATION -- "NO TEXT ON BOARD - IT CAN WAIT" DAY

Adopt a proclamation designating Thursday, April 18, 2013 as "No Text on Board - It Can Wait" Day in Mecklenburg County.

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

(13-0991) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE

Approve an amendment to the Mecklenburg County Solid Waste Fee Ordinance

* Note: A second reading will be required before being approved because all nine Commissioners were not present at the time this matter was voted upon. This matter will be on the Board's May 7, 2013 agenda.

(13-0992) TAX REFUNDS

Approve refunds in the amount of $2,124,768.61 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

* A list of the refund recipients is on file with the Clerk to the Board.

(13-0993) DECLINE RIGHT OF FIRST REFUSAL TO CMS PROPERTY -- PARCEL #019-261-27

Authorize the County Manager to decline the County's statutory right of first refusal for a portion of parcel 019-261-27 (+/- 1.7 acres) owned by the Charlotte-Mecklenburg Board of Education, to permit conveyances of tracts to SMB Auburn LLC.

* Note: By State statute, the County must decline or waive its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. BSSA-Asset and Facility Management has determined that there is no County use for the subject property. Charlotte-Mecklenburg Schools (CMS) proposes to exchange small areas of vacant land with SMB Auburn LLC, the developer of an adjacent subdivision. This exchange will allow the creation of additional BMP storm drainage needed at the future elementary school. The school will gain access to a creek for educational purposes.

(13-0995) LEASE AMENDMENT -- ATRIUM CORPORATE CENTER (MECKLINK)

Authorize the County Manager to negotiate and execute a lease amendment with WCRT Atrium, LLC for Information Technology staff office space to support MeckLINK Behavioral Healthcare.
(13-0996) NORTH MECKLENBURG PARK LAND CONVERSION – NCDOT HIGHWAY PROJECT

(1) Authorize the County Manager to convey a +/- 0.0647 acre portion of Tax Parcel 009-111-19 for right-of-way, and grant a permanent utility easement of +/- 0.0413 acres to the North Carolina Department of Transportation (NCDOT) for a highway widening project along Old Statesville Road (NC Highway 115) adjacent to North Mecklenburg Park in Huntersville.

(2) Recognize and receive payment from NCDOT in the amount of $8,475 for the right-of-way and permanent utility easement.

(3) Authorize the Park and Recreation Director to designate a portion of Tax Parcels 023-301-01 and/or 023-301-02 (property to be acquired for park purposes on Mountain Island Lake) with a value of at least $8,475 as Land and Water Conservation Funded (“LWCF”) property; the LWCF land restriction would be that the land would be used in perpetuity for public outdoor recreation.

(13-1001) LEASE ASSIGNMENT FOR THE WIC PROGRAM

Authorize the County Manager to execute a "Consent to Assignment of Lease" from Carolinas Healthcare System to the County for office space for the Women, Infants and Children (WIC) Program.

(13-1002) MINUTES

Approve minutes of Regular meeting held Tuesday, April 2, 2013 and Closed Session held April 2, 2013.

(13-1007) RECEIPT OF PROPERTY -- SHERIFF’S OFFICE

Approve the receipt of property from The City of Charlotte from the distribution of 2012 Democratic National Convention-related equipment purchased using grant funds from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), and authorize the Sheriff of Mecklenburg County to sign the "Agreement for the Disposition of City Property" as the Recipient Governmental Unit." The following equipment valued at $184,429.40 will be received by the Mecklenburg County Sheriff’s Office:

- Mobile Field Force Protective Gear
- Premier Crown 9069 Helmet
- Safari Land Spit Hoods
- Sony Video Cameras with telemetrics control panels
- Guardian Property/Evidence Packaging System
- Morphotrak 10-print palm system
- Medical Shears

THI S C O N C L U D E D I T E M S A P P R O V E D B Y C O N S E N T

(13-0976) RECORDS RETENTION AND DISPOSITION -- REGISTER OF DEEDS OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes,
APRIL 16, 2013

to approve the Records Retention and Disposition Schedule dated October 10, 2012 for the Register of Deeds Office and authorize the Board Chairman to sign the approval sheets.

Commissioner Leake removed this item from Consent for more clarity. County Attorney Bethune addressed this item.

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

(13-0981) CAPITAL RESERVE EXPENDITURE REQUEST -- MCDOWELL PARK

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize and appropriate expenditure not to exceed $10,350 from the McDowell Park Capital Reserve Account for renovations and improvements to the McDowell Campground.

Commissioner Leake removed this item from Consent for more public awareness.

(13-0990) LANDSCAPE ARCHITECT/ENGINEER SELECTION -- LITTLE SUGAR CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate fees and execute a contract with Stewart for design services for Little Sugar Creek Greenway, Phase E and in the event that negotiations with that firm are unsuccessful, authorize negotiations with the second ranked firm.

*Note: The second ranked firm was Kimley-Horn and Associates.*

Commissioner Leake removed this item from Consent for more public awareness.

(13-0994) DECLINE RIGHT OF FIRST REFUSAL TO CMS PROPERTY – PARCEL #117-052-01

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize County Manager to decline the County’s statutory right of first refusal for a portion of parcel 117-052-01 (±0.2943 acres) owned by the Board of Education, to permit a conveyance of tract to the City of Charlotte.

*Note: By State statute, the County must decline or waive its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. The City of Charlotte would like to acquire 12,831 square feet of tax parcel 117-052-01 from the Board of Education to be used as right-of-way for the future Ashley Road extension at the southwest corner of the intersection of Wilkinson Boulevard and Ashley Road.*

Commissioner Leake removed this item from Consent for more public awareness.

(13-0998) DESTRUCTION OF DOCUMENTS -- DSS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve the destruction of records by the Department of Social Services (DSS) in accordance
APRIL 16, 2013

with State requirement and applicable County policy.

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

Commissioner Leake removed this item from Consent for more public awareness.

(13-1022) BUDGET AMENDMENT -- POSITIVE PARENT PROGRAM (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to:
1. Recognize, receive and appropriate $208,988 in additional revenue for the Health Department for the implementation of Triple P (Positive Parenting Program) services in Mecklenburg County.

2. Approve establishing a program coordinator position that will be responsible for implementing the Triple P services in collaboration with County and private youth service providers in the County.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1024) TANGER/SIMON OUTLET CENTER INFRASTRUCTURE REIMBURSEMENT AGREEMENT

Commissioner Clarke asked to be excused from voting on Item 13-1024 Tanger/Simon Outlet Center Infrastructure Reimbursement Agreement to avoid a conflict of interest. Commissioner Clarke acknowledged that his firm represented this company.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to excuse Commissioner Clarke from voting on Item 13-1024 Tanger/Simon Outlet Center Infrastructure Reimbursement Agreement to avoid a conflict of interest.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to adopt the Resolution Approving a Tax Increment Grant for Tanger/Simon Outlet Center and an Interlocal Agreement Between the City of Charlotte and Mecklenburg County.

Commissioner Leake removed this item for more public awareness.

Resolution recorded in full in Minute Book _____ Document # ______.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:59 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk Patricia “Pat” Cotham, Chairman
MAY 7, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 7, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, Trevor Fuller,
Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
County Manager Harry L. Jones, Sr.
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner George Dunlap

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1000, 13-1015, 13-1029, 13-1030, 13-1031, 13-1040, and 13-1041.

STAFF BRIEFINGS - NONE

(13-0927, 13-1009, 13-1044, 13-1074) CLOSED SESSION – TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1), BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Motion was made by Commissioner Fuller, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1), Business Location and Expansion, Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 8:01 p.m.
Commissioner Leake was present when the Board came back into Open Session. She entered the meeting during Closed Session.

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

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She asked for introductions around the dais and then recognized Commissioner Fuller to give the invocation, which was followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

(13-1074) CLOSED SESSION – PERSONNEL MATTER – COUNTY MANAGER TERMINATED

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 6-2 with Commissioners Bentley, Cotham, Fuller, James, Leake, and Ridenhour voting yes and Commissioners Clarke and Ratliff voting no, to terminate the employment of County Manager Harry L. Jones, Sr. effective immediately, without cause, according to his contract.

Chairman Cotham asked former County Manager Jones to leave the dais. She informed him the County’s Human Resources Department would contact him regarding benefits he was eligible for and that his office would be secured and personal belongings delivered to his home.

Former County Manager Jones asked Chairman Cotham if he could make some remarks before leaving the dais.

Chairman Cotham denied the request.

Former County Manager Jones left the dais.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ridenhour, and Ratliff voting yes to, go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 8:11 p.m. and came back into Open Session at 8:45 p.m.

Commissioner Ratliff was absent when the Board came back into Open Session and for the remainder of the meeting.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to appoint General Manager Bobbie Shields as Interim County Manager effective immediately and with a 10% pay increase.

AWARDS/RECOGNITION - NONE

MANAGER’S REPORT

(13-1032) CMS PROPOSED CAPITAL PLAN
The Board received a report from Charlotte-Mecklenburg Schools (CMS) on CMS’ Three-year Capital Improvement Proposal. School Superintendent Dr. Heath Morrison presented the proposal.

Note: Charlotte-Mecklenburg Schools (CMS) has a proposed capital plan that would expand magnet, career and technical offerings, add seats to an early college program and renovate or replace older buildings. In addition, the proposal includes building three new K-8 schools and expanding other facilities to relieve over-crowding. The proposal, which is part of a larger ten-year capital plan, would cost approximately $400 million and includes 25 projects. It is anticipated that CMS will request that the Board of County Commissioners approve a bond referendum for a portion of this plan for November 2013.

The following was covered:

- Recommission Oakhurst and Starmount Elementary Schools
- Olympic High School Addition/Renovations
- J.M. Alexander Middle School Replacement
- Albemarle Road K-8 School
- Berryhill/Reid Park PreK-8 School Relief
- Classroom Building on CPCC Campus
- Northwest School of the Arts
- Myers Park High School Addition/Renovation
- Nations Ford Elementary Replacement School
- East Mecklenburg High School Addition/Renovation
- Pre K-8 Additions/Renovations
- South Mecklenburg High School Renovations/Additions
- Career and Technical Education Facility Upgrades
- Davidson K-8 Conversion
- South K-8 STEAM and Enrollment Relief
- Statesville Road Elementary Replacement School
- Selwyn Elementary School
- Northridge Middle School Addition
- Critical projects outside the funding threshold
- New Math and Science Magnet High School

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

Following the presentation, Dr. Morrison addressed questions and received comments from Board members.

It was the consensus of the Board to allow those that had signed up to speak to do so by individual schools represented by one speaker.

The following persons spoke in support of their respective schools and CMS’ Capital proposal:

- **Autumn Michael** – Davidson K-8
- **Erin Pushman** – Huntingtowne Farms Neighborhood (support of plan to relieve overcrowding)
- **Ward Snyder** – Myers Park High School
- **Michael Murdock** – Olympic High School
- **Karen Staley** – Montclaire Elementary School & Starmount reopening
- **Toni Dunn** – Statesville Road Elementary
- **Alison Boulding** – Druid Hills Academy (also supports reopening some of the schools that were closed)
- **Ricky Hall** – Reid Park Elementary
Matthew Hayes  North Mecklenburg High School, J. M. Alexander Middle School and Career and Technical Education Facility Upgrades

This concluded the discussion. No action was taken or required at this time.

(13-1054) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

John H. White spoke in opposition to the manner in which former County Manager Jones was dismissed.

MANAGER’S REPORT

(13-1047) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 5-2 with Commissioners Bentley, Clarke, Cotham, James, and Ridenhour voting yes and Commissioners Fuller and Leake no, to approve amendments to the Mecklenburg County Park and Recreation Facilities Ordinance, to include the version of SECTION 29 as proposed by Commissioner Bentley, which would read as follows:

$ 500.00  
SECTION 29: No person except duly authorized local, State or federal law enforcement officers, and duly authorized County employees or officers shall carry, possess or discharge any type of firearm, handgun, explosive device, air guns of any description (BB guns, paintball guns, pellet guns etc.), or bowie knife, dirk, dagger, slung shot, sling shot, ledged cane, switchblade knife, blackjack, metallic knuckles, razor, shurkin, stun gun, or deadly weapon as defined in the North Carolina General Statutes within any park unless authorized by permit issued by the Director or except as provided in SECTION 29.1.

SECTION 29.1: The prohibition in SECTION 29 does not apply to carrying a concealed handgun in accordance with N.C.G.S. 14-415.11 in any place in a Park.

SECTION 29.2: Sections 29 and 29.1 do not apply to any Parks, including playgrounds, recreation centers, or greenways, located on property leased by the County from any "School" as defined in N.C.G.S. 14-269.2, which statute contains separate State statutory prohibitions against carrying weapons, including concealed handguns, on educational properties.

Prior to the above vote, County Attorney Bethune addressed this matter, as well as, Commissioners Ridenhour and Bentley. Both Commissioners proposed amendments to Section 29.

Ordinance recorded in full in Minute Book _____ Document # _____.

ADVISORY COMMITTEE REPORTS

(13-1049) CITIZENS CAPITAL BUDGET ADVISORY COMMITTEE – CAPITAL STANDARDS
The Board received a report from the Citizens Capital Budget Advisory Committee (CCBAC). Cynthia Bush, Chair of the CCBAC and Eric Sieckmann gave the report. The following was covered:

- The Committee’s Charge
- Composition
- Approach
- Proposed Capital Standards
- Next Steps

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

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to approve recommended capital standards developed by the Citizens Capital Budget Advisory Committee (CCBAC) for Park and Recreation, Central Piedmont Community College (CPCC) and the Charlotte Mecklenburg Library.

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

Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to defer consideration of the remaining items on the agenda until the May 21, 2013 meeting.

Below is the list of the remaining items.

- (13-1035) APPOINTMENTS
- (13-1062) ADVISORY BOARD 2012 ATTENDANCE REPORTS

**STAFF REPORTS & REQUESTS**

- (13-1021) ITEM WAS REMOVED FROM THE AGENDA - RYAN WHITE ADVISORY BOARD/PLANNING COUNCIL
- (13-1043) MECKLINK MONTHLY UPDATE -- CARE COORDINATION
- (13-1048) SECOND HARVEST FOOD BANK EXPANSION
- (13-1056) HEALTH DEPARTMENT FEE SCHEDULE

**COUNTY COMMISSIONERS REPORTS & REQUEST**

- (13-1077) COUNTY ASSESSOR POSITION - CHAIRMAN COTHAM
- (13-1078) STRUCTURE OF MECKLENBURG COUNTY GOVERNMENT - CHAIRMAN COTHAM

**CONSENT ITEMS**

- (13-0991) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE - SECOND READING
ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:58 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 located at 600 East Fourth Street 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 21, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1000, 13-1012, 13-1029, 13-1040, 13-1041, 13-1060, 13-1081, and 13-1073.

STAFF BRIEFINGS - NONE

(13-1083, 13-1089, 13-1108) CLOSED SESSION – CONSULT WITH ATTORNEY, LAND ACQUISITION AND PERSONNEL MATTER

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel #015-223-12 and Tax Parcel #199-491-04.

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, and Ratliff voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Land Acquisition and Personnel Matter.

The Board went into Closed Session at 5:12 p.m. and came back into Open Session at 5:50 p.m.

Commissioners Leake and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Fuller to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

POINT OF PRIVILEGE REQUESTED

Commissioner Clarke asked Chairman Cotham for a point of personal privilege, so that he could make a personal comment.

Chairman Cotham denied the request and said it was not in order.

Commissioner Clarke questioned the denial. He stated that in the past, commissioners had been allowed to do so.

Chairman Cotham said per consultation with the County Attorney regarding a point of personal privilege during a meeting, the request was not in order.

Chairman Cotham asked County Attorney Bethune to comment.

County Attorney Bethune said Roberts Rules of Order allowed for personal privilege but the way it was commonly used by local governing bodies was not consistent with Roberts Rules of Order.

County Attorney Bethune said normally points of personal privilege dealt with things that were on the agenda or the environment, such as, the lighting or temperature in the room. County Attorney Bethune said it was really not designed for people to talk about things that were unrelated to the meeting or the environment.

County Attorney Bethune said he noted in his correspondence to Chairman Cotham that a point of personal privilege was commonly used the way that it had been in the past, however it had not been used in the way that Roberts Rules of Order stated it should be used.

After hearing from County Attorney Bethune, Chairman Cotham ruled the request out of order as she’d previously stated.

Commissioner Fuller said his understanding was that a member had a right to raise a point of personal privilege and that it took precedent over other motions. Further, that one of the subjects that could be raised as a matter of personal privilege was, for example, the conduct of members or of the meeting; thus, broader than what was described by County Attorney Bethune. Commissioner Fuller said he thought raising the issue of a point of personal privilege was not debatable and interrupts the business of the meeting.

County Attorney Bethune said normally the chairman would hear what the subject matter was before ruling the request out of order.

County Attorney Bethune said it was used frequently broader than what Roberts Rules of Order stated.
Chairman Cotham said it was her understanding that if a commissioner wanted to appeal the decision of the chairman, they could do so with the vote of six members of the Board.

Commissioner Dunlap said that was his understanding as well that the commissioner making the request could appeal to the full board. He said the full board would then vote with respect to the request to speak.

Commissioner Fuller said he wanted clarification on whether or not a point of personal privilege could be raised and if so, in what manner.

Commissioner Clarke said he was a little “flabbergasted” because in the past the Chairman granted a point of privilege to members who just wanted to say something that was on their mind without any inquiry about what it was. Commissioner Clarke said Chairman Cotham was not being consistent.

County Attorney Bethune said he hoped his response to Chairman Cotham was not taken to mean that all requests for a point of personal privilege were out of order. County Attorney Bethune said when he responded what he was saying was that the way it was “frequently” used was inconsistent with Roberts Rules of Order.

County Attorney Bethune said not having heard what the subject matter was, it was difficult to say whether the request was consistent with Roberts Rules of Order or not.

County Attorney Bethune said it was correct that a commissioner making the request could appeal the decision of the chairman to the full board.

Commissioner Clarke appealed the decision of the chairman.

Commissioner James asked what the topic was.

Commissioner Clarke said he would disclosed the topic if granted the opportunity to speak to it.

County Attorney Bethune said he would research Roberts Rules of Order to see if the topic had to be disclosed prior to voting on the appeal.

Commissioner Dunlap echoed Commissioner Clarke’s earlier comment that going forward, he hoped the Chairman would be consistent in her ruling with respect to the question of raising a point of personal privilege.

County Attorney Bethune said it appeared from his review of Roberts Rules of Order that “if a member had the floor and they indicate that they would “rise to a question of privilege affecting the assembly or to a question of personal privilege” the chair then directs the member to state his question of privilege, at which point in time, the chair can either rule in order or out of order.” Thus, it appears that the member is at least able to state the question of privilege.

County Attorney Bethune said this rule was really designed for the U.S. House of Representatives, a huge legislative body.

Commissioner Clarke said he was still confused on what standard the Chairman was using with respect to his question of personal privilege.

Chairman Cotham said she was going by Roberts Rules of Order, per information received from the County Attorney.
County Attorney Bethune said he would send the information provided to Chairman Cotham to all members of the Board.

Commissioner Clarke withdrew his appeal and asked that the Chairman be consistent going forward.

Commissioner Fuller said he had a point of personal privilege to make. He said it was his understanding of Roberts Rules of Order that a member could request a point of privilege, state what the point of personal privilege was, and then the chairman would rule with respect to whether or not the request was in order or out of order.

County Attorney Bethune said that was correct. He said at this point if Commissioner Clarke wanted to state the subject of his point of personal privilege, the chairman would then make a ruling. If the chairman ruled the request out of order, then Commissioner Clarke could appeal that decision to the full board.

County Attorney Bethune said that was correct. He said at this point if Commissioner Clarke wanted to state the subject of his point of personal privilege, the chairman would then make a ruling. If the chairman ruled the request out of order, then Commissioner Clarke could appeal that decision to the full board.

Commissioner Clarke decided to state his subject matter which was the events that took place at the Board’s May 7, 2013 concerning termination of former County Manager Harry L. Jones, Sr.

Chairman Cotham said in accordance with her understanding of Roberts Rules of Order, she would again deny Commissioner Clarke’s request for a point of personal privilege.

Chairman Cotham informed Commissioner Clarke of his right to appeal her decision to the full Board and that it would take six votes of the full Board to overturn her decision.

Commissioner Clarke appealed the decision of Chairman Cotham.

County Attorney Bethune said at this point the matter was not debatable, nor was a second required, in order for the Board to move forward with voting on the appeal.

The vote was then taken and carried 6-3 with Commissioners Bentley, Clarke, Dunlap, Fuller, Leake, Ratliff voting yes and Commissioners Cotham, James, and Ridenhour voting no, on the appeal by Commissioner Clarke to be allowed to speak regarding the events that took place at the Board’s last meeting at which former County Manager Harry L. Jones, Sr. was terminated.

Commissioner Clarke made the following statement: “I just want to publicly apologize myself to Mr. Jones because I should have supported his desire to speak at that point and I did not and I merely want to, in public, apologize to him for not doing that. I should have done it and I did not. Secondly, I want to say that in the past ten days I’ve had more people tell me that they have over heard a number of people saying given the way he was terminated and walked out and not allowed to go to his office, etc., there must of been something else that they decided to fire him for. I want to assure everyone that was not the case. There was absolutely never any suggestion of wrong doing by Mr. Jones. No one should imply from the circumstances under which he was terminated and asked to leave the building and so forth, that the Board had any reason other than simply exercising its right to terminate his employment, and he served at the pleasure of the Board. There was never any hint suggested in any deliberations for which I was a part of that there was any wrong doing.”

Commissioner Fuller requested a point of privilege with respect to the conduct of the assembly and of personal privilege.

Chairman Cotham granted Commissioner Fuller’s request for a point of privilege.

Commissioner Dunlap noted Chairman Cotham’s inconsistency by granting Commissioner Fuller’s request and denying Commissioner Clarke’s.
Chairman Cotham said she wanted to be consistent and reversed her approval of Commissioner Fuller’s request, thus, the request was denied.

Chairman Cotham informed Commissioner Fuller of his right to appeal her decision to the full Board.

Commissioner Fuller appealed the decision of Chairman Cotham.

The vote was then taken and carried 6-3 with Commissioners Bentley, Clarke, Dunlap, Fuller, Leake, Ratliff voting yes and Commissioners Cotham, James, and Ridenhour voting no, on the appeal by Commissioner Fuller to be allowed to speak regarding the conduct of the assembly and to make a point of personal privilege.

Commissioner Fuller made the following statement: “In the last two weeks we have endured a great amount of turmoil. It began with a decision that was a difficult decision, that is, whether to terminate former the County Manager who had served this county for many years. As I’ve said publicly, I believe that the decision that I made was the right decision. The concern though that has been raised to me, repeatedly, is the manner in which that decision was carried out. As I’ve said publicly, I accept that criticism because we could and should have done better. I want to give voice to the disappointment that many people in this community felt about how our former county manager was dealt with because it’s real disappointment. It’s not just one part of the community. I heard it from many parts of the community that people didn’t question our authority to do what we did, the decision that we made, but that we had a duty to treat people with respect, to be dignified in what we do and afford dignity to others. I’m afraid Madam Chair that we did not and I’m not pointing fingers at anyone, except all nine of us. We fell short of the mark and it’s important for us to acknowledge that so that we can begin the process of moving on.” “… There is a sense that the Board is not communicating with each other that there are factions in some form and that public perception is not good for any of us and certainly not good for this body and not good for this community.”

Commissioner Ridenhour asked for a point of privilege that concerned the assembly.

Chairman Cotham recognized Commissioner Ridenhour.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to suspend Roberts Rules of Order until such time that every commissioner that would like to make comments do so.

Commissioner Ratliff made the following statement. “I want to first apologize to those that were here two weeks ago and those who heard about what happened two weeks ago. The shameful way in which the manager, ex-manager, Mr. Harry Jones, however you want to refer to him, the way that he was publicly humiliated. I want to apologize, not only to Mr. Jones, but to the citizens of Mecklenburg County. For those of you who have called me, emailed me, stopped me in the mall, the grocery stores, the behavior that night was totally wrong and unacceptable. Mr. Jones was and is an upstanding citizen of Mecklenburg County. He should have been able to speak whether from the dais or from the podium. He should have definitely been given that opportunity that night. I want to apologize to him because I was overwhelmed with sadness in my heart, because he got fired and was not able to speak up at that time. I am speaking up now, and again like I said, I want to thank everyone that’s here and everyone for their calls, prayers. This Board is not in agreement with one another and I can truly say that I am the vice chair, but I’m treated as a citizen only. I have reached out to Chair Pat Cotham several times since December and I’m not on any committees. I have tried to reach out to her again, even after talking to Mr. Shields to reach out to her again, to no avail. I have
heard through the grapevine that she has told Mr. Shields, who is the Interim County Manager, not to talk to Kim Ratliff. So, how is this Board going to be able to work together.”

Commissioner Ratliff said she would be happy to sit down with Chairman Cotham any time so that they could be on one accord. “It’s not about democrats being on one accord, republicans being on one accord, it’s about this Board being on one accord, doing what’s best for the citizens of Mecklenburg County.”

Chairman Cotham asked Interim County Manager Shields to comment on the remark made by Commissioner Ratliff that mentioned his name.

Interim County Manager Shields said he remembered lots of conversations but he did not remember that conversation. He said it was not true that Chairman Cotham directed him or suggested to him that he not speak with Commissioner Ratliff. He said that “simply was not true.”

Commissioner Ratliff took another point of privilege and made the following statement. “To address Chairman Cotham and Ms. Leake, who thought I texted Harry Jones and told him he was going to be fired, I have much respect for Mr. Harry Jones. He is my friend whether he’s county manager or not. I would never do anything to hurt Mr. Jones and to send a text to say you’re fired, I’m not that person, so there must be another leak in the building.”

Commissioner Dunlap made the following statement. “I was not here two weeks ago at the time that Mr. Jones was terminated. I think had I known, I probably wouldn’t have went out of town, but of course had I not gone out of town, there was still nothing that I could have done. One of the things that I have done as I’ve gone throughout this community talking to people about this particular incident is that the Board has had every right to do what it did. I’ve known that for a long time. Mr. Jones knew that for a long time. In fact, I just wondered when somebody would pull the trigger and it just so happened the trigger was pulled on the day that I was not here. So, I respect their right to do what I had anticipated would happen anyway. I, like some of my colleagues, am very disappointed in the manner in which it occurred. I think there are a lot of people throughout this community who are disappointed in the manner in which it occurred. But, more importantly, is the attitude about what happened. To say to people if you don’t agree with me, screw you. If that was in reference to the commissioners and in my case, I represent 156,000 people, then what you’ve said to me, you’ve said to them because you are in essence saying that they didn’t have a voice. That’s disappointing to say the least. As a result of that I’ll be frank with you and tell you that I’ve done something that I’ve never done before. I’ve not campaigned against anybody. I’ve simply campaigned for people, but I’ve made a concentrated effort everywhere I go, to talk about the leadership of this Board. My voice will not be silent until such time there’s another election.”

Chairman Cotham made the following statement. “I would just like to say that I did follow the laws. I certainly thought that Mr. Jones would speak, would sign up to speak as any citizen could. I thought he would but did not. I did follow all of the laws. They weren’t my decisions on how to do things, but I did follow the laws of the State of N. C. If anyone has problems, they probably should talk to the legislators because that’s where the statutes are.”

This concluded comments regarding the May 7, 2013 meeting.

AWARDS/RECOGNITION

(13-1059) NORTH CAROLINA STATE TREASURER’S AWARD FOR EXCELLENCE IN ACCOUNTING AND FINANCIAL MANAGEMENT – ITEM WAS REMOVED FROM THE AGENDA
PUBLIC HEARINGS - 6:30 PM

(13-1067) PUBLIC HEARING -- JOHNSON C. SMITH UNIVERSITY TEFRA

Motion was made by Commissioner Karen Bentley, seconded by Commissioner Kim Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open TEFRA public hearing and receive comments on the proposed refunding financing.

The Chairman held the public hearing described below and introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $4,500,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE REFUNDING BOND (JOHNSON C. SMITH UNIVERSITY) SERIES 2013

WHEREAS, at 6:30 P.M., the Chairman announced that the Board of Commissioners (the “Board”) would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the “Authority), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding $4,500,000 of its Educational Facilities Revenue Refunding Bond (Johnson C. Smith University), Series 2013 (the “Bonds”);

WHEREAS, the Authority will loan the proceeds of the Bonds to Johnson C. Smith University, Incorporated, a North Carolina nonprofit corporation (the “Borrower”) and the Borrower will use the proceeds of the loan from the Authority for the purpose of refinancing the costs of constructing the expansion of a library, constructing a new track and stadium and making other capital improvements to the Borrower’s facilities, all located at 100 Beatties Ford Road, Charlotte, North Carolina 28216 (collectively, the “Project”);

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is located (the “Project Jurisdiction”);

WHEREAS, the Borrower has requested that the Board approve the financing of the Project and the issuance of the Bonds in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the “Joint Exercise Agreement”) and Section 66.0304(11) (a) of the Wisconsin Statutes;

WHEREAS, on May 3, 2013, a notice of public hearing was published in The Mecklenburg Times, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: None

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and
WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to refinance the Project, provided that in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Motion was made by Commissioner James, seconded by Commissioner George Dunlap, to close public hearing and adopt resolution entitled: RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $4,500,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE REFUNDING BOND (JOHNSON C. SMITH UNIVERSITY) SERIES 2013 and adopted by the following vote:

AYES: Commissioner Karen Bentley
Commissioner Dumont Clarke
Commissioner Patricia Cotham
Commissioner George Dunlap
Commissioner Trevor Fuller
Commissioner Bill James
Commissioner Vilma Leake
Commissioner Kim Ratliff
Commissioner Matthew Ridenhour

NAYS: None

Extracts/Resolution recorded in full in Minute Book _____ Document # ______.

(13-1090) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

John White spoke in opposition to the manner in which the Board terminated former County Manager Harry L. Jones, Sr. He said things needed to be done “descent and in order.” Mr. White suggested the Board have five town hall meetings to explain why former County Manager Harry L. Jones, Sr. was dismissed without cause. Mr. White said there had to be a cause. Mr. White said this matter needed to be aired out to make sure everyone was on “one accord.” Mr. White also questioned Chairman Cotham’s leadership.

Dr. Sandy Hoagland said he was glad to see that the Board was moving through the “healing process.” Dr. Hoagland spoke in opposition to the manner in which the Board terminated
MAY 21, 2013

former County Manager Harry L. Jones, Sr. He referenced a similar incident that occurred in 1974 involving the dismissal of a former School Superintendent. Dr. Hoagland said that form of history should not “repeat itself.” He said this was not the way the City of Charlotte should be represented. Dr. Hoagland said he was a “native Charlottean.”

Nick Mackey spoke in support of Chairman Cotham’s leadership. Mr. Mackey said per conversations he’d had with individuals regarding the firing of former County Manager Harry L. Jones, Sr., no one had taken the position that he should not have been fired. He said what individuals were displeased with was the fact that he was not allowed to speak after being removed from his position. Mr. Mackey said his question to those individuals was “how many people who are fired are allowed to remain in the workplace as if they had not just been fired.”

Dr. Gloria Rembert, on behalf of the Black Political Caucus, spoke in opposition to the manner in which the Board terminated former County Manager Harry L. Jones, Sr. She referenced the Board’s Community Vision and how it was not displayed by the Board on May 7, 2013. Dr. Rembert addressed what community meant. She said former County Manager Jones should not have been denied the opportunity to speak. She said he was publically humiliated and disrespected, which did not “sit well” with those that believe in community. She said the Board’s leadership should be asking about the “larger impact” of what occurred on May 7, 2013 and the political “fallout for politicians who have forgotten they are servants of the people.” She also addressed the exclusion of some Board members from discussions and how that was not the appropriate way to work as a “team.” Dr. Rembert said “better behavior” was expected from the Board. In closing, Dr. Rembert expressed thanks to former County Manager Harry L. Jones, Sr. for his service to the community.

Amanda Davis spoke in support of Chairman Cotham’s leadership and the Board’s decision with respect to the firing of former County Manager Harry L. Jones, Sr. Ms. Davis asked the community to look at the decision the Board made as being courageous and costly. Ms. Davis told Chairman Cotham that she was proud to have her represent her.

Pastor Brenda Stevenson said a prayer for the Board. She also addressed the New Outreach Summer Camp being offered this summer, June 10-August 19. She asked Board members for a donation.

A flyer regarding the summer camp is on file with the Clerk to the Board.

Robin Bradford, Chair of the Mecklenburg County Democratic Party and Board member Jeff Jackson noted for the record that neither the local Democratic Party, nor the State Democratic Party, had taken any position regarding the current climate of the six democratic members of the Board of County Commissioners, despite comments made in a Charlotte Observer newspaper article on May 15. Ms. Bradford said the firing of former Manager Jones was not a party issue. She said it was a personnel issue. Ms. Bradford said the quotes noted in the article were the opinions of democrats independently of the Party. Ms. Bradford said she requested a retraction, but the Charlotte Observer did not do so. Ms. Bradford said the local Democratic Party would like to “extend a hand” to the democratic members in speaking about this in a Town Hall setting if they liked. Ms. Bradford said what’s currently occurring on the Board was something that needed to be discussed amongst democrats. She asked the democrats on the Board to move forward and to have open dialogue and conversation amongst each other. Ms. Bradford said it should be kept in mind that commissioners represent the entire County irrespective of party affiliation.

Tom Derham expressed concern for the destruction of records in the Tax Assessor’s Office. Mr. Derham said records from 2010 and going forward, in light of the 2011 Revaluation situation, should not be disposed of until a new Assessor was appointed. He also recommended the Board have the new Assessor to report directly to the Board.
MAY 21, 2013

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

APPOINTMENTS

(13-1035) APPOINTMENTS

WOMEN’S ADVISORY BOARD

The vote was taken on the following nominees for appointment consideration to the Women’s Advisory Board:

Heather Blake
Stephanie Gryder
Teresa Smith

Commissioners James and Ridenhour
Commissioners Clarke, Cotham, Dunlap, Fuller, Leake and Ratliff
Voting Ceased

Chairman Cotham announced the appointment of Stephanie Gryder to the Women’s Advisory Board to fill an unexpired term expiring November 30, 2015.

She replaced Najeedah Stover.

(13-1062) ADVISORY BOARD 2012 ATTENDANCE REPORTS

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve requests for reappointment from five people who did not meet the 75% attendance requirement for 2012, due to unforeseen circumstances in most instances. The five persons are Park and Recreation Commission members: Norman Mitchell, Joe Pata, and Brenda McMoore, Planning Commission member Emma Allen, and Lake Wylie Marine Commission member Howard Virkler. Thus, Norman Mitchell is reappointed to complete his unexpired term expiring June 30, 2015, Joe Pata to complete his unexpired term expiring June 30, 2013 and reappointment to a three year term expiring June 30, 2016, Brenda McMoore to complete her unexpired term expiring June 30, 2015, Emma Allen to complete her unexpired term expiring June 30, 2013 and reappointment to a three year term expiring June 30, 2016, and Howard Virkler to complete his unexpired term expiring September 30, 2014.

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

(13-1080) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to reappoint Lori Love effective July 1, 2013 and Carolyn Talley effective June 1, 2013 to the Adult Care Home Advisory Committee for three-year terms expiring June 30, 2016; and to nominate and appoint Dorothy Barnes for a one-year term expiring June 30, 2014.

She replaced David Gwilt.
ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to reappoint David Conway and Jennifer Stanton to the Alcoholic Beverage Control Board for three-year terms expiring June 30, 2016 effective July 1, 2013.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Commissioner Clarke nominated all applicants for appointment consideration to the Central Piedmont Community College Board of Trustees: Zach Anderson, Madelyn Caple, Melandee Jones, and Sholeh Kornegay.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller to defer further action for two weeks and keep nominations open to allow others that may be interested in applying to do so.

Commissioner Leake noted that Dr. Angela Frye expressed interest in applying. Staff said it would contact Dr. Frye regarding the submittal of her application.

This matter will be back on the Board’s June 4, 2013 agenda.

Note: This is one of several boards that require an interview process conducted by an Ad Hoc Committee of the Board. An appointment will occur after this has taken place.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee: Lawrence Brinson, Sabrina Brinson, Lynnette Carr, Sarah Demarest, Melandee Jones, Shannon McKnight, Ola Mitchell, Kwesi Nichols, and Nadia Vanderhall.

Note: An appointment will occur on June 4, 2013.

DOMESTIC VIOLENCE ADVISORY BOARD

Commissioner James nominated all applicants for appointment consideration to the Domestic Violence Advisory Board: Monique Horace, Evelyn Mills, Christen Richardson, Teresa Smith, Lissette Torres, and Latonja Worsham.

Note: An appointment will occur on June 4, 2013.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Information Services & Technology Committee: Natalie Donovan, Bill Lynch, and Lutemuka Zuendoki.

Note: An appointment will occur on June 4, 2013.

Commissioner Ridenhour returned to the dais.
JUVENILE CRIME PREVENTION COUNCIL

Commissioner Clarke nominated all applicants for appointment consideration to the Juvenile Crime Prevention Council as General Public representatives: Lawrence Brinson, Stephanie Carter-Tyson, Antoine Ensley, and Jamica LaFranque.

Note: An appointment will occur on June 4, 2013.

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Evelyn Mills to the Juvenile Crime Prevention Council as the Faith representative to fill an unexpired term expiring September 30, 2013.

She replaced Gwendolyn Hester-Cohen.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Elaine Powell (NORT 1), Kendel Bryant (NORT 3), Douglas Burnett (SOUT 1), Travis Dancy (NOTWN), and Sheryl Smith (CENT 1) to the Park and Recreation Commission for three-year terms expiring June 30, 2016 effective July 1, 2013.

PLANNING COMMISSION


Note: This is one of several boards that require an interview process conducted by an Ad Hoc Committee of the Board. An appointment will occur after this has taken place.

PUBLIC ARTS COMMISSION

Commissioner Clarke nominated all applicants for appointment consideration to the Public Arts Commission: Alicia Benjamin, L. M. Cathay Dawkins, Larry Lippi, Gaye List, and Charles Thomas.

Note: An appointment will occur on June 4, 2013.

SMALL BUSINESS AND ENTREPRENEURSHIP(6,4),(995,990)(6,4),(995,990) ADVISORY BOARD

Commissioner Ridenhour nominated all applicants for appointment consideration to the Small Business and Entrepreneurship Advisory Board: Mitchell Abdullah, Theresa Braswell, Travis Bucholtz, Dorian Carter, Antonia Childs, Stacey Dennis, Franklin Freeman, Juan Giometti, James Guin, Jonathan Hassell, Karim Kheireddine, Erin Martin, George McAllister, Eleanor McIntire, Michael Minnix, Joe Padilla, Kristin Prentice, John Shaul, Dana Sidberry, and Carl Terrell.

Note: Appointments will occur on June 4, 2013.
WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner James, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Gotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Jeremy O’Brien and Steven Pepper to the Waste Management Advisory Board for three-year terms expiring June 30, 2016 effective July 1, 2013.

Commissioner Clarke nominated all applicants for appointment consideration for an additional opening on the Waste Management Advisory Board: Michael Bailey, Jimmy Hawk, and Carl Terrell.

Note: An appointment will occur on June 4, 2013.

ADVISORY COMMITTEE REPORTS - NONE

Commissioner Bentley returned to the dais.

MANAGER’S REPORT

(13-1092) FY2014 RECOMMENDED BUDGET

Interim County Manager Bobbie Shields and Management & Budget Director Hyong Yi presented to the Board the FY2014 Recommended Budget and the schedule for the budget process steps through Board adoption of the FY2014 Budget. The following are highlights from the presentation:

- The FY2014 Recommended Budget totals $1.68 billion.
- This is 17.2 percent more than the current year’s adopted budget, an increase of $247 million.
- Funding the Recommended Budget will require a property tax rate increase of 2.5 cents.
- The Recommended Budget is constructed primarily to sustain the services funded in the current year’s budget and to address the growth in demand for these services, such as increases in CMS student population, opening of new parks, annualized cost for library operating hours expanded in this fiscal year, and merit increases for employees.
- The fundamental choice and consequence of adopting the FY14 budget is whether to sustain and maintain county-funded services at the cost of a property tax rate increase, or to cut services to maintain or possibly reduce the tax rate.

A copy of the presentation and the FY2014 Recommended Budget is on file with the Clerk to the Board.

Comments

Commissioner Leake asked for clarification regarding the increase cost of County Services overall which was addressed.

Commissioner Leake expressed her desire to make sure County employees were compensated for the work that they do. She also said with respect to CMS that her concern was money for the classroom teacher, cafeteria workers, bus drivers, and persons on that level.

Commissioner Leake said she was still interested in finding out from CMS about the savings gained from closing schools last year.
Commissioner James said he would like to see a synopsis of the new County spending.

Director Yi referred Commissioners to the Budget Overview page in the Budget Book in response to Commissioner James’ inquiry about wanting a synopsis.

Commissioner Clarke asked for clarification regarding the projected reduction in the tax base which was addressed.

Interim County Manager Shields said staff anticipated other reductions in the tax base in future years. He said some of it might be because of House Bill 200, but that impact wasn’t known at this time.

Commissioner Clarke asked for clarification regarding the projected reduction in the tax base which was addressed.

Commissioner Fuller asked was the recommended 2.5 cents property tax increase a revenue neutral number, or in other words, did that tax rate increase essentially just keep the County where it was. Director Yi said it would probably be a little more apparent, when the Board goes through the straw voting process which would show how it was generated. Director Yi briefly explained how that process would work.

Director Yi said the tax rate increase of 2.5 cents comes after the fact, once the Manager makes the decision as to what he believes needs to be funded.

Commissioner Fuller asked would adopting the 2.5 cents increase essentially “keep us holding water” or from falling back. Director Yi said he would address this on a conceptual level. He said what was happening was that the tax base was still changing and in this case, it was not growing, it was shrinking. He said with all the work that was being done with revaluation, if this was the tax base, based on what was going on now, and knowing what the revenue was in 2013, what would the tax rate need to be to generate the same amount of revenue. He said the calculation was very straightforward and simple. He said it was mandated by the state as to how you calculate it. The state tells you how to do it. He said based on that calculation it was 2.47 cents.

Commissioner Fuller asked if it was decided that a tax increase was “impalatable” would the only option be to cut what had been proposed. Director Yi said the “short” answer was yes, however, the Board had two options when it came to the budget, reduce expense or raise revenue.

Commissioner Fuller asked had staff already begun thinking about where cuts or other adjustments would need to occur if the Board decided not to raise the property tax rate.

Commissioner Fuller said he understood, however, that was a Board decision.

Director Yi said hypothetically, if the Board asked the Manager to cut 2.5 percent of expenditures out of the budget, it would be up to the Manager and his Assistants to decide the best way to do that with the least amount of harm to services provided by the County and its business partners.

Commissioner Fuller said if the Board was to make that decision he would expect to receive a recommendation from staff to help the Board do that.
Director Yi said if the Board directed the Manager to provide the Board with recommendations then the Manager would do that.

Commissioner Dunlap said the Manager and his staff had produced their best recommendation to the Board. He said it was now the Board’s decision as to what gets cut and not the Manager.

Commissioner Dunlap said if the Board didn’t like what was proposed, the Board could change it.

Commissioner James said the recommended budget was not a “revenue neutral” budget. He said it was a “huge” revenue increase budget.

Commissioner James said he thought at the Board’s retreat, “staff said that one of the budgets they would produce was a revenue neutral budget.” He said the recommended budget was not one of the budgets that “we asked” staff “to produce at the retreat.”

Commissioner James said “we wanted to know specifically what a revenue neutral budget would look like, so we could compare it.”

Commissioner James said now the Board either has to go through the recommended budget and decide what to cut, which he said he was prepared to do, or staff would need to give the Board information on where staff would “draw the line,” if you had a “real” revenue neutral budget, minus the $27 million.

Commissioner James said he would like to request, that staff give the Board what its revenue neutral budget would look like, if the tax rate remained the same.

Interim County Manager Shields said what was presented was the Manager’s “recommended” budget.

Interim County Manager Shields asked Commissioner James to clarify his definition of revenue neutral.

Commissioner James defined revenue neutral as “no tax increase.” He said “growth was okay but no tax increase.”

Director Yi said he would refer to what Commissioner James called “revenue neutral” as “tax rate neutral.”

Commissioner James said he used the “revenue neutral” term because that’s what’s been used in the past.

Commissioner Leake asked about revaluation and whether the impact of that was known. Interim County Manager Shields said the total impact was not known yet.

Commissioner Leake expressed concern for the amount of funds being spent with respect to having an attorney participate in the appeals process. Commissioner Leake asked would the total cost of revaluation be shared, including the attorney’s cost. Interim County Manager Shields said yes.

Commissioner Ridenhour asked for clarification regarding the projected $44 million deficit which Director Yi addressed.

The above is not inclusive of every comment but is a summary.
STAFF REPORTS & REQUESTS

(13-1043) MECKLINK MONTHLY UPDATE -- CARE COORDINATION

The Board received a monthly update on MeckLINK Behavioral Healthcare Medicaid Waiver operations. The focus was on Care Coordination. MeckLink Behavior Healthcare Director Phil Endress and Dr. Aalece Pugh-Lilly gave the report.

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

Comments

Commissioner Fuller asked about the denial of claims which was addressed.

Commissioner Bentley asked if MeckLINK was benchmarking to see if it was on track. Director Endress said MeckLINK was consistent with some of the other entities that they were comparing themselves to.

Commissioner Ratliff asked about providers and was MeckLINK trying to “put providers out of business.” Director Endress said no.

Commissioner Bentley asked that in future updates staff provide the Board with data regarding the outcomes that were being tracked.

Commissioner Ratliff asked about the positions associated with Preventable Readmissions Options and Care Transitions (PROACT) and where persons should go to apply, which was addressed.

Commissioner Ratliff asked to be kept abreast of the status of any vacancies.

Commissioner Clarke asked about the receipt of Medicaid funds and at what point would staff be reviewing the amount of Medicaid funds received and the amount spent. Director Endress said monthly reports were submitted to the state with respect to that matter. He said the April report showed a slight increase in MeckLINK’s profitability from March. Director Endress said MeckLink was on the “plus side.”

Director Endress said the tru-up on the medical loss ratio per the agreement with the state would be in a period of six to nine months. Director Endress explained what medical loss ratio meant.

Commissioner Clarke asked was anymore known as to why the state decided to end the Western Highlands operation. Director Endress said there probably was a number of contributing issues. He said the state gave them a plan of action to follow through on. He said it might have been a fiscal issue that made the state make the decision that it did.

Commissioner Clarke asked had staff received any indications of any kind, that the state was “unhappy” with the way MeckLink was operating. Director Endress said not that he was aware of. He said per his last conversation with the state, they were pleased that the PROACT model was being rolled out.

The above is not inclusive of every comment but is a summary.

(13-1048) SECOND HARVEST FOOD BANK EXPANSION
The Board received a report from Mark Hahn, Director, BSSA - Asset and Facility Management and Kay Carter, Executive Director of Second Harvest Food Bank of Metrolina, on a proposed partnership among the County, City, and Second Harvest Food Bank of Metrolina, Inc. for the expansion of the current food bank facility.

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

Comments

Commissioner Dunlap asked for clarification regarding the lease of land by the Food Bank from the City of Charlotte for site access and parking, which was addressed. Commissioner Dunlap asked staff to follow up with the City of Charlotte regarding the possibility of that land being purchased by the County, thus eliminating additional expense for the Food Bank.

Commissioner Leake asked about the impact of the proposed expansion with respect to providing services, which was addressed.

**HEALTH DEPARTMENT FEE SCHEDULE**

The Board received a report from E. Winters Mabry, MD, Health Director, on the proposed Health Department Fee Schedule for FY14.

*A copy of the proposed fee schedule is on file with the Clerk to the Board.*

Comments

Commissioner Leake asked about the dissemination of fee information, which was addressed. Dr. Mabry said staff was available to attend community meetings to go over the Health Department fee structure and process if requested.

Commissioner Ratliff asked if persons were ever denied services if they couldn’t afford to pay. The response was no.

Chairman Cotham suggested disseminating fee information to agencies that work with persons in poverty or those that have a criminal record, since they have direct contact with this population. Dr. Mabry said staff would be happy to do that. He asked Chairman Cotham to share any agencies that she was aware of that this information would be useful to.

**FIRE PROTECTION SERVICE DISTRICT FUNDING**

Jim Bartl Director of Code Enforcement addressed transferring up to $183,250 from the General Fund to the Mint Hill Fire Protection Service District (FPSD) fund, which would not be paid back. He also addressed the establishment of the FPSD. The deficit involving the City of Charlotte was also addressed.

*Note: The Mint Hill FPSD was originally projected to collect $500,528 in FY13. However, as of May 1, collections are only at $275,615, indicating a projected shortfall of $224,900. While the contract with Mint Hill stipulates that the Town will be paid only up to the collected amount, contract payments to the Town of Mint Hill have already been made through May totaling $458,817.37, leaving a deficit (payments made in excess of tax revenue collected) in this district's fund balance of $183,250 (as of May 1).*

Comments
Commissioner James asked when Mint Hill was going to have a fire department. Director Bartl said he did not know.

Commissioner James said he was okay with the transfer request, but his fear was that without some sort of incentive for the towns to form a fire department to take over these areas at some reasonable interval, this could go on for a long time.

Commissioner James said there needed to be something that said Mint Hill plans to form a fire department at a date certain.

Commissioner Dunlap acknowledged that he spoke with Director Bartl, Mr. Morehouse of his staff and Mark Auten, Fire Marshall earlier today regarding this matter and with Interim County Manager Shields.

Commissioner Dunlap said the proposal to transfer funds was unfair and explained why. Commissioner Dunlap said the towns of Davidson, Huntersville, and Cornelius generated enough money to pay for the fire services in their ETJ and Charlotte didn’t. He said the proposal was to increase the tax rate on those people in the Charlotte ETJ one penny, so that over a course of a number of years, they’ll pay back that cost.

Commissioner Dunlap said the proposal, as he understood it, was to “forgive” Mint Hill and take the money out of the General Fund. Commissioner Dunlap said that meant the people in Cornelius, Davidson, Huntersville and Charlotte would not only pay their cost of fire service, but they’re also paying the cost of Mint Hill’s.

Commissioner Dunlap said he served as the Board’s liaison when the Fire Protection Service Districts concept was being developed.

Commissioner Dunlap said there was a fairer way for this matter to go forward. Commissioner Dunlap said based on the way the Service Districts were set up, everybody was supposed to pay their fair share. Commissioner Dunlap said it was not fair for everybody to pay their fair share and Mint Hill not.

Commissioner Dunlap said the alternative to increasing the rate of three percent on Mint Hill was to at least increase the tax rate by one percent, like it’s being done for the Charlotte ETJ and then over an extended period of time Mint Hill would have paid the money back and paid their fair share like everybody else.

Commissioner Bentley asked why staff wouldn’t consider reducing the tax rate for Huntersville given the significant over collection there. Director Bartl addressed the question and noted his dialogue with the Town of Huntersville Town Manager regarding the letting the surplus build up in anticipation of future fire protection service needs.

County Attorney Bethune said the Town of Huntersville would have to request the allocation of any surplus funds from the County and would have to indicate what those funds would be used for.

Commissioner Bentley said it would be helpful to have the Town Manager of Huntersville to send the Board their long term plan for the fire protection service district. Director Bartl said staff would request the additional information.

Interim County Manager Shields said Commissioner Dunlap’s suggested alternative was a very viable option to consider. He explained the difference between the contractual arrangement with the City of Charlotte and that of Mint Hill.
Interim County Manager Shields said with the City of Charlotte the County was obligated to pay the City of Charlotte the contracted amount. In the case of Mint Hill, the County was only obligated to pay Mint Hill up to the amount actually collected; but in the case of Mint Hill, the County overpaid them. He said that was the distinction and that it was through no fault of Mint Hill. He said first of all it was over estimated and secondly, the County overpaid them. Interim County Manager Shields said it was his understanding that the Mint Hill Volunteer Fire Department and the Town Manager understood they have to operate within the funds available to reduce the amount and were willing to do that.

Interim County Manager Shields said the only reason staff was offering the proposal was because the County could have stopped paying Mint Hill, but it didn’t and it resulted in an overpayment.

Commissioner Dunlap said “here to fore” when the County made a mistake with respect to whatever the issue may have been, the citizens still paid.

Commissioner Dunlap gave the example of a neighborhood that the County had forgotten about with respect to their street lighting assessment and when it was remembered those residents had to pay.

Commissioner Dunlap said the County overpaid Mint Hill but they needed to pay the County back. Commissioner Dunlap said in order for Mint Hill not to be so overburdened with a two – three cent increase, allow them to pay it back over time.

Commissioner Fuller asked was it fair to say that the Mint Hill situation was a onetime occurrence. Director Bartl said yes, that’s how staff viewed this matter, in light of this being the first year of having the Fire Protection Service Districts. Director Bartl said it was not anticipated that this would happen again. He said staff talked with the Mint Hill Town Manager and the Volunteer Fire Departments that were involved and they’re set to go forth on the actual collection rate.

Commissioner Fuller concurred with Commissioner Dunlap that if Mint Hill was overpaid that money should be paid back to the County.

Director Bartl said Commissioner Dunlap’s suggestion was a valid one.

Commissioner Leake asked how the error of overpayment occurred. Interim County Manager Shields said he did not know the exact reason, but he suspected it occurred because of the difference between the payment made to Mint Hill and the accountability for accounting for the amount of collection to be made. He said moving forward staff would make sure those two things were in sink, the actual revenue coming and the payment being made.

Commissioner Leake asked when was the error discovered. Director Bartl said late March or early April.

Commissioner Dunlap asked about the possibility of this type error occurring again and would not annexation by the City of Charlotte impact the future of some of the ETJ’s. The response was yes it could because annexation would decrease the amount of revenue coming in from an ETJ area.

Director Bartl said his response to Commissioner whether this could happen again was specifically related to Mint Hill.

Director Bartl said as was stated when this began, the Charlotte ETJ could be somewhat volatile depending upon annexation.
MAY 21, 2013

County Attorney Bethune said the County would have forewarning of any annexation of the ETJ because of the annexation process.

Motion was made by Commissioner Clarke to direct the Interim County Manager to implement the suggestion of Commissioner Dunlap in regard to the overpayment to Mint Hill, which would be to increase the tax rate from seven cents to eight cents with that additional one cent being used to pay the County back over a period of time.

County Attorney Bethune clarified that the Board would not be changing the tax rate for the Fire Protection Service District tonight. He said the Board’s action would be the equivalent a “straw vote” because when the Board adopts the budget ordinance that’s when it would actually set the rates. Thus, it was not necessary for the Board to take any action at this time.

Commissioner James said he agreed that if someone was overpaid, they should pay it back unless there was some other “creative solution.”

Commissioner James said he would, however, like to get the Town of Mint Hill’s Board’s view of this matter and the alternative suggested by Commissioner Dunlap.

Interim County Manager Shields clarified that it would be the residents of the unincorporated area that would be paying the money back.

Interim County Manager Shields said staff would bring this matter back before the Board during budget deliberations.

(13-1101) PROPOSED CAPITAL PLAN -- FY2015 - FY2017

The Board received a briefing on the capital project prioritization process and a preliminary project ranking for FY2015 - FY2017. Assistant County Manager Dena Diorio presented the proposed Capital Plan.

Note: The entities that receive capital funds from the County submitted projects to be ranked through the Board-approved prioritization process. Entities were asked to submit projects for prioritization not to exceed $300 million per entity.

The following was covered:
- Prioritization Rationale
- Capital Project Criteria
- Ranking for FY 2015
- Project Evaluation and Ranking Process
- Total Projects Submitted
- Four Year Results
- Allocation of Funds
- Charlotte Mecklenburg Schools 4 Year Capital Projects by BOCC Districts
- Next Steps
  - Analyze land acquisition needs and phasing opportunities
  - Analyze project distribution for geographic balance
  - Analyze future pay-go capacity
  - Determine referenda duration (3 or 4 years)
  - Determine referenda size
  - Finalize financing strategy
  - June 18 BOCC adopt capital plan and financing strategy
  - Referendum

Comments
Commissioner James asked about the lack of Charlotte Mecklenburg Schools (CMS) capital projects for District 6 and whether CMS thought the needs of District 6 were less significant. Assistant County Manager Diorio said CMS did not think District 6 was less significant. She said it was more of a function of how the rankings came out after going through the ranking process.

Commissioner Dunlap asked about land banking, which was addressed. Assistant to the County Manager Diorio said funds have not been available to put aside for the sole purpose of land banking. She said if the choice was to do land banking, then other projects wouldn’t get done.

Commissioner Dunlap said at some point he’d like to hear more about land banking.

Commissioner Bentley commented on the geographic balance of projects as well and said that’s something the Board should look at closely and within the process that was developed. Commissioner Bentley said support by those that live in the suburbs was important when it came to getting a bond referendum package passed.

Commissioner Bentley asked if it was possible to consider a five year bond package. Assistant County Manager Diorio said yes, but one of the things that you’d have to work through would be that if you go five years down the list, you want to make sure that other entities were in the mix and not just Central Piedmont Community College (CPCC) and CMS.

Assistant County Manager Diorio said staff would come back with several options for the Board to consider with respect to certain durations and sizes.

Commissioner Bentley requested a list of the projects for District 1 for the last five years.

Commissioner Fuller asked for clarification with respect to what happens to CMS’ priority list when it’s provided to the County and ran through the County’s ranking process. He noted that he’s heard that CMS’ list comes out different once it goes through the County’s process. Assistant County Manager Diorio said the process that the County used was not designed to make sure CMS got all of its projects in the priority order that they wanted.

Assistant County Manager Diorio said the model was designed to make sure that every entity in the county that competes for County dollars has a “fair shake” at getting capital dollars. She said it was not designed to make CMS “happy.”

Assistant County Manager Diorio said it was important that when the County goes through this process that every entity has a fair chance.

Assistant County Manager Diorio said the model was aimed at being reflective of the Board’s priorities and what the Board said was important.

Assistant County Manager Diorio said some of the criteria would benefit CMS and CPCC because education was the Board’s number one priority, but there were other criteria such as economic outcome, joint use savings, etc., that would benefit other entities.

Commissioner Fuller asked was there a mechanism in place to allow CMS to come to the County and ask for adjustments if CMS’ priorities get changed after going through the process. Assistant County Manager Diorio staff presents the list of projects to the Board based on the ranking process and that it was the Board’s decision to accept the list or make changes.

Assistant County Manager Diorio said staff would not make those types of recommendations for change because from staff’s perspective it “underminds” the process.
Commissioner Fuller asked about the referendum duration, which was addressed.

Commissioner Clarke asked for clarification on the geographic diversity of project which was addressed.

Commissioner Clarke said he had some concern as well for the diversity of the projects themselves. He said when you look at the four year bond referendum it’s dominated by CMS and CPCC. He said when you look at the list of projects that there were many park and recreation projects that ranked very low and that voters had approved bonds to fund some of those projects.

Commissioner Clarke asked when that approval occurred. Assistant County Manager Diorio said in 2008.

Commissioner Clarke said there would be persons who would feel that the things in the four year package were being moved in front of them.

Assistant County Manager Diorio said staff was aware of the point raised by Commissioner Clarke and that one of the next steps involved taking a look at pay-go capacity to see if there was opportunity to give other entities access to dollars for their projects.

Commissioner Ratliff asked about the status of West Mecklenburg High School. Assistant County Manager Diorio said it was on the list for FY2014.

Commissioner Clarke requested information on CMS and CPCC FY2014 projects.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1078) RESTRUCTURING GOVERNMENT - CHAIRMAN COTHAM – ITEM WAS REMOVED FROM THE AGENDA

(13-1089) CLOSED SESSION – LAND ACQUISITION- GAR CREEK NATURE PRESERVE AND MCDOWELL NATURE PRESERVE

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

1) Authorize the County Manager to negotiate and execute documents necessary for the acquisition of Tax Parcel #015-223-12 (+/- 3 acres) from Melinda & Frank Armstrong for $48,000.00.

2) Designate Tax Parcel 015-223-12 as part of the Gar Creek Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (component of the 2008 Park and Recreation 10-year Master Plan)

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

1) Authorize the County Manager to negotiate and execute documents necessary for the acquisition of Tax Parcel #199-491-04 (+/- 1.93 acres) from Francis John & Mary Ellen Hoen for $50,000.00
2) Designate Tax Parcel 199-491-04 as part of the McDowell Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (component of the 2008 Park and Recreation 10-year Master Plan)

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1015) REAPPOINTMENT -- MECKLENBURG COUNTY TAX COLLECTOR

In accordance with G.S. 105-349(a), reappoint Neal L. Dixon to the Office of the Mecklenburg County Tax Collector for a four-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 the Clerk’s permanent records.

Note: Mr. Dixon joined the County in May 1995 as a Tax Collections Supervisor and has been serving as the Mecklenburg County Tax Collector since September 1996. His current appointment as tax collector expires in July 2013.

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

(13-1026) SET PUBLIC HEARING ON CITY STORM WATER FEE RATES

Set a public hearing for 6:30 p.m. on June 4, 2013 on proposed changes in the Minor System component of the City’s Storm Water fee.

(13-1030) BUDGET AMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)

Recognize, receive and appropriate additional State funds in the amount of $133,436 for CAPI/DD funding.

(13-1031) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Recognize, receive and appropriate additional revenue of $59,995 to reflect actual state and federal allocations.

(13-1033) MINUTES


(13-1037) RETIRE CANINE OFFICER BLECKY -- SHERIFF’S OFFICE

Retire and approve the donation of a retired Canine Officer to an MCSO Detention Officer.
Note: This action will allow the Mecklenburg County Sheriff’s Office (MCSO) to retire and transfer ownership of Canine Officer Blecky to a MCSO detention officer. The Canine Officer performed his duties faithfully and diligently and has reached the age and physical condition for retirement. The Canine Officer was specifically trained in certain law enforcement procedures and may behave unpredictably and perhaps in an aggressive manner as a result of such training. Therefore, the Canine Officer presents a risk to general public health and safety if presented for sale to or adoption by the general public, who are unfamiliar with the specialized training the Canine Officer received. Such risk to public health and safety is not present when the Canine Officer is transferred to the care and keeping of an MCSO detention officer. This allows each canine officer to retire to a familiar environment in the care of an MCSO detention officer very familiar with their training, and permits an ownership transfer of the canine officer that does not endanger public health and safety.

(13-1038) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate funds in the amount of $345 for the Sheriff’s Office, $20,155 for Park and Recreation Department, $1,125 for Land Use and Environmental Services Agency and $463 for Business Support Services Agency-Business Financial Management.

Note: All reimbursements are for stolen and damaged items.

(13-1045) PROCLAMATION -- FOSTER CARE AWARENESS MONTH

Adopt Proclamation designating May, 2013 as “Foster Care Awareness Month” in Mecklenburg County.

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

(13-1046) PURCHASE CONTRACT -- SHERIFF’S OFFICE TACTICAL BODY ARMOR

Approve a waiver of competitive bidding (“piggyback”) under G.S. 143-129(g) allowing the Sheriff’s Office to purchase tactical body armor at the same or more favorable prices as terms set forth in the City of Charlotte’s unit price contract number 1300277 to Lawmen’s Safety Supply dated September 24, 2012, for a term of two years with the option to renew up to three additional one-year terms.

(13-1050) ANNEXATION OF COUNTY PROPERTY BY THE CITY OF CHARLOTTE

Authorize the County Manager to execute a petition for voluntary annexation of the following County-owned properties into the City of Charlotte:

(1) Tax Parcel 141-171-11 (+/- 72.00 acres)
(2) Tax Parcel 141-171-12 (+/- 105.01 acres)
(3) Tax Parcel 141-171-19 (+/- 2.33 acres)
(4) Tax Parcel 141-171-20 (+/- 8.19 acres)
(5) Tax Parcel 141-181-01 (+/- 22.24 acres)
(6) Tax Parcel 141-291-06 (+/- 10.00 acres)
(7) Tax Parcel 141-171-28 (+/- 0.05 acres)
(8) Tax Parcel 141-171-23 (+/- 8.99 acres)

Note: The above-listed County-owned properties (acquired for the purpose of parkland) adjoin the current City of Charlotte municipal boundaries. These properties collectively serve as
Berewick District Park, and include Berewick Elementary School (constructed within the park). The City has asked that the County approve the voluntary annexation of these parcels, totaling +/- 228.81 acres. All these properties are located within Charlotte’s extraterritorial jurisdiction.

(13-1051) PURCHASE AGREEMENT -- TWO RAM AUTO-TIE COMINGLE BALER FOR METROLINA RECYCLING FACILITY

Approve a one-time purchase of a International Baler Corp Model TR12-T75 Baler from BE Equipment, Inc of Quakertown, PA for a price of $395,495 to include freight, installation, and options.

(13-1052) CONVEYING OF PROPERTY -- SHERIFF’S OFFICE

Approve the conveying of property from the Mecklenburg County Sheriff’s Office to the Huntersville Police Department.

(13-1055) BUDGET AMENDMENT -- WATER QUALITY MONITORING -- LUESA

Amend the Land Use and Environmental Services Agency (LUESA) FY13 budget to recognize, receive and appropriate $16,310 for water quality monitoring activities. Approve carrying forward to FY2014 any unspent funds from this appropriation for this project.

(13-1063) BUDGET AMENDMENT -- LUESA

Recognize, receive and appropriate $52,312 to the FY13 Land Development Bond Budget.

(13-1064) GREENWAY DONATION -- SUGAR CREEK GREENWAY

Approve accepting the donation of TaxParcel 203-031-09 (+/-5.01 acres) along Sugar Creek for future greenway trail construction.

(13-1065) SOLE SOURCE VENDOR APPROVAL -- METROLINA RECYCLING FACILITY

1) Approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6).

2) Approve a contract with CP Manufacturing, Inc. for the purchase of a conveyance system and for the relocation of the comingle baler at the Metrolina Recycling Facility in the amount of $547,200.

(13-1066) TAX REFUNDS

Approve refunds in the amount of $330,305.23 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(13-1068) STATE SECONDARY ROAD PROGRAM FY 2012 -- 2013

25
Approve an amendment to the FY2012 - 2013 State Secondary Road Program.

Note: In accordance with North Carolina General Statute 136-44.8, the North Carolina Department of Transportation must inform the Board of County Commissioners of proposed secondary road construction projects. On April 3, 2012, the Board approved a list of projects to be constructed this fiscal year. This amendment will add Meffert Lane to the project list. The work performed typically includes grading, drainage improvements, installing base course, and paving.

(13-1069) DESTRUCTION OF DOCUMENTS (ASSESSOR’S OFFICE)

1) Approve updated Records Retention and Disposition Schedule and Amendments for County Tax Administration.

2) Approve the disposal/destruction of tax assessment documents in accordance with North Carolina Records Retention and Disposition Schedule (see attached list of records).

A copy of the Records Retention and Disposition Schedule and Amendments is on file with the Clerk to the Board.

A list of the documents to be disposed of is on file with the Clerk to the Board.

(13-1075) LEASE AGREEMENT -- MECKLINK SOUTH OFFICE

Authorize the County Manager to execute a lease with Emanuel Properties, LLC for office space for MeckLINK.

(13-1076) LAND CONVEYANCE TO CPCC

Authorize the County Manager to execute documents necessary for the conveyance of a portion of Tax Parcel #215-061-06 (+-/ 14 acres) from the County to Central Piedmont Community College.

(13-1084) BUDGET ADMENDMENT -- SHERIFF’S OFFICE (REVENUE INCREASE)

1. Recognize and appropriate for the Sheriff’s Special Revenue Fund, $4,365 from seized assets.

2. Recognize and appropriate for the Sheriff's Special Revenue Fund, $424,000 from concealed handgun permit fees.

(13-0991) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE - SECOND READING

Approve an amendment to the Mecklenburg County Solid Waste Fee Ordinance.

Note: LUESA - Solid Waste proposes a change to the Mecklenburg County Solid Waste Fee Ordinance, which is designed to encourage the development of a Construction and Demolition Waste (C&D) processing and recycling infrastructure and to facilitate the receipt of processed C&D materials at the County's Foxhole Landfill. The fee is set to fully recover the County's cost of operation. LUESA - Solid Waste is a wholly fee funded organization, receiving no general tax revenues, and thereby reliant upon appropriate fees for service. The proposed change relates to the establishment a new discounted rate under the 521 Landfill Construction and Demolition Waste Fee
Schedule designed to encourage increased C&D processing/recycling. In this Schedule, a $20 per ton fee is added for loads of processed construction and demolition materials (C&D) generated from a permitted C&D treatment and processing/recycling operation. This fee is less than the $39 per ton that would have been charged for unprocessed C&D Waste or the $29 per ton for loads of source separated materials (clean dry wall, shingles). A second intent of the change is to encourage the delivery of select materials for placement in the base/fluff layer of the newly constructed cell at the Foxhole Landfill. The operational plan for the filling of the new cell includes the placement of a base/fluff layer to help protect the underlying landfill liner system from damage. It is estimated that the new fee could attract about 10,000 tons per year of processed materials.

Ordinance recorded in full in Minute Book _____ Document # _____.

T H I S   C O N C L U D E D   I T E M S   A P P R O V E D   B Y   C O N S E N T

(13-1000) GRANT APPLICATION -- U. S. DEPARTMENT OF LABOR, VETERANS’ EMPLOYMENT AND TRAINING SERVICE AWARD

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve submitting a grant application for funding in the amount of $7,000 for a one-year grant from the U.S. Department of Labor, Veterans’ Employment and Training Service award for the 2013 Homeless Veterans Stand Down; and recognize, receive and appropriate awarded funds, if grant is awarded.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1012) ROMARE BEARDEN PARK TOBACCO FREE POLICY

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 7-2 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners James and Ridenhour voting no, to approve Park and Recreation policy to make Romare Bearden Park Tobacco Free.

Note: The park is designed to host events such as concerts and festivals, and use of tobacco products will negatively impact visitors’ enjoyment and health. A tobacco-free policy also assists in reducing litter and the promotion of parks as healthy environments for all park patrons.

Policy recorded in full in Minute Book _____ Document # _____.

Commissioner Ridenhour removed this item from Consent to express opposition to the policy.

(13-1029) JCPC FY14 FUNDING ALLOCATION PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

1. Recognize and appropriate FY14 Department of Public Safety - Division of Juvenile Justice funds in the amount of $1,387,620.

2. Approve FY14 funding allocation plan recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).
MAY 21, 2013

Commissioner Leake removed this item from Consent for more public awareness. Tom Eberly, Director of Criminal Justice Services addressed this item.

(13-1040) PROCLAMATION -- OLDER AMERICANS MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation designating May 2013 as “Older Americans” month in Mecklenburg County.

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

Commissioner Leake removed this item from Consent for more public awareness.

(13-1041) CMS SECURITY CAPITAL PROJECT ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt the FY2014 School Security Enhancement Project Capital Project Ordinance.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 21st DAY OF MAY 2013:

Section I. That for the purpose of providing funds, together with any other available funds, for the School Security Enhancement Project including the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, $19,325,000 is hereby appropriated.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds: $19,325,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General fund or unspent County proceeds in the Capital Projects funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Ordinance recorded in full in Minute Book ______ Document # ______.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1060) DOMESTIC VIOLENCE GRANT-FUNDED POSITIONS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the creation of up to four full-time positions, funded through a U.S. Department of Justice (Office of Violence Against Women) grant, to reduce the harmful effects of domestic violence on children and youth who have been exposed or are themselves victims.

Commissioner Leake removed this item from Consent for more public awareness.
(13-1081) BUDGET AMENDMENT - BUSINESS SUPPORT SERVICES AGENCY (CARRY FORWARD OF UNSPENT FUNDS)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve carry forward to FY2014 of $190,000 of Business Support Services Agency funds that remain unspent at June 30, 2013.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1073) NAMING REQUEST -- ROZZELLE’S FERRY NATURE PRESERVE (PARK & RECREATION)

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve commencement of the public process to name two recently acquired properties, parcels # 02330101 and 02330102, the “Rozzelle’s Ferry Lakeshore Preserve.”

Commissioner Ridenhour removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:49 p.m.

______________________________  ______________________________
Janice S. Paige, Clerk  Patricia “Pat” Cotham, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 4, 2013.

ATTENDANCE

Present:
Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, George Dunlap,
Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent:
None

-INFORMAL SESSION-

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items: 13-1058, 13-1096, 13-1097, 13-1100, 13-1102, 13-1117, 13-1118, and 13-1119.

(13-1134) STAFF BRIEFINGS – COUNTY MANAGER RECRUITMENT PROJECT PLAN

Human Resources Director Chris Peek addressed the County Manager Recruitment Project Plan and the necessary steps to initiate the project plan for recruiting and appointing a new county manager. Director Peek shared information regarding the following:

- Engaging the Community in the County Manager Search Process
- Community Engagement Information received from the City of Charlotte’s City Manager community engagement process and from Charlotte-Mecklenburg Schools’ Superintendent community engagement process
- Request for Quote
- Time-line of Search Process

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

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to direct staff to conduct a Request for Quote to obtain proposals from qualified executive search firms for the county manager recruitment process.
The Board then discussed whether it should establish a subcommittee of the Board or have the full Board oversee the county manager recruitment process.

Director Peek recommended the Board use the subcommittee approach.

Comments

Commissioner Dunlap said his preference would be to establish a subcommittee of the Board as recommended by Director Peek.

Vice-Chairman Ratliff inquired of Chairman Cotham about the status of her request to chair the recruitment committee.

Chairman Cotham said she had planned to get with Vice-Chairman Ratliff but was not able to.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff, to 1) form a subcommittee of the Board consisting of four Commissioners to oversee the recruitment process for the selection of a county manager, 2) that the subcommittee narrow the list of candidates for the position of county manager down to three – four finalists, who would then be interviewed by the full Board.

Commissioner Dunlap addressed the make-up of the subcommittee.

Chairman Cotham said she would chair the committee in light of her experience in executive recruitment. Chairman Cotham said she would look to the more experienced commissioners for assistance and that the committee would be bi-partisan.

Commissioner Dunlap recommended to Chairman Cotham that consideration be given to appointing Commissioners Bentley and Clarke to serve as two of the Board’s seasoned members on the committee.

Chairman Clarke said he would be happy to serve. He suggested the committee be comprised of Board members with years of experience and those with less, (“the old and the new.”).

Chairman Cotham said she appreciated the offer of Vice-Chairman Ratliff but that she would chair the committee in light of her experience in executive recruitment.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, and Commissioner Ratliff voting no, to 1) form a bi-partisan subcommittee of the Board consisting of four Commissioners to oversee the recruitment process for the selection of a county manager, 2) that the subcommittee narrow the list of candidates for the position of county manager down to three – four finalists, who would then be interviewed by the full Board.

Motion was made by Commissioner Dunlap, seconded by Commissioner James, to appoint Commissioners Bentley and Clarke to the Board’s Subcommittee for the recruitment process for the selection of a county manager and that the remaining two committee members be selected by Chairman Cotham.

There was discussion regarding whether or not the selection of committee members should remain to the discretion of the Board Chairman as it was customarily done.
Commissioner Clarke said this was not the usual type of committee appointment and that it was a critical matter in the history of the Board and Mecklenburg County.

Chairman Cotham said she would like the opportunity to discuss this matter with other Commissioners that may be interested in serving.

Commissioners Bentley and Dunlap acknowledged Vice-Chairman Ratliff’s interest in serving.

Chairman Cotham said it’s possible that Vice-Chairman Ratliff could be involved with the community engagement piece.

The vote was then taken on the motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and failed 5-4 with Commissioners Bentley, Cotham, James, Leake, and Ridenhour voting no, and Commissioners Dunlap, Clarke, Fuller, and Ratliff voting yes, to appoint Commissioners Bentley and Clarke to the Board’s Subcommittee for recruitment process for the selection of a county manager and that the remaining two committee members be selected by Chairman Cotham.

Chairman Cotham said she would report back to the Board with her recommendation by Friday, June 7, 2013 and that she would share her rationale for the selections she would make.

It was noted that the matter of appointments to the committee could be placed on the Board’s June 18, 2013 agenda either as a matter of information or affirmation whichever the Chairman decided.

(13-1127) CLOSED SESSION – CONSULT WITH ATTORNEY

Note: There were no Closed Session matters to be discussed.

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

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner James to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

(13-1129) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:

Lisa Rudisill expressed opposition to groups appearing before the Board requesting funding for various matters. Ms. Rudisill said she appreciated the Board and the work that it did. She said it was not an easy task for the Board when trying to balance all of the needs in its funding decision-making process.

APPOINTMENTS
JUNE 4, 2013

(13-1132) APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Lawrence Brinson  None
Sabrina Brinson  Commissioners Bentley, Clarke, James, Leake, and Ridenhour
Lynnette Carr  None
Sarah Demarest  None
Melandee Jones  Commissioner Ratliff
Shannon McKnight  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour  

Voting Ceased

Ola Mitchell
Kwesi Nichols
Nadia Vanderhall

Chairman Cotham announced the appointment of Sabrina Brinson to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 30, 2014 and Shannon McKnight to fill an unexpired term expiring July 2, 2014.

They replace Jeanette Ayeni and Tonya Curry.

DOMESTIC VIOLENCE ADVISORY BOARD

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

Monique Horace  None
Evelyn Mills  Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour
Christen Richardson  None
Teresa Smith  None
Lissette Torres  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour  

Voting Ceased

Latonja Worsham

Chairman Cotham announced the appointment of Evelyn Mills and Lissette Torres to the Domestic Violence Advisory Board to fill unexpired terms expiring April 30, 2015.

They replace Myna Advani and Nicole Ivory.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

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

Natalie Donovan  None
Bill Lynch  None
JUNE 4, 2013

Chairman Cotham announced the appointment of Lutemuka Zuendoki to the Information Services & Technology Committee to fill an unexpired term expiring February 28, 2015.

He replaces Wendy Jamison.

JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment consideration to the Juvenile Crime Prevention Council:

Lawrence Brinson
Stephanie Carter-Tyson
Antoine Ensley

Chairman Cotham announced the appointments of Lawrence Brinson, Stephanie Carter-Tyson, and Antoine Ensley to the Juvenile Crime Prevention Council to fill unexpired terms expiring June 30, 2013 and full three-year terms expiring June 30, 2016.

They replace Emerald Fulmore, Sara Holland and Pamela Morris.

PUBLIC ARTS COMMISSION

The vote was taken on the following nominees for appointment consideration to the Public Arts Commission:

Alicia Benjamin
L.M. Cathay Dawkins
Larry Lippi
Gaye List
Charles Thomas

Chairman Cotham announced the appointment of L.M. Cathay Dawkins to the Public Arts Commission as an At-Large Community representative for a three-year term expiring June 30, 2016 effective July 1, 2013.

She replaces Arthur Oudmayer.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Commissioner Ridenhour addressed the Small Business and Entrepreneurship Advisory Board.
The following persons were nominated for appointment consideration to the Small Business and Entrepreneurship Advisory Board: Mitchell Abdullah, Theresa Braswell, Travis Bucholtz, Dorian Carter, Antonia Childs, Stacey Dennis, Franklin Freeman, Juan Giometti, James Guin, Jonathan Hassell, Karim Kheireddine, Erin Martin, George McAllister, Eleanor McIntire, Michael Minnix, Joe Padilla, Kristin Prentice, John Shaul, Dana Sidberry, and Carl Terrell.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint the following persons to the Small Business and Entrepreneurship Advisory Board for three-year terms expiring June 30, 2016: Theresa Braswell, Antonia Childs, Stacey Dennis, Franklin Freeman, Juan Giometti, and the following persons for two-year terms expiring June 30, 2015: Jonathan Hassell, Erin Martin, George McAllister, Joe Padilla, and John Shaul.

WASTE MANAGEMENT ADVISORY BOARD

The vote was taken on the following nominees for appointment consideration to the Waste Management Advisory Board:

Michael Bailey  Commissioner Ratliff
Jimmy Hawk  None
Carl Terrell  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour

Chairman Cotham announced the appointment of Carl Terrell to the Waste Management Advisory Board to fill an unexpired term expiring February 28, 2015.

He replaces William Smith.

(13-1135) NOMINATIONS

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

The following additional applicant was nominated for appointment consideration for the Central Piedmont Community College Board of Trustees: Angelia Fryer.

Note: Zach Anderson, Madelyn Caple, Melandee Jones and Sholeh Kornegay were nominated at the May 21, 2013 meeting.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Central Piedmont Community College Board of Trustees must undergo an interview process.

PUBLIC HEARINGS - 6:30 PM

(13-1071) CITY OF CHARLOTTE’S STORM WATER FEE -- MINOR SYSTEM RATES

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing to hear comments related to a proposed increase in the City of Charlotte’s storm water fee for the minor system inside the City of Charlotte.
**JUNE 4, 2013**

**Note:** Minor System Component (City of Charlotte): By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc that drain less than 1 square mile and is the responsibility of the City inside the City limits. The revenue generated from the minor system component of the storm water fee charged within the City is returned to the City to fund the storm water management programs. Section 5(iii) of the Interlocal Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the City to such amounts as determined by the City Council.

To address new and backlogged requests for services and water quality improvements that enhance the environment, the City of Charlotte’s staff is proposing a 5.5% increase to the City’s minor system component of the storm water fee as follows:

**Detached Single Family Properties**
- Tier I from $5.08 to $5.36
- Tier II from $7.48 to $7.89

**Non-Single Family Properties**
- The per acre fee will increase from $124.70 to $131.56

**Marvin Grisby** appeared to speak. He addressed an on-going problem with a storm water drain pipe that lies between his property and his neighbor’s. Mr. Grisby resides at 2033 St. Paul Street. Mr. Grisby said the storm water drain has not been kept clean as promised. He said he’s been trying to get this matter addressed since 2011. Mr. Grisby said the only thing that occurred was that someone came out and took pictures. Mr. Grisby said he was concerned about the impact of the drain on the foundation of his home and his neighbor’s.

Interim County Manager Shields informed Mr. Grisby that present at the meeting was County and City staff who would follow up with him regarding his concern.

Motion was made by Commissioner Ratliff, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close public hearing on a proposed increase in the City of Charlotte’s storm water fee for the minor system inside the City of Charlotte.

**ADVISORY COMMITTEE REPORTS**

**PARK AND RECREATION COMMISSION ANNUAL REPORT**

The Board received the annual report of the Park and Recreation Commission. Robert Brisley, Chairman of the Park and Recreation Commission gave the report. He was joined at the podium by other members of the Park and Recreation Commission. Jim Gargas, Park and Recreation Director also responded to questions. The following was covered:

- The composition and structure of the Park and Recreation Commission
- The role of the Park and Recreation Commission
- Park & Recreation System - At a Glance
- FY 14 Manager’s Recommended Budget
- 2010 Economic Impact Study
- Trends
- Comparisons
- Current Major Initiatives
A copy of the report is on file with the Clerk to the Board.

Comments

Commissioner Leake commented on recreational needs for the Reid Park community.

Commissioner Ridenhour asked about the completion of the Little Sugar Creek Greenway connection from the NODA community to UNC-Charlotte.

Commissioner Ridenhour also asked about park maintenance, which was addressed. It was noted that previous staff reductions had an impact on staff maintenance.

Commissioner Fuller asked if the Interim County Manager’s Recommended Budget begins to address the maintenance issues and capital needs, which was addressed. Park and Recreation Commission Chairman Brisley said it was a step in the right direction.

Park and Recreation Director Jim Garges said in order to get back to the level of service that was provided before the recession, it would take an increase “over and above” what was currently affordable.

Director Garges said there were no dollars in the budget to grow additional services, but rather the dollars there, would maintain the current level of service. He said the current level of service was below what the County provided in previous years.

Commissioner Fuller said he would like to see at some point, what Director Garges believed it would take to get back to the previous level of service. Director Garges said he could provide that information.

Commissioner Dunlap commented on the Park and Recreation 10-Year Master Plan. He asked whether the Plan would have to be revised in light of the recession that occurred. Director Garges addressed the Master Plan.

Commissioner James addressed the Master Plan and his opposition to the Plan. Commissioner James said he never felt the Master Plan was “doable.” Commissioner James said the Master Plan should reflect things that could be achieved in a “reasonable” timeframe.

Commissioner James said he felt the current Plan would never “be achieved” from a capital standpoint. He said “times had changed, so the Plan needed to be changed.”

Director Garges again addressed the Master Plan.

Several Commissioners, along with the Chairman complimented the Park and Recreation Department and the Park and Recreation Commission for job that they do.

Chairman Cotham thanked the Park and Recreation Commission for the report.

Note: The above is not inclusive of every comment but is a summary.

MANAGER’S REPORT

UPDATE ON COUNTY ASSESSOR RECRUITMENT

Interim County Manager Shields informed the Board with respect to the recruitment of a County Assessor, that a candidate was still being reviewed. He said staff wanted to do a
thorough investigation of the candidate before bringing the matter to the Board. He said the plan was to make a recommendation to the Board at its June 18, 2013 meeting. It’s anticipated that a new County Assessor would come on board mid-August.

Interim County Manager Shields reminded the Board that his term as Interim County Assessor would end June 30, 2013. Further, that he would provide the Board with options for the interim period at its June 18, 2013 meeting.

UPDATE SENATE BILL 208 AND MECKLINK BEHAVIORAL HEALTHCARE

Interim County Manager Shields noted that staff would report back to the Board regarding the impact of Senate Bill 208, which would remove the operation of MeckLINK Behavioral Healthcare from the County’s control to that of an Authority.

(13-1159) MEDICAL EXAMINER’S OFFICE FUNDING

The Board received a report on the Medical Examiner’s Office funding and relationship with the State of North Carolina.

Assistant County Manager Michelle Lancaster gave the report.

Note: Medical Examiner services in North Carolina are state functions. However, in the 1960s, Mecklenburg County chose voluntarily to fund a local Medical Examiner’s Office to provide a higher level of services than could be provided by the State Medical Examiner’s Office in Raleigh, primarily due to proximity. In 2002, Mecklenburg County began functioning like a regional office of the State, providing forensic pathology services to three nearby counties, which has expanded to five counties as follows: Anson, Cabarrus, Cleveland, Gaston and Union. The State of North Carolina is considering reducing its funding provided to Mecklenburg County for Medical Examiner services in FY14.

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

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution indicating that the Board of County Commissioners will not provide funding to subsidize the State’s proportionate share of the cost of the Mecklenburg County Medical Examiner’s Office services as a regional facility, and direct the Interim County Manager to enter into a contract with the State that maintains the current funding relationship or provides sufficient State funds to cover the cost of services that Mecklenburg County has voluntarily chosen to provide on behalf of the State.

Resolution recorded in full in Minutes Book _____, Document # __________.

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

STAFF REPORTS & REQUESTS

(13-1021) RYAN WHITE ADVISORY BOARD/PLANNING COUNCIL

Assistant County Manager Michelle Lancaster addressed the Ryan White Advisory Board.
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to direct staff to request that the HIV Advisory Board and the Ryan White Advisory Board collaborate to consider the issues of HIV and the appropriate method for the Board of Commissioners to receive advice and input from stakeholders and community members. The following items should be considered: the impact of the affordable care act; future federal authorization of the Ryan White program; the impact of sequestration; Part B Ryan White funding previously available in this area; and the geographical aspects of Mecklenburg County and regional needs.

It was noted that a recommendation to the Board of Commissioners should be received no later than September, 2013.

Prior to the above vote, Commissioner Ratliff asked about the application process for receiving Ryan White funding. Assistant County Manager Lancaster said she would get that information.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to approve the following item(s):

(13-1104) BUDGET AMENDMENT -- FLEET RESERVE (REVENUE/EXPENSE INCREASE)

1. Recognize and appropriate in the Fleet Reserve Fund $130,812.55, which are proceeds from the auction of decommissioned County vehicles.

2. Recognize, receive and appropriate in the Fleet Reserve Fund $15,850, which are proceeds from the auction of decommissioned County vehicles to only be used by DSS/Services for Adults.

(13-1105) BUDGET AMENDMENT -- DONATION TO PARK AND RECREATION PARALYMPIC SPORTS CLUB (REVENUE INCREASE)

Recognize, receive and appropriate a $1,292 donation from Mark Oil as part of BP Oil’s Fueling Communities initiative to the Paralympic Sports Club - Metrolina.

(13-1112) GREENWAY EASEMENT DONATION -- LONG CREEK GREENWAY

1. Accept the donation of two easements (±.2732 acres) on Tax Parcel 025-113-05 and one easement (±.3913 acres) on Tax Parcel 025-113-22 for construction of access points to future Long Creek Greenway.

2. Amend an existing easement of ±.0545 acres on Tax Parcel 025-113-22 to expand the easement area to ±.1311 acres for the construction of an access point to future Long Creek Greenway.

(13-1115) CAPITAL RESERVE REQUEST -- LATTA EQUESTRIAN CENTER
Authorize and appropriate the expenditure of $5,000 from the Latta Equestrian Center Capital Reserve Fund to install air conditioning in the office and rehabilitate the pasture area.

(13-1120) LEASE FOR ATM MACHINE AT COUNTY FACILITY

Adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Declaring Intent to Lease Property to Fifth Third Bank”.

Resolution recorded in full in Minute Book _____ Document# _____.

(13-1128) MINUTES

Approve minutes of Regular meeting held May 21, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

Commissioner Ridenhour returned to the dais.

(13-1058) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize and receive additional federal revenue in the amount of $33,000 received from the U.S. Department of Education through the Division of Public Health for Children’s Developmental Services.

Commissioner Leake removed this item from Consent for more public awareness. Assistant County Manager Michelle Lancaster addressed this item.

(13-1096) AMEND SELF FUNDED LOSS PROGRAM

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend to delete Article IV, Section A, Part 2, Number 4 of the Self Funded Loss Program, which currently excludes claims or loss resulting from “the rendering of or failure to render medical, surgical, dental x-ray, or other professional service by any physician, surgeon, or dentist”.

Note: Approval of this agenda item would delete a portion of the Mecklenburg County’s Self Funded Loss Program attached (see page 6: Article IV, Section A, Part 2, Number 4). Effective July 1, 2013, Mecklenburg County will resume the duties of providing services to the community through the Mecklenburg Health Department, a service that has previously been provided on behalf of the County by Carolinas Healthcare System (CHS). Since the County will now resume this obligation, it is necessary that the self funded loss program resolution be amended to remove the limiting provision from the Program to allow coverage for claims arising out of services provided by physicians and dentists under the County's self retention fund. This will allow the County to settle claims from the retention fund as necessary without filing a claim.
with the carrier.

On May 22, 1979, and as thereafter amended, the Mecklenburg Board of County Commissioners adopted by resolution uniform standards under which claims or civil judgments sought or entered against County officers and employees shall be defended and paid. Mecklenburg County also established a Self Funded Loss Program, in collaboration with the City of Charlotte, to implement an administratively efficient means for carrying out its risk management program. The Program is administered by the Division of Insurance and Risk Management (DIRM), a part of the City Finance Department, in accordance with the terms, provisions, and conditions of an agreement between the County and the City.

Commissioner Leake removed this item from Consent for more public awareness. Deputy County Attorney Tyrone Wade addressed this item.

Self-Funded Loss Program Document recorded in full in Minute Book _____. Document # _____.

Commissioner Dunlap returned to the dais.

(13-1097) BUDGET AMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

A. Recognize, receive and appropriate additional State funds in the amount of $39,273 for Transition and In-Reach funding.

B. Recognize, receive and appropriate additional State funds in the amount of $25,000 for Supported Employment and Long Term Vocational Support - Definition and Funding SFY13.


Commissioner Leake removed this item from Consent for more public awareness. MeckLINK Behavioral Health Director Phil Endress addressed this item.

(13-1100) BUDGET AMENDMENT -- DSS (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY13 Budget reducing the Home and Community Care Block Grant (HCCBG) $32,934.

Note: The North Carolina Division of Aging and Adult Services was impacted by the Federal sequestration cuts during the 2013 Fiscal Year. The revenue reduction of $32,934 will have minimal impact to services in the current year because they are applied across numerous service areas, such as transportation, adult day care, in-home aide, congregate and home delivered meals. The FY13 fiscal year budget will be reduced from $2,922,502 to $2,889,568. However, there is also an anticipated reduction of $65,089 for the upcoming 2014 Fiscal Year and perhaps beyond, which could cumulatively create challenges in providing the same level and/or quantity of services that enhance the quality of life for the senior and disabled population.
(13-1102)  BUDGET AMENDMENT -- DSS (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY13 Budget reducing the Adult Day Care Federal and State Revenue $40,440.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1117)  LANDSCAPE ARCHITECT/ENGINEER SELECTION FOR FY 2014 PARK AND RECREATION PROJECTS

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt Resolution entitled: RESOLUTION APPROVING LANDSCAPE ARCHITECTS AND ENGINEERS FOR FY 2014 PARK AND RECREATION PROJECTS

Note: A pool of landscape architecture/engineering firms have been selected for the FY 2014 Park and Recreation projects. When a project commences, an appropriate firm will be selected from the pool to complete the design, construction documents and construction administration for the project. A separate pool of architectural firms will be developed for the projects that are primarily architectural. The pool consists of the following:

- Alta/Greenways
- Bulla Smith Design Engineering, PA
- Cole Jenest & Stone
- Kimley-Horn and Associates, Inc.
- LandDesign
- Landworks Design Group, PA
- Little Diversified Architectural Consulting
- Lose & Associates
- Henson Foley
- Site Solutions
- Stewart
- Stantec
- URS Corporation
- Wirth & Associates
- Woolpert Design

The assignment of a firm for a specific FY 2014 project will be based on the type of project and the firm's expertise/experience.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution recorded in full in Minute Book _____ Document# ______.
Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed this item.

**BOULEVARD HOMES REVITALIZATION -- EXTENSION OF BURNETTE STREET**

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager to:

1. Convey a portion of Tax Parcel #115-046-06 (+/- 0.795 acres) to the City of Charlotte for right-of-way improvements associated with the extension of Burnette Street as part of revitalization plans for Boulevard Homes in west Charlotte; and

2. Submit a subdivision application to the City of Charlotte's Planning Department associated with the extension of Burnette Street (above referenced right-of-way).

Commissioner Leake removed this item from Consent for more public awareness.

**ADJOURNMENT**

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:45 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Budget Workshop Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center at 5:00 p.m. on Tuesday, June 11, 2013. Dinner was held at 4:00 p.m.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

FY2013 - 2014 BUDGET DELIBERATION

The meeting was called to order by Chairman Cotham.

_The purpose of the meeting was to begin the Board’s deliberation on the Interim County Manager’s FY13-14 Recommended Budget._

_Chairman Cotham turned the meeting over to Interim County Manager Shields._

SENATE BILL 208 AND MECKLINK BEHAVIORAL HEALTHCARE

Interim County Manager Shields and Assistant County Manager Michelle Lancaster addressed the effects of North Carolina Senate Bill 208.

_Note: With the enactment of Senate Bill 208, North Carolina counties may only provide mental health, developmental disabilities, and substance abuse services through a separate area mental health authority (GS 122C-115(a)). Effective January 1, 2014, MeckLINK Behavioral Healthcare may no longer operate as a County division governed by the Mecklenburg County Board of Commissioners._

They reviewed options available to the Board and recommended next steps.

It was noted that staff was still in the process of analyzing the total impact of Senate Bill 208 and would report back to the Board at a later date.

_A copy of a handout provided to the Board on this matter is on file with the Clerk to the Board._

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to place one half of the FY 14 County funding for mental health,
developmental disabilities and substance abuse services, as included in the Interim County Manager’s Recommended Budget, in restricted contingency, pending the development of a plan to transition MeckLINK to an area authority.

Interim County Manager Shields then called on Budget/Management Director Hyong Yi.

Director Yi addressed the rules of engagement for proceeding with the straw vote process.

It was the consensus of the Board to go through the Straw Vote process by Priority Level order.

STRAW VOTES

Note: Straw vote motions do not require a second in order to be considered and can be made by any commissioner, including the chairman.

FIRE PROTECTION SERVICE DISTRICTS

Motion was made by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to confirm and include in the FY13-14 Budget, the Interim County Manager’s recommended tax rate for Fire Protection Service Districts as follows: Charlotte ETJ 6 cents, Cornelius ETJ 5 cents, Davidson ETJ 5 cents, Huntersville ETJ 5 cents, Mint Hill ETJ 7 cents.

Note: Prior to the above vote, Commissioner Dunlap and Interim County Manager Shields noted that per a recent conversation with the Town of Mint Hill’s Town Manager, Brian Welch, he would be willing to ask his Town Board to not seek repayment of approximately $170,000 the County owes to Mint Hill for their help in response to funding challenges for library services a few years ago, and in exchange, residents in the Mint Hill ETJ would not have to repay the County monies it received in overpayments this fiscal year for Mint Hill Volunteer Fire Services. The Fire Protection Service District tax rate for Mint Hill would remain at 7 cents as recommended in the Interim County Manager’s Recommended Budget. The Mint Hill Board of Commissioners will consider this matter on Thursday, June 13, 2013.

CHARLOTTE-MECKLENBURG SCHOOLS (CMS)

Motion was made by Commissioner James, to amend the Interim County Manager’s Recommended FY13-14 Budget to reduce Charlotte-Mecklenburg Schools Operational Funding by $7 million.

Substitute motion was made by Commissioner Clarke and carried 5-4 with Commissioners Bentley, Clarke, Cotham, James, and Ridenhour voting yes and Commissioners Dunlap, Fuller, Leake, and Ratliff voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to reduce Charlotte-Mecklenburg Schools Operational Funding by $2,213,471 million which was the amount placed in the Interim County Manager’s Recommended budget for teacher raises.

Note: Commissioner Clarke said he made the above motion in light of the fact that the N. C. Senate and House budgets did not include funding for teacher raises, which the County would normally put in a match for teachers paid locally. He said since it appeared the State was not providing any funding, it would not be necessary for the County to do so.

Commissioner Clarke clarified that the $2,213,471 million reduction would not impact the amount placed in the recommended budget for health insurance and retirement benefits for teachers paid locally. He was not recommending any change in these areas.
JUNE 11, 2013

Motion was made by Commissioner Dunlap and failed 6-3 with Commissioners Bentley, Clarke, Cotham, James, Leake, and Ridenhour voting no and Commissioners Dunlap, Fuller, and Ratliff voting yes, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $2.2 million to Charlotte-Mecklenburg Schools Operational Funding.

Motion was made by Commissioner Leake to amend the Interim County Manager’s Recommended FY13-14 Budget to add a 1.5% increase to Charlotte-Mecklenburg Schools Operational Funding and place it in restricted contingency to be used as a salary supplement for Charlotte-Mecklenburg School employees hired prior to January 2013, whose annual salary is less than $30,000.

Commissioner James asked Commissioner Leake if she meant for the 1.5% to be taken from the already reduced amount, per Commissioner Clarke’s motion or was she adding to the reduced amount.

Commissioner Leake said her intent was to add to it.

It was noted that if Commissioner Leake’s intent was to add it, then the amount of funding being allocated to Charlotte-Mecklenburg Schools would be above the amount recommended in the Interim County Manager’s Recommended budget.

Commissioner Leake after further discussion of her motion decided to table her motion.

Motion was made by Commissioner James and failed 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake, and Ratliff voting no and Commissioners Bentley, Cotham, James, and Ridenhour voting yes, to amend the Interim County Manager’s Recommended FY13-14 Budget to reduce Charlotte-Mecklenburg Schools Operational Funding by $4,786,529.

Note: Commissioner James said the amount stated in his motion represented the difference between the reduction made by Commissioner Clarke’s earlier motion and his original motion for a $7 million reduction.

CENTRAL PIEDMONT COMMUNITY COLLEGE

Motion was made by Commissioner Dunlap, to amend the Interim County Manager’s Recommended FY13-14 Budget to increase funding for Central Piedmont Community College by $1.5 million.

Substitute motion was made by Commissioner James and carried 5-4 with Commissioners Bentley, Cotham, James, Leake and Ridenhour voting yes and Commissioners Clarke, Dunlap, Fuller, and Ratliff voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to reduce funding for Central Piedmont Community College by $1 million.

Motion was made by Commissioner Dunlap to amend the Interim County Manager’s Recommended FY13-14 Budget to increase funding for Central Piedmont Community College by $2.5 million.

Substitute motion was made by Commissioner Bentley and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner
James voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to increase funding for Central Piedmont Community College by $1.75 million.

COMMUNITIES IN SCHOOLS

Motion was made by Commissioner James and failed 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting no and Commissioner James, voting yes, to amend the Interim County Manager’s Recommended FY13-14 Budget to move funds allocated for Communities In Schools into restricted contingency for Charlotte-Mecklenburg Schools to distribute to Communities In Schools.

Note: Commissioner James said he was recommending the above motion in light of the fact that the funds allocated by Charlotte-Mecklenburg Schools to Communities In Schools were County funds as well, so why not let Charlotte-Mecklenburg Schools allocate all of the funding to Communities In Schools. Commissioner James said this would take the County out of it and Communities In Schools would only have to deal with Charlotte-Mecklenburg Schools.

Commissioner James addressed the history of Communities In Schools funding and how the County got involved.

Commissioner Fuller addressed the importance of Communities In Schools being able to be in control of how it uses its funds and the need for a degree of independence from Charlotte-Mecklenburg Schools, even though it supports Charlotte-Mecklenburg Schools. He said perhaps the County should consider giving Communities In Schools all of its funding directly, rather than giving a portion of it to Charlotte-Mecklenburg Schools, who would then provide it to Communities In Schools.

COMMUNITIES IN SCHOOLS - IMAGINON/CHILDREN’S THEATRE – SCHOOL HEALTH NURSES

Motion was made by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the Interim County Manager’s Recommended FY13-14 Budget to 1) increase Communities and Schools funding by $250,000, 2) increase ImaginON/Children’s Theatre funding by $155,000, and decrease School Health Nurses funding by $405,000.

Note: Commissioner Bentley addressed how the decrease in School Health Nurses funding would not dramatically impact the need for additional School Health Nurses. She addressed how there were plans on the part of the Health Department to do an assessment of the need and upon receipt of that assessment, the Board would address this again.

Director Yi informed the Board that because of the way the funding arrangement was structured with respect to ImaginOn/Children’s Theatre, that the funds approved in the above motion would be placed in the County’s Business Support Services Agency’s budget and not the Library’s budget. There was no objection by the Board to this.

FIRST BAPTIST CHURCH WEST CLARA JONES SUMMER PROGRAM

Motion was made by Commissioner Leake to amend the Interim County Manager’s Recommended FY13-14 Budget to add funding for the First Baptist Church West Clara Jones Summer Program in the amount of $75,000.

Commissioner Dunlap offered a friendly amendment, that Commissioner Leake accepted, which was to further amend the Interim County Manager’s Budget by increasing the sales tax growth rate by .5%
The vote was then taken on the motion as follows:

Motion was made by Commissioner Leake and carried 7-2 with Commissioners Bentley, Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners James and Ridenhour voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to 1) increase the sales tax growth rate by .5% and 2) add funding for the First Baptist Church West Clara Jones Summer Program in the amount of $75,000.

HEALTH DEPARTMENT - HEALTH PROMOTION

Motion was made by Commissioner Leake and carried 6-3 with Commissioners Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley, James and Ridenhour voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $50,000 to the Health Department Budget for Health Promotion.

Note: Commissioner Bentley requested outcome data for this program.

BETHESDA HEALTH CENTER

Motion was made by Commissioner Dunlap and carried 6-3 with Commissioners Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley, James and Ridenhour voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $165,000 for the Bethesda Health Center and place it in contingency to be released upon Bethesda’s submission of a certified audit.

DOMESTIC VIOLENCE SUMMIT

Motion was made by Commissioner Dunlap to amend the Interim County Manager’s Recommended FY13-14 Budget to add $1,200 for the Domestic Violence Summit.

After discussion of this matter, it was the consensus of the Board that this matter be placed on the Board’s June 18, 2013 meeting agenda under consent for the Board’s consideration of the requested funds being taken out of the current contingency fund.

The Board recessed for a break at 8:05 p.m. and reconvened at 8:31 p.m.

Commissioner James was absent when the Board reconvened and for the remainder of the meeting.

CHARLOTTE COMMUNITY HEALTH CLINIC

Motion was made by Commissioner Ratliff and carried 7-1 with Commissioners Bentley, Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioner Ridenhour voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $50,000 for the Charlotte Community Health Clinic.

PHYSICIAN’S REACH OUT/CARE RING NURSE FAMILY PARTNERSHIP

Motion was made by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff, and Ridenhour voting yes, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $62,500 for the Physician’s Reach Out/Care Ring Nurse Family Partnership Program.
STAFF POSITION TO ASSIST BOARD OF COUNTY COMMISSIONERS

Motion was made by Commissioner Fuller and carried 6-2 with Commissioners Cotham, Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley and Ridenhour voting no, to amend the Interim County Manager’s Recommended FY13-14 Budget to add $82,000 (including benefits) for an additional staff position that would provide assistant to the Board of County Commissioners.

Note: Commissioner Fuller addressed the need for an additional staff person to assist the Board. Commissioner Fuller said having only one Board assistant was not adequate when there are nine commissioners. He said this person would be assigned by the County Manager.

INTERIM COUNTY MANAGER’S BUDGET

Motion was made by Commissioner Dunlap and failed 4-4 with Commissioners Clarke, Dunlap, Fuller, and Ratliff voting yes and Commissioners Bentley, Cotham, Leake, and Ridenhour voting no, to accept the remaining portion of the Interim County Manager’s budget as presented.

CHARLOTTE-MECKLENBURG SCHOOLS

The Board addressed Commissioner Leake’s tabled motion which was:

Motion was made by Commissioner Leake to amend the Interim County Manager’s Recommended FY13-14 Budget to add a 1.5% increase to Charlotte-Mecklenburg Schools Operational Funding and place it in restricted contingency to be used as a salary supplement for Charlotte-Mecklenburg School employees hired prior to January 2013, whose annual salary is less than $30,000.

It was noted that if Commissioner Leake’s intent was to add it, then the amount of funding being allocated to Charlotte-Mecklenburg Schools would be above the amount recommended in the Interim County Manager’s Recommended budget.

Commissioner Leake after further discussion withdrew her motion. She said she regretted that funding was not available to make her desire possible.

A copy of the FY2014 Budget Strawman Spreadsheet is on file with the Clerk to the Board.

BUDGET ORDINANCE DIRECTIVE

Motion was made by Commissioner Ratliff, seconded by Commissioner Dunlap and carried 7-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioner Ridenhour voting no, to direct staff to prepare a budget ordinance for the Board’s consideration on June 18, 2013 based on actions taken on June 11th which would result in a tax rate of 81.57 cents.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:04 p.m.
JUNE 11, 2013
Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
JUNE 18, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 18, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Bentley, Clarke, and Dunlap were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1107, 13-1130, 13-1143, 13-1144, 13-1149, 13-1158, and 13-1172.

STAFF BRIEFINGS - NONE

(13-1174, 13-1177) CLOSED SESSION – CONSULT WITH ATTORNEY AND BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, Attorney Bethune announced there was no Consult with Attorney matter(s) to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 6-0 with Commissioners Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:03 p.m. and came back into Open Session at 5:20 p.m.

Commissioners Bentley, Clarke, and Dunlap were present when the Board came back into Open Session. They entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner James to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

STAFF REPORTS & REQUESTS

(13-1175) PROPOSED CAPITAL PLAN -- FY2015 - FY2019

Assistant County Manager Dena Diorio presented the proposed Capital Plan FY2015 – FY2019. A copy of the Plan is on file with the Clerk to the Board.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the five-year capital improvement plan for FY2015 through FY2019.

(13-1184) ORDINANCE REVISION – LAND USE & ENVIRONMENTAL SERVICES FEE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend LUESA Fee Ordinance to revise demolition permit fees.

Note: Last year, LUESA agencies (Air Quality, Environmental Health, Code Enforcement) proposed revisions to the demolition permit fee structure. The current consolidated fee structure was created in 1997 to simplify the process for customers by creating one payment process, but has not changed in 15 years. In its April 17, 2012 meeting, the Building Development Commission (BDC) voted to support a FY13 increase of 10% followed by four annual increases of 2.5%, in each of FY14, FY15, FY16 and FY17. The Board of County Commissioners approved the initial 10% demolition permit fee increase on June 5, 2012. This is the first of the four 2.5% Demo Permit Fee increases as recommended by the BDC in its April 17, 2012 meeting. The BDC also met on March 19, 2013 and voted in support of this action

Ordinance recorded in full in Minute Book ______ Document # ________.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1173) FY2013-2014 BUDGET ORDINANCE

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff, to approve the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2013-2014.

Note: At its June 11, 2013 workshop meeting, the Board directed staff to prepare the FY2013-2014 Budget Ordinance consistent with the Board's straw voting at the workshop. Approval of the Budget Ordinance will adopt a balanced operating budget of expenditures and revenues for
the period of July 1, 2013 through June 30, 2014 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance is consistent with the Board’s straw voting, resulting in a total budget of $1.68 billion and a county property tax rate increased from 79.22 cents to 81.57 cents, as well as the law enforcement service district tax rate remaining at the current rate of 19.37 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 6 cents; Cornelius = 5 cents; Davidson = 5 cents; Huntersville = 5 cents; and Mint Hill = 7 cents.

Substitute motion was made by Commissioner James, seconded by Commissioner Bentley, to adopt the revised Manager’s budget (after the recent straw votes) as stated by Commissioner Dunlap in the original motion, but keeping the current general property tax rate of 79.22 cents adjusted for the following items:

1. Line 75 – Defer OPEB’s funding for upcoming year $8,000,000
2. Line 187 – Reduce Facility Management and Maintenance $4,000,000
3. Defer Capital and Fleet Reserves for a year (use for operating) $6,400,000
4. Take the difference from ‘fund balance’ (use for operating) $6,600,000
$25,000,000

Note: $12,000,000 will be cut from items 1 and 2 of the operating budget and $13,000,000 will be temporarily taken from the fund balance to balance the budget.

In addition, the following amounts will be transferred into a restricted contingency pending the hiring of a new Assessor and future board action:

- Business Personal Property Audit (CAO) 170 $267,809
- Property Assessment Services (CAO) 171 $2,232,288
- Real Property Valuation (CAO) 178 $4,995,212
- Total $7,495,309

Commissioner Bentley offered a friendly amendment that was accepted by Commissioner James, which was to change the amount to be placed into restricted contingency pending the hiring of a new Assessor and future board action to $1.8 million which represents the increase of FY13 over FY14.

Interim County Manager Shields informed the Board that if Commissioner James’ motion passed, there would be a $1.25 million budget shortfall.

After discussion regarding the reasoning and impact of the substitute motion, the vote was then taken on the substitute motion as amended and noted below.

Substitute motion was made by Commissioner James, seconded by Commissioner Bentley, and failed 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake, and Ratliff voting no and Commissioners Bentley, Cotham, James, and Ridenhour voting yes, to adopt the revised manager’s budget (after the recent straw votes) keeping the current general property tax rate of 79.22 centers adjusted for the following items:

1. Line 75 – Defer OPEB’s funding for upcoming year $8,000,000
2. Line 187 – Reduce Facility Management and Maintenance $4,000,000
3. Defer Capital and Fleet Reserves for a year (use for operating) $6,400,000
4. Take the difference from ‘fund balance’ (use for operating) $6,600,000
$25,000,000

$12,000,000 will be cut from items 1 and 2 of the operating budget and $13,000,000 will be temporarily taken from the fund balance to balance the budget.
JUNE 18, 2013

In addition, that $1.8 million be transferred into a restricted contingency pending the hiring of a new Assessor and future board action. Also, that the shortfall noted by Interim County Manager Shields be taken out of fund balance in order to balance the FY13-14 Budget.

_____

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to allow persons that signed up to speak regarding the budget to do so.

It was noted that citizens normally address the budget at the Board’s Budget Public Hearing, which was held on May 30, 2013 but that the persons who signed up to speak wanted to address the proposed property tax rate.

The following persons appeared to speak in opposition to a property tax rate increase: Christian Hine, Wayne Powers, Dennis Peterson, Mary Armstrong, and Daniel Rufty.

Commissioners then addressed the original motion, after which, the vote was taken on the original motion as noted below.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff, and carried 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley, Cotham, James, and Ridenhour voting no, to approve the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2013-2014.

Note: The Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2013-2014 establishes a balanced operating budget of expenditures and revenues for the period of July 1, 2013 through June 30, 2014 as required by Local Government Budget and Fiscal Control Act. The total budget is $1.68 billion and it sets the county property tax rate at 81.57 cents, as well as the law enforcement service district tax rate remaining at the current rate of 19.37 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 6 cents; Cornelius = 5 cents; Davidson = 5 cents; Huntersville = 5 cents; and Mint Hill = 7 cents.

Ordinance recorded in full in Minute Book ______ Document # ________.

The Board recessed at 9:10 p.m. for a break and reconvened at 9:24 p.m.

AWARDS/RECOGNITION

(13-1178) NORTH CAROLINA STATE TREASURER’S AWARD FOR EXCELLENCE IN ACCOUNTING AND FINANCIAL MANAGEMENT

The Board recognized and thanked the County’s Human Services Finance Division staff for receiving the North Carolina State Treasurer’s Award for Excellence in Accounting and Financial Management.

Tonya Fry, Finance Director for the Centralina Council of Governments and on behalf of the N.C. Association of Certified Public Accountants and Jim Burke from the State Treasurer’s Office presented this matter to the Board. It was noted that the actual award was presented and received in March.

Assistant County Manager Dena Diorio and retired former Human Services Finance Division Director Gail Murchison accepted the recognition on behalf of the County’s Human Services Finance Division staff.
Note: The North Carolina State Treasurer’s Award for Excellence in Accounting and Financial Management program is designed to encourage North Carolina units of local government to upgrade their accounting and financial management systems and procedures. The award is given to those governmental units demonstrating the most improvement or increased transparency in accounting or financial management programs, systems, methods, and procedures. The Human Services Finance Division (HSF) was implemented in August, 2011. The Division was formed to build and enhance a high-performing financial management operation to support the four County human services departments (Departments of Social Services, Public Health, MeckLINK Behavioral Healthcare, and Community Support Services Department). The focus is developing and improving fiscal compliance, including strengthening internal controls and improving consistency and accountability over financial management practices. The unique nature of this model and the processes developed and implemented were key factors in the County receiving this award. The HSF staff worked extremely hard and this award was a testament to their dedication to the County and the department customers they serve.

(13-1153) PUBLIC APPEARANCE

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

(13-1166) APPOINTMENTS

DOMESTIC VIOLENCE ADVISORY BOARD

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

- Monique Horace
  - None
- Christen Richardson
  - None
- Teresa Smith
  - Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour
  - Voting Ceased
- Latonja Worsham

Chairman Cotham announced the appointment of Teresa Smith to the Domestic Violence Advisory Board to fill an unexpired term expiring April 30, 2015.

Note: She replaces Evelyn Mills.

(13-1167) NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint June Blotnick to the Air Quality Commission as the Environmental representative to fill an unexpired term expiring August 31, 2014.

Note: She replaces Emily Anderson.
BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Dietrich Brown, Eric Little, and Charles Roberts to the Board of Motor Vehicle Review for one-year terms expiring July 18, 2014.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Charles Roberts as chairman of the Board of Motor Vehicle Review for the duration of his term.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate Chris Price for appointment consideration to the Board of Motor Vehicle Review.

Note: an appointment will occur following an interview of the above nominee by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Board of Motor Vehicle Review must undergo an interview process.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Jonathan Bahr as the Charlotte Chamber of Commerce representative and Kevin Silva as a General Public representative to the Building Development Commission for three-year terms expiring July 31, 2016.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Jonathan Bahr as chairman of the Building Development Commission for the duration of his term.

CHARLOTTE-MECKLENBURG COALITION FOR HOUSING

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Annabelle Suddreth to the Charlotte-Mecklenburg Coalition for Housing as the Human Services representative for a three-year term expiring June 30, 2016.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Josef Penner to the Charlotte-Mecklenburg Coalition for Housing as the Public Safety/Law Enforcement representative to fill an unexpired term expiring June 30, 2014.

Note: He replaces Frank Cantrell.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE
JUNE 18, 2013

Commissioner Bentley nominated all applicants for appointment consideration to the Citizen’s Capital Budget Advisory Committee: Leigh Altman, Sue Peck, David Tibbals.

Note: An appointment will occur on July 2, 2013.

CITIZEN’S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Matt Covington and Robert Watson to the Citizen’s Transit Advisory Group for two-year terms expiring June 30, 2015.

CMUD ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Ron Charbonneau to the CMUD Advisory Committee as the Neighborhood Leader representative for a three-year term expiring June 30, 2016.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Henry Federal and JeNai Redwood to the Human Resources Advisory Committee for three-year terms expiring June 30, 2016.

JURY COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Carla Brafford to the Jury Commission for a two-year term expiring June 30, 2015 effective July 1, 2013.

Note: She replaces Gail Gibson.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Douglas Edwards, Susan McCarter and Mary Lisa Moore to the Juvenile Crime Prevention Council as General Public representatives and Laura Johnson as the Business Community representative for two-year terms expiring June 30, 2015.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Jane Goble-Clark to the Juvenile Crime Prevention Council as the Substance Abuse Professional representative for a two-year term expiring June 30, 2015.

Note: She replaces Lopa Thakkar.
MOUNTAIN ISLAND LAKE MARINE COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Daniel DuVall to the Mountain Island Lake Marine Commission to fill an unexpired term expiring September 30, 2014

Note: He replaces Margaret Morgan.

WOMEN'S ADVISORY BOARD

Commissioner Bentley nominated all applicants for appointment consideration to the Women’s Advisory Board: Andrea Arterburn, Heather Blake, Sarah Byrne, Lynnette Carr, Valerie Dorsett, Devonya Govan-Hunt, Charlene Henderson, Kathi Knier, Imana Legette, Nichole Patterson, Christen Richardson, Teresa Smith, Sasha Tomaszycki, Latonja Worsham, and Denise Young-Boyd.

Note: An appointment will occur on July 2, 2013.

PUBLIC HEARINGS - 6:30 PM - NONE

ADVISORY COMMITTEE REPORTS

(13-1079) DOMESTIC VIOLENCE ADVISORY BOARD 2012 ANNUAL REPORT

The Board received the annual report of the Domestic Violence Advisory Board (DVAB). LiMia Bowen, Chair and Patrick Burris, Co-Chair of the Domestic Violence Advisory Board gave the report. The following was covered in the report:

- 2012 Accomplishments
- Concerns: Domestic Violence Crimes
- Concerns: Child Victim Services
- Adult Victim Services
- Abuser Intervention
- Community Resources
- Domestic Violence Advisory Board Recommendations
  - Continue to identify Domestic Violence as a priority safety and health issue on the Mecklenburg County Balanced Scorecard
  - Continue to support annual update of Domestic Violence Warehouse
  - Continue to financially support the Safe Alliance Clyde and Ethel Dickson’s Domestic Violence Shelter
  - Support continuation of lethality assessment by police to determine predominant aggressor and referrals to Domestic Violence services
  - Utilize media technology to support access to a Magistrate in North Mecklenburg
  - Expand CD/CP response program to child witnesses of trauma to all CMPD divisions
  - Implement all Fatality Review Team recommendations

A copy of the report is on file with the Clerk to the Board.
Chairman Cotham thanked them for the report.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1180) DOMESTIC VIOLENCE SUMMIT -- COMMISSIONER DUNLAP

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 7-2 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners James and Ridenhour voting no, to appropriate $1,200 from the FY2013 Unrestricted Contingency Fund for the Domestic Violence Summit and approve the carry forward of those funds into FY14.

Commissioner Bentley asked that going forward the Domestic Violence Advisory Board seek financial assistance from the City of Charlotte and Charlotte-Mecklenburg Schools.

MANAGER’S REPORT

(13-1164) COUNTY ASSESSOR RECRUITMENT

The Board received an update on the County Assessor recruitment process. Interim County Manager/County Assessor Shields addressed this matter with the Board. The update also included a review of 2011 Revaluation Review Work Plan (a copy of which is on file with the Clerk to the Board).

Interim County Manager/County Assessor Shields noted the following regarding the recruitment process:

- The recruitment process was completed.
- The best candidate from those interviewed was selected, however, on Monday, June 17, 2013 he was told by that candidate that he was no longer interested in the position.
- The Board has two options, at this point.
  - Continue the recruitment process using The Mercer Group
  - Start all over with a new search firm
- Per the County’s agreement with The Mercer Group, Mercer was obligated to continue its executive recruitment search until a successful candidate was hired.
- If the successful candidate leaves the County within two years, The Mercer Group still had an obligation to do another search for the County.
- The only County cost would be the incidental out of pocket cost that they might have.
- It’s recommended the Board take advantage of the resources the County had already paid for, that being to continue using The Mercer Group.

Commissioner Bentley said the Board needed to have a discussion on what should be done in the interim, since the candidate to be recommended decided he was no longer interested in the position.

Commissioner Bentley said she was not that impressed with the work product from The Mercer Group. She asked Human Resources Director Chris Peek to give his professional opinion around The Mercer Group and if he believed if the County continued with them that a more satisfactory work product would be received, or would he recommend looking to another search firm.

Director Peek said based on Human Resources’ experience in using search firms, there were some things that The Mercer Group could have done better.

Director Peek said one option the Board may want to consider was to have a conversation with The Mercer Group to express the County’s concerns and allow them to respond.
Director Peek suggested that the Board have Commissioner Bentley, who chaired the Board’s Search Committee, to have that conversation with The Mercer Group, along with other Commissioners that may have had concerns.

Director Peek said if The Mercer Group did not address the concerns satisfactorily, then he might suggest moving on to another firm. If it’s felt that the concerns were addressed then the contract with The Mercer Group could be amended specifically to outline the County’s expectations, if both parties agreed.

Commissioner Bentley said if the Board decided to go with another firm, from a timeline perspective how long would it take for staff to do its due diligence and engage another firm. *Director Peek said it would be a very compressed timeline but that staff could probably turn that around in 2 – 2 1/2 weeks.*

Commissioner Bentley said she had a proposal for handling the transition.

Commissioner Dunlap said if the County contracted with another firm, based on the proposals seen thus far, what would the cost be. *Director Peek said typically the cost was in the neighborhood of 25% give or take of the annual salary for the position, so it could be anywhere between $22,000 - $28,000.*

Commissioner Dunlap asked about the cost to retain The Mercer Group. *Director Peek said it was $16,500.*

Commissioner Fuller asked about The Mercer Group’s cost. *Director Peek said The Mercer Group was on a fixed fee.*

Chairman Cotham addressed the difference between a fixed fee cost and a contingency cost.

Chairman Cotham asked Commissioner Bentley if the County Assessor Recruitment Committee would like to meet to discuss the matter of whether to move forward with The Mercer Group or select another firm. Chairman Cotham said she would be happy to attend that meeting if Commissioner Bentley wanted her to.

Commissioner Bentley said that was a good idea and that the committee would meet and bring a recommendation back to the Board at the next meeting.

Commissioner Bentley addressed the gap in time between the expiration of Interim County Assessor Bobbie Shields term, June 30, 2013 and the hiring of a permanent County Assessor.

Commissioner Bentley proposed retaining Debbie King in the interim period as an “expert,” a term she pulled out of the Machinery Act. Commissioner Bentley said because of certain technicalities Ms. King could not be brought on board as Interim County Assessor.

Commissioner Bentley said the purpose of engaging Ms. King as an “expert” would be 1) for Ms. King to serve at the “will” of the Board and report directly to the Board, 2) to ensure that the recommendations proposed by Pearson’s Appraisal Service, approved by the previous Board, as well as the recommendations from Customer Service Solutions were “well on track” and 3) that the department was in a position of “readiness” for the implementation of House Bill 200 and 4) ready for the new Assessor to “jump in and get to work.”

Commissioner Bentley asked County Attorney Bethune to address the current County Assessor’s term and bringing in Ms. King in accordance with the Machinery Act.

County Attorney Bethune said county assessors were appointed for a term of no less than two
years and no more than four years and depending on the person’s level of expertise, it can’t be more than two years if they haven’t already been qualified under N. C. law.

County Attorney Bethune said there was no opportunity to appoint anyone for a three month term starting in July 2013. He said the statute did provide that all officers, which includes the position of county assessor, continue in their respective offices until their successor is elected or appointed and duly qualified. Thus, whoever the county assessor was on June 30, 2013 would remain as the county assessor on July 1 and until such time that a new county assessor was hired and took the oath of office.

County Attorney Bethune said Interim County Assessor Shields would remain in the position until a new county assessor was hired.

County Attorney Bethune said there was a statute that allowed the hiring of an “expert” which could be an individual or a firm to assist the county assessor in carrying out his or her duties.

Commissioner Bentley asked would the Board be responsible for defining the “expert’s” scope of work. County Attorney Bethune said yes and that it would normally be done in consultation with the county assessor.

Commissioner Bentley asked could the “expert” report directly to the Board. County Attorney Bethune said he believed so.

County Attorney Bethune said the Board could ask that the county assessor report directly to the Board, but that it was one of those situations where if you look at an organizational chart, you would see a dotted line to the Board, but there would have to be a dotted line to the county manager as well because there was a statute that says the county manager was responsible for overseeing all departments. The assessor is head of a department and would have to submit a budget to the county manager for consideration in the county manager’s recommended budget. County Attorney Bethune said the Board could ask that any budget recommendation submitted to the county manager also be submitted to the Board for awareness purposes.

County Attorney Bethune said there would need to be clarity around that reporting relationship.

Commissioner Dunlap addressed the dismissal of the former Board of Equalization and Review (BER). Commissioner Dunlap said the work of the former BER was the work of the Citizens Revaluation Advisory Committee (CRAC).

Commissioner Dunlap said there had been no discussion regarding the CRAC whose responsibility it was to set the Schedule of Values.

Commissioner Dunlap said if the Board was going to start fresh, then it should include the CRAC.

Commissioner Bentley said it was her understanding the CRAC was an ad hoc committee whose purpose was to approve the Schedule of Values and consult with the Assessor’s Office around the Schedule of Values and make a recommendation to the Assessor. Commissioner Bentley said CRAC did not have to continue on-going work, like the BER.

Commissioner Bentley said there had been no discussion about reappointing the CRAC. She said that discussion would come up when it was time to discuss the next revaluation.

Commissioner Dunlap asked if that meant the CRAC no longer existed. Commissioner Bentley said that was her understanding.
Tom Derham, former chair of the CRAC, said the committee was no longer in existence.

Commissioner Dunlap asked was it correct that when it’s time to get a new Schedule of Values, the Board would appoint a new CRAC. Commissioner Bentley said yes.

Commissioner Dunlap said if the County has an interim county assessor already, what would be the “value” of hiring an additional person, since the current interim county assessor was willing to remain in the position until a permanent county assessor was hired.

Commissioner Dunlap said for him this was about “fiscal responsibility.”

Commissioner Bentley said the rationale for her proposal was to have someone in the County Assessor’s Office every day, “feet on the ground, eyes on the operation,” with major focus on all of the recommendations that had been brought forth and ensuring a smooth transition and execution of those recommendations.

Commissioner Bentley said she had high regard for the Interim County Manager who was also serving as Interim County Assessor and how much time he can be in both places.

Commissioner Bentley said the Assessor’s Office needed to be up and ready to go for the new assessor.

Commissioner Bentley acknowledged that the Board’s Ad Hoc Committee was split on this matter but that she would not come to the Board if she wasn’t’ sure that this was needed.

Commissioner Dunlap asked Interim County Manager/County Assessor Shields to comment on Commissioner Bentley’s remarks.

Interim County Manager/County Assessor Shields said the Board could hire a consultant to the Board to perform whatever duties necessary.

Interim County Manager/County Assessor Shields said he had been working and would be working with Assistant County Manager Dena Diorio and others to make sure staff implemented what the Board suggested.

Interim County Manager/County Assessor Shields said if the Board chose to add an additional resource through Ms. King or whoever the Board may choose, if a scope of work could be worked out for the service that would “truly add value, we’re not going to turn away the offer of that nature.”

Interim County Manager/County Assessor Shields said his desire would be that it be made very clear as to what the scope of responsibility was and the relationship between Ms. King, the Board, and the Assessor’s Office.

Commissioner Dunlap said he would need to know the scope of work and the financial implications before he could vote on the matter of possibly hiring an additional person.

Commissioner Fuller expressed concern for the reasoning behind the proposal.

Commissioner Fuller said per his understanding of the proposal, an interim person would be brought in to make changes, to implement a plan, and we would then expect a new county assessor to come in and accept those changes. Commissioner Fuller said he had a “problem with that.”

Commissioner Fuller said the new assessor should be given a “reasonable” opportunity to put
their “stamp”, their experience, knowledge, and management ability to the office that they would be the director of.

Commissioner Fuller said the proposal could impact the recruitment of a new assessor.

Commissioner Fuller questioned the need for an interim person. Commissioner Fuller said the current interim county assessor can make sure that the Board’s directives were implemented.

Commissioner Fuller said in a way the County would be paying double for the same service.

Commissioner Bentley asked Ms. King to come to the podium and share with the Board her vision of how she would spend her time in the Assessor’s Office.

Ms. King said she understood Commissioner Fuller’s point of view regarding a new county assessor being able to come in and organize the office, etc., but that with “all due respect to Manager Shields, he is not an assessor and has not been trained as an assessor.”

Ms. King said there were a lot of issues in the Assessor’s Office that were very technical that needed to be addressed. Ms. King said there were very specific guidelines for an Assessor’s Office. Ms. King said those things needed to be in place now and when a new county assessor came in.

Ms. King said Senate Bill 200 would put another burden on the Assessor’s Office that was unprecedented.

Ms. King said there were a lot of things going on regarding assessment and that her value would be that she could be in the Assessor’s Office Monday thru Friday. Ms. King said she would be glad to help get the office “back on its feet, headed in the right direction,” so that when there were applicants for the county assessor position, there “won’t be this stigma attached regarding this “bad revaluation” that the County just had.

Commissioner Fuller said he did not see the need unless someone could tell him that Interim County Manager/County Assessor Shields was not doing the things that Ms. King talked about, nor was there any one in the Assessor’s Office that could do those things.

Commissioner Fuller said the focus should be on getting the best permanent assessor.

Commissioner Leake asked how much it was going to cost the County to employ Ms. King.

Commissioner Bentley said $100.00 per hour was discussed.

Commissioner Bentley said her intent was to get a sense from the Board to move forward in defining a scope of work, negotiating a contract price, and perhaps a term of service and then come back to the full Board with those details.

Commissioner Bentley said the question was whether the Board was comfortable with Interim County Manager/County Assessor Shields wearing “two big hats.” Commissioner Bentley said it was not “fair” to Interim County Manager/County Assessor Shields to fill both roles at the level the Board would expect them to be filled on the back drop of all the transition that the County was in.

Commissioner Fuller asked Commissioner Bentley was she saying Interim County Manager/County Assessor Shields was not doing his job as the Assessor.

Commissioner Bentley asked Interim County Manager/County Assessor Shields if he was in the Assessor’s Office Monday thru Friday 8:00 a.m. – 5:00 p.m. The response was no.
Commissioner Bentley said that was her “point.”

Commissioner Fuller said the question was whether Commissioner Bentley felt Interim County Manager/County Assessor Shields was not doing his job as the Assessor.

Commissioner Ridenhour said the proposal could impact the recruitment of a new assessor, which was the point of doing it. Commissioner Ridenhour said the County lost what many considered to be the top candidate for the position of County Assessor because they were concerned about the “friction in the community and within the Assessor’s Office, etc.”

Commissioner Ridenhour said moving forward with the proposal would show persons that may be interested in the position that steps were being taken to try and “clean up a little bit” and to get ready for Senate Bill 200 and other changes that were coming.

Commissioner Ridenhour said it was unfair and a lot to ask Interim County Manager Shields to continue to wear “two hats.”

Commissioner Ridenhour said he was not saying Interim County Manager Shields was not doing it effectively, but that a person can only wear “two hats” for so long. Commissioner Ridenhour said “if we could get the same quality output from one person doing these two very large roles, then why have two roles.”

Commissioner Ridenhour said there were two roles because they are defined by their scope of work to necessitate a full time employee.

Commissioner James responded to Commissioner Fuller’s question with respect to whether or not Interim County Manager/County Assessor Shields was doing his job as Assessor.

Commissioner James said Interim County Manager/County Assessor Shields recently when giving a report on the Assessor’s Office “defended the Assessor’s review and said they had done a good job in spite of all of the evidence.”

Commissioner James said Interim County Manager/County Assessor Shields thought the 2011 Revaluation was “great.” Commissioner James said Interim County Manager/County Assessor Shields defended the revaluation “in the middle of a report that condemned it.”

Commissioner Fuller said until he was shown evidence that Interim County Manager/County Assessor Shields was not doing his job as Assessor, he couldn’t agree with “double spending the taxpayers’ money.”

Commissioner James said it didn’t matter who was hired, although he thought Ms. King would be fine.

Commissioner James said he didn’t think Interim County Manager/County Assessor Shields was “an honest broker about the Assessor’s Office” because he thinks Interim County Manager/County Assessor Shields supports the Assessor’s Office “status quo.” Commissioner James said when you make a comment that the Assessor’s Office 2011 Revaluation, which was “so screwed up,” was okay, that’s evidence that you should not be the person “running it and fixing it.”

Commissioner Clarke said the Board should not be asked to approve anything regarding engaging the services of Ms. King before seeing a written proposal.

Commissioner Clarke said this was an odd way of engaging a consultant.
Commissioner Clarke said the proposal felt like a way to do an “in-run” around the statute, which would not allow Ms. King to be hired as the temporary County Assessor, but as an “expert” to assist the Assessor.

Commissioner Clarke expressed concern with respect to how this matter of engaging Ms. King came about.

Commissioner Clarke said he was willing to consider the idea but questioned the need for that person to report directly to the Board.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Fuller voting no, to have Debbie King, Interim County Manager/County Assessor Shields, Assistant to the County Manager Dena Diorio, Commissioner Bentley and other members of the Board Ad Hoc Revaluation Review Committee to meet and 1) define a scope of work for Ms. King, 2) define clearly what her role would be, 3) gain agreement from Interim County Manager/County Assessor Shields and Assistant County Manager Dena Diorio, 4) determine a contract price per hour, and report back to the full Board at the next meeting.

Prior to the above vote, Commissioner Clarke said there should agreement that the proposed “expert” would not apply for the permanent County Assessor position.

Commissioner Bentley said it was her understand that Ms. King had no interest in the permanent position.

After the above vote, Interim County Manager/County Assessor Shields stated for the record, in response to Commissioner James’ comment with respect to the 2011 Revaluation and a comment he made, that what he said was “if you look at the measures that you use to measure the quality of a revaluation, there are two measures, the assessment sales ratio and the coefficient of dispersion. If you look at those two measures you cannot say that the 2011 Revaluation was flawed because our records, based on those figures which is commonly used, are as good, if not better than anywhere else in N.C.

Interim County Manager/County Assessor Shields said he doesn’t use the term “flawed revaluation.”

Interim County Manager/County Assessor Shields said he did say that it was “bad” revaluation and it was “bad” because of customer service.

Interim County Manager/County Assessor Shields said “had we paid more attention to customer service and walked people through the appeals process, the way we should have, just like we have Pearson’s helping us resolve some of the revaluation cases; they would have been resolved and those who appealed would have been satisfied. We had a bad revaluation because of poor customer service. It was not a technically flawed revaluation if you base it on the assessment sales ratio and the coefficient of dispersion.”

Interim County Manager/County Assessor Shields said that’s what he has said in the past.

This concluded the discussion.

Note: The above is not inclusive of every comment but is a summary.

*Commissioner James left the meeting and was absent for the remainder of the meeting.*
STAFF REPORTS & REQUESTS

(13-1142) MECKLINK MONTHLY UPDATE

The Board received a monthly update on MeckLINK Behavioral Healthcare Medicaid Waiver operations.

Assistant County Manager Michelle Lancaster, Dr. Carroll Lytch and Ken O’Neil, Chief Financial Officer for MeckLink gave the report.

The following was covered:

- Purpose of utilization management
- Service authorization process
- Establishing medical necessity
- Utilization Management care manager qualifications
- Analysis of authorizations data
- Intensive in-home service
- Financial impact for County

Assistant County Manager Lancaster informed the Board that at the July 2, 2013 meeting the Board would receive a complete quarterly financial report, as well as, follow up regarding the next steps based on the legislative action in NC Senate Bill 208, which is a requirement to move to an Authority model for the governance of MeckLINK services. It was noted that the Board would be asked to approve a citizen’s transition committee that would follow the outlines that were required under the statute for Authority membership. The committee would give staff support and provide the Board with some direction on what the next steps were in terms of governance for an authority.

Assistant County Manager Lancaster addressed the Intensive In-home Service and noted that it was a high cost, highly utilized service for children and adolescents. She said after three months of service there were significant issues with utilization.

It was noted in the presentation that over-utilization results in expenses exceeding revenue and increased County exposure to financial risk.

Mr. O’Neil said the County was paid roughly $17 million worth of capitation each month, of which 80.9% was intended to be used for service expenses which equated to $15 million each month. He said the expectation of the State was that the County spend roughly $15 million on service expenses. In the month of May the County spent $17 million on service expenses which results in a service expense deficit. Mr. O’Neil said what this speaks to was whether the assumptions embedded in the established rate “valid.” He said when the rate was established it was done based on 2008 – 2010 data. He said dialogue was taking place with the State concerning that.

The following potential solutions were noted: Continue to closely monitor utilization; Reinforce necessity to manage care; Dialogue with the State concerning adequacy of the monthly payment amount and ability to effectively manage provider network.

Comments
Commissioner Dunlap asked would the Authority receive compensation. Assistant County Manager Lancaster said that would be up to the Board to decide, but they could not be paid more than a per diem of $50.00.

Commissioner Clarke asked about the utilization rate being higher than what the County was being paid for which was addressed.

Commissioner Clarke asked was the Mercer group engaged by the State to look at the data that the rate was established upon, the same organization that said the County would not be ready to implement MeckLINK. The response was yes.

Commissioner Clarke asked what would be staff’s response if the State said the County mismanaged the service.

Assistant County Manager Lancaster said there were several issues with respect to this issue, not just the difference in the utilization numbers. She said staff wanted to also discuss with the State a previous service definition called Community Support which was no longer an allowable service that resulted in those consumers being dispersed somewhere, including into the Intense In-home category, probably.

Assistant County Manager Lancaster said higher utilization was being experienced across the state, not just in Mecklenburg County.

Assistant County Manager Lancaster said if the County knew that it would be managing this for the next eighteen months and beyond, there would be time to turn this around but with the January 2014 change that’s forthcoming, there’s not enough time.

Commissioner Bentley addressed the continuation of the service expense deficit and asked what would happen when the transition occurred in January. Mr. O’Neil explained what happens when there’s a deficit.

Mr. O’Neil said the problem was not “solely” over-utilization. He said there were many variables in the equation, for example, the County probably could do a “better” job on utilization management and that the County was making good “strides” given only a couple of months of operation.

Mr. O’Neil said per his experience in developing Managed Care companies, “you must engage the provider in managing the care.” He said you also have to develop incentives to be able to engage the provider. He said “if the provider believes it’s business as usual, a fee for service, volume driven system, then there’s no way you will be able to make a dramatic impact upon the outcome.

Mr. O’Neil said it would take some time before the “fruit of the County’s labor” manifest itself in reductions in service expenses.

Commissioner Bentley asked Mr. O’Neil to comment on staff’s dialogue with the State. Mr. O’Neil said the State was receptive to the County’s challenge and sympathetic, but he didn’t see an immediate solution because there’s a protocol that the State uses for the establishment and evaluation of the rate.

Commissioner Bentley said it appeared that the assumptions built into the model were flawed. Mr. O’Neil agreed.

Commissioner Dunlap asked about administrative cost which was addressed. Mr. O’Neil said on the administrative side the County was doing “very well.”
Commissioner Dunlap said he would like clarity with respect to the belief by some that fewer dollars were going for services because of the expense of the administrative side. Mr. O’Neil said that was not true.

Commissioner Dunlap asked was it not correct that providers were being paid for legitimate claims even when the funds are not provided by the State. Mr. O’Neil said that was correct and that the County was paying for those claims.

Commissioner Dunlap asked whether the County would still have the same financial obligation for MeckLINK if the system went to an Authority. Mr. O’Neil said no, he didn’t think so.

This concluded the presentation.

The above is not inclusive of every comment but is a summary.

(13-1145) STORM WATER/WATER QUALITY PROJECT -- INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to 1) Adopt Resolution authorizing Interlocal Agreement for funding of Briar Creek Stream Restoration Project and 2) recognize and appropriate up to $2,000,000 from the City of Charlotte for its share of this joint project.

Prior to the above vote, Dave Canaan, Director of Storm Water Services addressed this matter.

Resolution recorded in full in Minute Book ______ Document # ________.

(13-1168) COUNTY MANAGER RECRUITMENT

Human Resources Director Chris Peek addressed the status of the County Manager recruitment process. The following was noted:

- At its June 4, 2013 meeting, the Board directed staff to conduct a Request for Quote (RFQ) for executive search firms to assist with the recruitment for the next County Manager.
- The Board indicated an interest in focusing the RFQ on local firms where possible.
- Ten firms were contacted and provided with the Request for Quote.
- Four firms responded with interest in the project, with two of those firms located in Mecklenburg County.
- Staff recommends contracting with Coleman Lew and Associates as the Board’s first choice and Sockwell Partners as its second choice, contingent upon the Chairman speaking with the firm to ensure that the Board’s Search Committee was comfortable with staff’s recommendation.

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve contracting with the recommended executive search firm of Coleman Lew and Associates to assist with the recruitment for the next County Manager, contingent upon the Chairman speaking with the firm to ensure that the Board’s Search Committee was comfortable with staff’s recommendation; direct staff to prepare and execute a contract for
services with the selected firm; however, if discussions with Coleman Lew and Associates are unsuccessful that the same directive be followed with Sockwell Partners as the second choice.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-0942) BUDGET AMENDMENT -- LUESA/CODE ENFORCEMENT

1. Amend the Commercial technology surcharge projects to include a fourth project, the Electronic Plan Room.

2. Authorize transfer of $200,000 from the General Fund Code Enforcement assigned fund balance to the Technology Fund for installation of the "Winchester" upgrade to the current POSSE automated permitting and inspection system.

(13-1072) STORM WATER FEE -- RESOLUTION ADOPTING THE CITY OF CHARLOTTE'S MINOR SYSTEM RATES

Adopt the Resolution Authorizing Increasing The Minor System Cost Component Of The Storm Water Service Charges To Be Levied Within The City Of Charlotte effective July 1, 2013 as follows:

- $5.36 per month for single family residences with less than 2,000 square feet of impervious area (lower tier)
- $7.89 per month for single family residences with 2,000 or more square feet of impervious area (upper tier)
- $131.56 per month for each acre of impervious surfaces for all other residential or non-residential land, and a prorata share of each portion thereof.

Note: Minor System Component (City of Charlotte): By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc that drain less than 1 square mile and is the responsibility of the City inside the City limits. The revenue generated from the minor system component of the storm water fee charged within the City is returned to the City to fund the storm water management programs. Section 5(iii) of the Interlocal Agreement requires that the Board of Commissioners alter the minor system cost component of the service charge to be levied within the City to such amounts as determined by the City Council.

Resolution recorded in full in Minute Book ______ Document # ________.

(13-1109) BUDGET AMENDMENT -- TECHNOLOGY RESERVE

Recognize and appropriate in the Technology Reserve Fund $288,047, which is federal reimbursement for the Child Support Enforcement Files Management Project.

(13-1114) INSURANCE REIMBURSEMENTS
Recognize, receive and appropriate funds in the amount of $22,557 for Park and Recreation Department and $8,049 for Business Support Services Agency-Business Financial Management.

Note: All reimbursements are for stolen and damaged items.

(13-1121) BUDGET AMENDMENT & CARRY FORWARD OF FUNDS – LUESA (REVENUE INCREASE)

1. Recognize, receive and appropriate $84,395 to FY13 Land Development Bond Budget.

2. Approve carry forward of the unspent balance to FY14.

(13-1136) CAPITAL RESERVE REQUEST -- PARK & RECREATION (SYNTHETIC TURF ATHLETIC FIELDS)

Approve and appropriate expenditure of $52,800 from the "Synthetic Turf Field" Capital Reserve account to repair the synthetic turf fields at Elon Park, William R. Davie Park, Revolution Park and Harrisburg Park.

(13-1141) BUDGET AMEMDMENT -- TRANSFER OF FUNDS FOR ELECTRONIC PLAN MANAGEMENT (LUESA)

Approve the transfer of $46,000 from FY13 Code Enforcement General Fund budget to the Technology Fund for the Pilot Electronic Plan Management Project.

(13-1146) BUDGET AMENDMENT & CARRY FORWARD OF FUNDS -- DSS SPECIAL ADOPTION ASSISTANCE FUNDS (REVENUE INCREASE)

Recognize and appropriate $174,000 additional federal revenue for Special Adoption Assistance Funds, and approve carry forward to FY2014 unspent funds at June 30, 2013 estimated to be $206,000.

(13-1147) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Recognize, receive and appropriate 620,000 in Federal Medicaid revenue.

Note: These Medicaid funds are for clinical services provided by Carolinas HealthCare System (CHS) and are passed through the County to CHS.

(13-1148) EQUIPMENT LEASE AGREEMENT -- BECTON, DICKINSON AND COMPANY

Authorize the Interim County Manager to negotiate and execute a 3-year equipment lease agreement with Becton, Dickinson and Company.

Note: Becton, Dickinson and Company will provide the Health Department one BD Viper XTR Instrument (laboratory equipment) on a monthly lease in exchange for consumable monthly purchases. The term of the contract is for 3 years, July 1, 2013 - June 30, 2016. The maximum amount payable under this contract is $313,650 to be paid annually in the amount of $104,550 and is subject to the availability of funds.
JUNE 18, 2013

Agreement recorded in full in Minute Book _____ Document # ________.

(13-1150) TAX REFUNDS

Approve refunds in the amount of $19,896.38 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(13-1151) MINUTES

Approve minutes of Regular meeting held June 4, 2013 and Special meeting held June 11, 2013.

(13-1152) DESTRUCTION OF DOCUMENTS -- LUESA/CODE ENFORCEMENT

Approve the disposal of LUESA (Code Enforcement) records and plans in accordance with the North Carolina records retention policies.

Note: These records comprise:

- 5000 Daily Revenue Statements, 4/1/11-4/29/11, 6/1/11-6/30/11, 4/3/12-4/18/12 and 3/15/12-3/30/12
- 17,000 Daily Deposit Statements, 7/1/10-7/29/10, 11/1/10-11/30/11, 10/1/12-10/2/12, 4/1/11-4/29/11, 2/1/11-2/28/11, 8/6/10-8/31/10, 7/2/12-7/31/12, 4/2/12-4/30/12, 5/1/12-5/31/12, 11/1/12 11/20/12, 8/2/11-8/9/11, 2/3/12-2/29/12, 3/1/12-3/30/13, 9/4/12-9/28/12, 6/1/12-6/29/12, 10/25/10-10/29/10, 10/3/12-10/10/12, 10/22/12-10/31/12, 8/1/12-8/31/12 and 7/5/11-7/21/11

(13-1157) BUDGET AMENDMENT -- DSS (CIP REVENUE/EXPENSE INCREASE)

Amend the Department of Social Services (DSS) FY13 Budget to recognize, receive and appropriate Crisis Intervention Payment (CIP) federal revenue of $200,000.

(13-1160) LEASE AGREEMENT -- HEALTH DEPARTMENT PREGNANCY CARE MANAGEMENT

Authorize the County Manager to negotiate and execute a lease agreement with Carolinas Healthcare System (CHS) for office space at CHS Northpark for the Health Department’s Pregnancy Care Management Program as described in this Action Item instead of as approved on April 2, 2013.

(13-1165) CARRY FORWARD OF FUNDS -- DISTRICT ATTORNEY FILE MANAGEMENT SYSTEM (CRIMINAL JUSTICE SERVICES)
JUNE 18, 2013

Approve carry forward funds in the amount of $180,427 to FY14 for the completion of file management system in the District Attorney’s Office.

(13-1169) TRANSFER FUNDS TO CAPITAL RESERVE -- PARK AND RECREATION

Approve transfer and appropriation of $130,000 from General Fund Park and Recreation funding to the Capital Reserve Fund for the build-out of the initial phase of Clarks Creek Nature Preserve.

(13-1170) BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate $3,000 of additional revenue to be generated from donations.

Note: Community Support Services anticipates additional donations in the amount of $3,000 to be received by various community partners before June 30, 2013.

(13-1176) BUDGET AMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE DECREASE)

Amend the MeckLINK budget to reduce State revenue and expenses by $40,000 due to a reduced allocation of funds for services to individuals with Traumatic Brain Injury (TBI).

(13-1179) MINT HILL FIRE DISTRICT & 2010 MINT HILL LIBRARY AGREEMENT

Adopt the Resolution entitled “Resolution Re FY13 Mint Hill Fire Protection Services and Re 2010 Mint Hill Public Library Agreement”.

Note: The Resolution will authorize the Interim County Manager to negotiate and execute the necessary agreement or agreements with Mint Hill and authorize the necessary budgetary actions so that money paid by the County to Mint Hill for FY13 under the Fire Protection Services Interlocal Agreement in excess of the amount of Mint Hill ETJ Fire Protection Services District taxes collected by the County for FY13 be accepted as full reimbursement of the money owned by the County to Mint Hill under the 2010 Mint Hill Public Library Interlocal Agreement.

The County paid Mint Hill $176,456 more for fire protection services in FY13 than the County has currently collected from the Mint Hill ETJ Fire Protection Service District taxes in FY13. Under the County’s Fire Protection Services Interlocal Agreement with Mint Hill, the Town was not entitled to receive more money than collected from the Fire Protection Service District Taxes. By an Interlocal Agreement dated October 4, 2010, Mint Hill agreed to contribute $175,000 to the Charlotte-Mecklenburg Public Library, and the County agreed to reimburse the Town said amount either in cash, services or land on or before July 1, 2018.

Resolution recorded in full in Minute Book _____ Document # ________.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1107) HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG) -- DSS
Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the Home and Community Care Block Grant (HCCBG) funding plan for FY2014.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority. This funding plan is an interim allocation due to the uncertainty of federal and state funding, and Board approval would allow DSS to provide services without disruption to eligible program participants.

The following services are provided with this grant: In-Home Aide Services; Transportation Services; Congregate Meals; Home Delivered Meals; Senior Center Operations; Adult Day Care/Day Health; and Legal Services. The funding plan request is $3,025,137 for aging services, with a required County match of $336,126. The match is included in the DSS Fiscal Year 2014 budget request. The $3,361,263 in FY14 funding reflects a decrease of $178,115 from the FY13 budget of $3,539,378.

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

Commissioner Leake removed this item from Consent for more public awareness.

(13-1130) BUDGET AMENDMENT -- SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

1. Recognize and appropriate for the Sheriff’s Special Revenue Fund, $123,256 from Inmate Commissary.
2. Recognize and appropriate for the Sheriff’s Special Revenue Fund, $60,117 from Vocational Facility Telephone Revenue.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1143) SOLE SOURCE VENDOR APPROVAL -- DELIVERY CONCEPTS EAST

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the purchase of equipment (four refrigerated and freezer box units from Delivery Concepts East at a total cost of $92,080) as authorized by the sole source exemption of G.S. 143-129(e)(6).

Note: These box units will be mounted on Ford F-150 pickup trucks purchased via North Carolina State Contract 070G. Trucks will be utilized in the delivery of frozen meals and dairy to participants of the Senior Citizens Nutrition Program.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1144) CARRY FORWARD OF FUNDS -- DSS/JOB BOOST
Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve carry forward of Job Boost funds estimated to be $400,000 as of June 30, 2013.

Note: The North Carolina Department of Health and Human Services (NCDHHS) allocated a total of $550,000 in Federal revenue to Mecklenburg County Department of Social Services (DSS). Due to a delay in receiving the funding allocation in December 2012, the employment program inception date was deferred causing the extension of the Job Boost Program. As a result of the NCDHHS on-site visit, it was determined that DSS was not on target to spend all funding by the original program end date of May 17, 2013. The NCDHHS has authorized an extension of the Job Boost program until December 31, 2013 with a program conclusion date of November 8, 2013.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1149) PLAYGROUND DONATION REQUEST -- PARK & RECREATION

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the donation of a playground, to be located at Freedom Park, from the Carolina Panthers connected to the Play 60 program, and authorize the Interim County Manager to negotiate and execute agreements as necessary for the project.

Note: The Carolina Panthers worked with Park and Recreation staff to plan a playground at Freedom Park based on the Play 60 program with the NFL. This program is designed to get kids outside to play and fight childhood obesity. This will be the first of its kind in the country/ NFL team locations. Funding will come from Panthers Charities in the amount of $260,000 to construct the playground, which the Panthers Charities will contract to have built. Panthers Charities has also offered to commit to maintain the playground by establishing an annual maintenance fund of $50,000 for the life of the playground, with the funds to be held by Panthers Charities.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1158) LEASE FOR ATM MACHINE AT COUNTY FACILITY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Fifth Third Bank" for the installation of an Automated Teller Machine at the County owned building at 720 East Fourth Street, the County and Courts Office Building.

Resolution recorded in full in Minute Book ______ Document # ________.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1172) COMMUNITY DEVELOPMENT BLOCK GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour
voting yes, to recognize, receive and appropriate $630,579 in Community Development Block Grant funds from the U.S. Department of Housing and Urban Development to be used for promoting development in low-income areas of Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 12:28 a.m.

____________________
Janice S. Paige, Clerk

______________________________ ____________________________
Patricia “Pat” Cotham, Chairman
JULY 2, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 2, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

________________________________________

-INFORMAL SESSION-

Commissioners Clarke, Fuller and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1171, 13-1183, and 13-1190.

STAFF BRIEFINGS - NONE

(13-1187) CLOSED SESSION – CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 6-0 with Commissioners Bentley, Cotham, Dunlap, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:14 p.m. and came back into Open Session at 5:56 p.m.

Commissioners Clarke, Fuller and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.
JULY 2, 2013

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Leake to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Chairman Cotham said if there was no objection, she would suspend the rules and grant Vice-Chairman Ratliff’s request to make a statement prior to the start of this portion of the meeting.

There was no objection.

Vice-Chairman Ratliff made the following statement: “Madam Chair, members of the Board, citizens of Mecklenburg County, I want to apologize for my words regarding the county manager’s search that may have offended the citizens of Mecklenburg County and my colleagues. My comments were meant to encourage all candidates to apply for the position and not meant to exclude anyone. I realize now that my comments may not have been appropriate and I regret having made them. It is important to me that the Board, as well as the citizens of Mecklenburg County, know that I believe our next county manager should possess strong leadership skills with executive experience in the private sector or local government and one who can lead and implement our vision for Mecklenburg County. I, Kim Ratliff look forward to working with the next county manager. Thank You.”

Chairman Cotham asked if any other Commissioners desired to make a comment. The response was as follows:

Commissioner Leake said despite what some people have stated, the Board was not “dysfunctional.” “We are people who agree to disagree and there are issues that we agree on and issues that we do not agree on.” Commissioner Leake said as a Board member she had been “humiliated and hurt” in the past as she has sat around the dais, by what was said and the Board said and did “nothing” in reference to her late son.

Commissioner Leake said she didn’t have “malice” against anyone about it, but she thought this was an “opportune time” that she could bring this issue to the body.

Commissioner Leake said she hoped that in the future, “as any of us step out of line that we will know what to do and how to do it and make sure that we say and do the right thing and not offend any of us.”

Commissioner Leake asked that there be consistency with respect to the Board and citizens of the community “that if we’re going to say something to one, we must say it to all of us and make sure that we do what we ought to do and hold people accountable for what they’ve said and what they’ve done; not just in this situation but in any situation.”

Commissioner Clarke thanked Vice-Chairman Ratliff for her apology. Commissioner Clarke said at the “core” of the Democratic Party was the principle that “no one should face discrimination.” Commissioner Clarke said it was critical that the county manager search be conducted without any “preconceived notions” about who was the right person for the job.

Commissioner Clarke said everyone was within their rights to be upset about the remarks made by Vice-Chairman Ratliff and the concerns they created. He said it should not be forgotten, however, that it’s only been a very short period of time since the only persons who were considered “fit and capable” of performing executive jobs and ever being hired for them were “white men.” “We’re just a little bit removed from a history of overt discrimination against basically everybody except white men.”
Commissioner Clarke said “we live in a different world these days and we all need to be very careful about what we say.” Commissioner Clarke said “during the county manager recruitment process we need to remain vigilant that we’re going to be fair and consider all candidates based on their qualifications and without regard to their race, gender, ethnicity, or other factors.” He said the Board was looking for someone who was highly qualified to lead this county. He said the County has had great leadership in the past and he’s certain that the Board would choose someone highly qualified again.

Commissioner Bentley acknowledged and expressed appreciation for Vice-Chairman Ratliff’s apology, but said it was a “few days late in coming.” She said Vice-Chairman Ratliff had the opportunity the day after the statement was made to the press to apologize. Commissioner Bentley said if that had been done, it probably would have averted a lot of national and international press on Mecklenburg County. Commissioner Bentley said she’d received emails from people saying that they would never visit Mecklenburg County because this was not “a tolerable place.”

Commissioner Bentley said “it seems today that the only people that are free and open to criticism is the white male and if they’re Christian they’re really open for target.”

Commissioner Bentley said “as elected officials we have a high standard. The words we say have meaning. Let us never forget that what we say has impact in our community. We have made tremendous progress in our race relations. We do not, as elected officials, need to say or do anything that sets us back. What happened last week I’m afraid did that.”

Commissioner Bentley said “it seems like reversed discrimination is acceptable in this community, but it is not to be tolerated.”

Chairman Cotham thanked Vice-Chairman Ratliff for her apology. Chairman Cotham said Vice-Chairman Ratliff’s comments regarding the selection of a county manager “offended” a lot of people. Chairman Cotham said “it also brought people back to a place in time where they remembered something in their past.” “A time when things were not very inclusive in this country and brought back painful memories to some people.” Chairman Cotham said she was glad Vice-Chairman Ratliff made a statement. Chairman Cotham said she agreed with Commissioner Bentley that words “make a difference.”

Chairman Cotham said “we look forward to more positive words from all of us and hopefully a renewed attitude of collaboration and respect that we can work with each other in a more positive way and help each other, and if we do make a mistake that we will come together and try to help each other.”

Vice-Chairman Ratliff said she looked forward to that.

AWARDS/RECOGNITION - NONE

(13-1189) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Bill McCoy, Chair of the Council on Aging Board of Directors addressed the Status of Seniors Initiative 2012 Update.

A copy of the report is on file with the Clerk to the Board.
Christian Hine expressed support for the removal of former County Manager Harry L. Jones, Sr. He addressed qualifications the next county manager should possess, such as open communication skills, an understanding that the county manager works for the Board and not “the other way around;” and a sense of fiscal responsibility to root out waste and excess and inappropriate expenditures in the County’s budget. Mr. Hine also addressed Vice-Chairman Ratliff’s comment regarding the selection of the next county manager, “just someone who is not a white male.” Mr. Hine said he hoped the Board would seek to find the most qualified person for the position. Mr. Hine said the comment made by Commissioner Ratliff painted a picture of prequalification and damaged the County’s ability to succeed in the hiring process. He said he wondered now how many highly qualified candidates would no longer place themselves into contention. Mr. Hine said the comment made by Vice-Chairman Ratliff was not well thought out and not constructive to the functioning of county government or to race and gender relations as a whole. Mr. Hine asked Vice-Chairman Ratliff to excuse herself from any vote concerning the hiring of the next county manager. Mr. Hine said he appreciated Vice-Chairman Ratliff’s apology, but there should be consequences for her action. He said the appropriate consequence should be for Vice-Chairman Ratliff not to vote on the next county manager.

Wayne Powers said he appreciated Vice-Chairman Ratliff’s apology, but that it was late coming. Mr. Powers said “for Ms. Ratliff to advocate discrimination against someone for a job strictly because of the color of his or her skin is not just an insult or a bad word, it’s the text book definition of racism.” He said the Board needed to take immediate action to repudiate that statement and the commissioner that made it. He said it was not a “party” issue. He said he agreed with Commissioner Leake that “double standards are wrong.” Mr. Powers said Vice-Chairman Ratliff should not be allowed to vote or participate in the county manager selection process. He said she should be censured and replaced as vice-chairman of the Board.

Loan Tran spoke in support of the next county manager being “a person of color.” Ms. Tran also defined racism. Ms. Tran said racism still existed and that the “status quo for centuries has been white people.” Ms. Tran said the “sooner we openly talk about racism, the closer we will be to making Charlotte a better place.”

Yash Mori spoke in support of Vice-Chairman Ratliff. He said Vice-Chairman Ratliff was not “racist.” He said the comments made towards Vice-Chairman Ratliff were “hateful and rude.” He said he concurred with Loan Tran that the next county manager should be a “person of color.”

Paula Harvey spoke in support of Vice-Chairman Ratliff and said that she was a “good person.” She said it was never Vice-Chairman Ratliff’s intention to be discriminatory. She said Vice-Chairman Ratliff needed to be “forgiven,” that it was a “misstep that we should move on, and let the Board move forward with doing the important work that it needed to do for the citizens of this county.”

Daniel Rufty spoke in opposition to the comment made by Vice-Chairman Ratliff. Mr. Rufty said he was “disgusted” because Board members had not asked for Vice-Chairman Ratliff’s resignation. He asked the Board to “demand equality and justice” and replace Vice-Chairman Ratliff.

Charles Suter spoke in opposition to the comment made by Vice-Chairman Ratliff. Mr. Suter said Vice-Chairman Ratliff’s comment encouraged racism and that she should be removed.

John White thanked Vice-Chairman Ratliff for her apology. He encouraged the Board to work together and that every commissioner be assigned to committees.
BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Chris Price to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2014.

He replaces Tommie Blakeney.

Note: The Board’s Ad Hoc Appointment Committee recommended Mr. Price.

A copy of the Board’s Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

The vote was taken on the following nominees for appointment to the Central Piedmont Community College Board of Trustees:

Madelyn Caple  Commissioners Bentley, Clarke, Dunlap, Fuller, Ratliff, and Ridenhour
Angelia Fryer  Commissioners Cotham, Leake, and James
Voting Ceased
Melanee Jones
Sholeh Kornegay

Note: Zach Anderson was nominated but asked that his name be removed from consideration, per Commissioner Ratliff.

Note: The Board’s Ad Hoc Appointment Committee did not make a recommendation in this instance because there was not a consensus on who to recommend.

A copy of the Board’s Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

Chairman Cotham announced the appointment of Madelyn Caple to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2017.

She replaces Sue Peck.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Citizen’s Capital Budget Advisory Committee:

Leigh Altman  None
Sue Peck  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Ratliff, and Ridenhour
David Tibbals  Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour
Chairman Cotham announced the appointment of Sue Peck and David Tibbals to the Citizen’s Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2014.

They replace Roger Brown and Sarah Funkhouser.

PLANNING COMMISSION

The vote was taken on the following nominees for appointment to the Planning Commission:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Voting Ceased</th>
</tr>
</thead>
<tbody>
<tr>
<td>Randy Fink</td>
<td>None</td>
</tr>
<tr>
<td>Laurissa Hunt</td>
<td>None</td>
</tr>
<tr>
<td>Kwesi, Nichols</td>
<td>Commissioner Ratliff</td>
</tr>
<tr>
<td>Wayne Powers</td>
<td>Commissioners Bentley, James, and Ridenhour</td>
</tr>
<tr>
<td>Joel Randolph</td>
<td>None</td>
</tr>
<tr>
<td>Samuel Spencer</td>
<td>None</td>
</tr>
<tr>
<td>Michael Sullivan</td>
<td>Commissioners Clarke, Cotham, Dunlap, Fuller, and Leake</td>
</tr>
</tbody>
</table>

Voting Ceased

Nancy Wiggins
Marshall Williamson
Amanda Wolfe

Chairman Cotham announced the appointment of Michael Sullivan to the Planning Commission for a three-year term expiring June 30, 2016 effective July 1, 2013.

He replaces Lucia Griffith.

Note: The Board’s Ad Hoc Appointment Committee recommended four candidates for consideration, one of whom was Mr. Sullivan.

A copy of the Board’s Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

WOMEN’S ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Women’s Advisory Board:

<table>
<thead>
<tr>
<th>Nominee</th>
<th>Voting Ceased</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrea Arterburn</td>
<td>Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake and Ridenhour</td>
</tr>
<tr>
<td>Heather Blake</td>
<td>None</td>
</tr>
<tr>
<td>Sarah Byrne</td>
<td>None</td>
</tr>
<tr>
<td>Lynnette Carr</td>
<td>None</td>
</tr>
<tr>
<td>Valerie Dorsett</td>
<td>Commissioner Ratliff</td>
</tr>
<tr>
<td>Devonya Govan-Hunt</td>
<td>None</td>
</tr>
<tr>
<td>Charlene Henderson</td>
<td>None</td>
</tr>
<tr>
<td>Kathi Knier</td>
<td>Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour</td>
</tr>
</tbody>
</table>

Voting Ceased

Imana Legette
Nichole Patterson
Christen Richardson
Sasha Tomaszycki
Latonja Worsham
Denise Young-Boyd
Chairman Cotham announced the appointments of Andrea Arterburn and Kathi Knier to the Women’s Advisory Board for three-year terms expiring June 30, 2016.

They replace Faith Fickling and Amanda Prothero.

(13-1186) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Rosalind Bland to the Adult Care Home Advisory Committee for a one-year term expiring July 31, 2014.

She replaces Barbara Pace.

ALCOHOLIC BEVERAGE CONTROL BOARD


Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Alcoholic Beverage Control Board must undergo an interview process. Interim County Manager Shields noted that he’d been informed that there were now two vacancies on the Alcoholic Beverage Control Board rather than one. Once confirmed, when the matter returns to the Board it will reflect the need to appoint two members.

Commissioner Leake volunteered to serve on the Ad Hoc Appointment Committee.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Commissioner Bentley nominated all applicants for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee: Lynnette Carr, Sarah Demarest, Sophia Gaither, Trymaine Gaither, Melandee Jones, Ola Mitchell, Kwesi Nichols, Dana Sidberry, and Nadia Vanderhall.

Note: An appointment will occur on August 6, 2013.

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

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Paula Lester to the Historic Landmarks Commission for a three-year term expiring July 31, 2016.

PUBLIC HEARINGS - NONE
JULY 2, 2013

ADVISORY COMMITTEE REPORTS - NONE

Commissioner Clarke returned the dais.

MANAGER'S REPORT

(13-1200) COUNTY ASSESSOR RECRUITMENT

The Board received an update on the County Assessor recruitment from Interim County Manager Shields. The following was noted:

• A revised scope of work was given to The Mercer Group, the executive search firm being used for the recruitment of a new County Assessor.
• A revised recruitment schedule was developed
• An update on the status of the recruitment process will be provided at the August 6, 2013 meeting.
• The hope is to have an assessor on board in September.

A copy of the revised scope of work is on file with the Clerk to the Board.

Comments

Commissioner Dunlap asked what happens if someone’s interested but not identified through The Mercer Group. Interim County Manager Shields said if informed of that person, they would be advised to contact The Mercer Group, so that they could be vetted like other interested applicants.

Commissioner Ridenhour asked would there be any changes in The Mercer Group’s recruitment methods. Interim County Manager Shields and Chairman Cotham addressed this question.

Interim County Manager Shields suggested that going forward the Board Ad Hoc County Assessor Recruitment Committee may want to review more or all of the applications received.

Commissioner Bentley, chair of the Board Ad Hoc County Assessor Recruitment Committee concurred that the committee should be provided with more applications to review going forward then what was provided to the committee by The Mercer Group previously.

STAFF REPORTS & REQUESTS

(13-1230) MECKLINK MONTHLY UPDATE, RESPONSE TO SENATE BILL 208

The Board received a monthly update on MeckLINK Behavioral Healthcare Medicaid Waiver operations and staff recommendations in response to Senate Bill 208. Assistant County Manager Michelle Lancaster and Ken O'Neil, MeckLINK Chief Finance Officer gave the update.

Prior to receiving the update, Sandy DuPuy, immediate past chair of the MeckLink Consumer and Family Advisory Committee said there was much concern regarding the changes in the state’s mental health reform, i.e. Senate Bill 208. She addressed the impact of those changes on consumers and families receiving mental health services. She asked the Board to do whatever it could to bring as much stability to the local mental health system as possible, until it’s known how the Governor’s Plan works out. Ms. DuPuy said the Consumer and Family
Advisory Committee would be happy to provide input regarding the establishment of an area authority to keep what's currently here in Mecklenburg County for as long as possible.

Assistant County Manager Michelle Lancaster asked the Board to consider appointing a transition committee to work with staff to provide a recommendation to the Board regarding transition options for MeckLINK based on the passage of S208. The following was also noted:

- There were two important aspects to the request - 1) staff was able to schedule a meeting with Carol Steckle, head of DMA (state medicaid) for July 15, staff was hopeful that this meeting will provide valuable information to consider in regards to transition. 2) staff was trying to work with Representative Dollar to extend the deadline for transition and hopeful that the County would get some relief from the January deadline.

- Appoint a three person committee to assist staff in developing a recommendation for the Board's consideration regarding transition options for MeckLINK. Recommendations for appointment are: Sandy Dupuy - immediate past-Chairman of the Consumer and Family Advisory Committee (CFAC); Dammeon Chisholm - immediate past-President of the MeckLINK Provider Council; Sandra Bisanar, retired Deputy County Attorney.

Timeline

- Meetings will be held on a regular basis (at least bi-weekly) through September to review information and identify follow-up items in order to provide the Board of County Commissioners a recommendation at a September Board meeting.

- The Transition Committee will provide a recommendation that includes:
  - the steps necessary and a timeline to implement a single-county authority;
  - the steps necessary and a timeline to merge with a multi-county authority
  - each of these will include organizational implications, including finance, human resources, IT, legal and asset and facility management
  - The transition committee would also be responsible for identifying potential candidates to fill the authority membership requirements for a single county authority and also providing recommendations on appropriate representation on a multi-county authority.
  - The options will be considered from the standpoint of stakeholders, including consumers, providers and employees. The committee and staff will request technical assistance from the North Carolina Department of Health & Human Services as needed.

Items for Consideration

- current per member/per month (PM/PM) is inadequate based on actual, medically necessary utilization. Staff has a meeting scheduled July 15 with Carol Steckel - Director of DMA (State Medicaid) to discuss this issue.
- a January transition deadline presents a significant challenge for either a single county authority or a multi-county authority.
- consideration of MeckLINK staff that have long term employment with Mecklenburg County.
- consideration of local funding utilized to leverage state funding for needed services in Mecklenburg County.

Written updates will be provided to the Board frequently throughout the process and questions or inquiries are welcomed to assist staff in developing a thorough recommendation for the Board’s consideration.

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint a three person committee to assist staff in developing a recommendation for the Board’s consideration regarding transition options for MeckLINK and appoint the following individuals to serve on the committee: Sandy Dupuy - immediate past-Chairman of the Consumer and Family Advisory Committee (CFAC); Dammeon Chisholm - immediate past-President of the MeckLINK Provider Council; Sandra Bisanar, retired Deputy County Attorney.
Commissioner Leake asked how much had the County spent to date on MeckLINK. Assistant County Manager Lancaster said $17 million.

The following was covered in Mr. O’Neil’s presentation:

- Finance Process Recap
- First Quarter Financial Results
- Contract Financial Metrics Compliance
- Next Steps

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

Comments

Commissioner James said with respect to the County’s local funding utilized to leverage state funding for needed services in Mecklenburg County via MeckLINK, that it was important the state be informed of what the County’s true administrative cost was. He said at some point the Board should know that as well, so that the Board would know what the loss was, if any. Commissioner James said he did not want the County to mitigate the loss in order to present a “false picture” to the state.

Mr. O’Neil said the question that would have to be answered was whether or not the County was providing that additional administrative support with the intent of being reimbursed or as in-kind services.

Commissioner Leake asked what was the County’s administrative cost per month to run MeckLINK. Mr. O’Neil said he didn’t think the County had paid any incremental increase or cost. He said the County did not increase its own administrative costs in order to provide services to MeckLINK. He said since MeckLINK was the “benefactor” of those services, MeckLINK has to recognize the cost of those services going forward because what’s being reported was not a true reflection of the administrative burden associated with managing an organization like MeckLINK.

Assistant County Manager Dena Diorio said the County Finance Department treated MeckLINK like any other County department and there’s no charge for Finance to run their checks or payroll. Assistant County Manager Diorio said staff was aware that MeckLINK was a little different and that a cost allocation methodology was needed to report that. She said because MeckLINK was so new, there hadn’t been an opportunity to work through that yet, but it’s recognized that those were costs that needed to reflect on the financial statements that are reported to the state.

Commissioner Fuller said clarity was needed if the County was giving the impression that it was underreporting the expenses associated with MeckLINK, which was the concern raised by Commissioner James.

Assistant County Manager Diorio said in a way the County was subsidizing MeckLINK by providing those services to MeckLINK. She said the question was how do you capture the cost of that subsidy and charge it back to MeckLINK.

Mr. O’Neil said in response to Commissioner Leake’s question regarding what was the monthly administrative cost to the County to run MeckLINK, that the answer was zero. Mr. O’Neil said administrative costs were being paid from the administrative component that’s received from the state, the capitation component.
Commissioner Clarke questioned the accuracy of the statement that the County wasn’t incurring any incremental costs for services provided to MeckLINK. Assistant County Manager Diorio said the County Finance Department did not add any additional staff to provide services to MeckLINK. She said the work was just absorbed internally.

Commissioner Clarke asked about County Human Resources (HR) involvement. Assistant County Manager Diorio said it was her understanding that HR just absorbed the work internally as well.

Mr. O’Neil said the Board should keep in mind as it processes the question of the intent of the services provided to MeckLINK by the County that there were contractual consequences.

Commissioner Dunlap asked about provider claims that were denied because MeckLINK determined it was not medically necessary, which was addressed. Mr. O’Neil said there was an established protocol for determining whether a service was medically necessary and a pre-authorization process that providers were aware of.

Commissioner Dunlap said there was additional costs to the County because of the services provided to MeckLINK. He used as an example, the increased workload on the part of County Finance staff. He said the issue was that the County was not in a position at this time to calculate that costs.

Mr. O’Neil said there was an indirect cost.

Commissioner Ridenhour asked what the impact would be to the County if the existing contract was terminated at this point, in light of the fact that the state would be taking MeckLINK over through the establishment of an authority anyway next year.

Assistant County Manager Lancaster’s response was that the Board would not have any control over what mental health services were in the community.

This concluded the discussion.

Note: The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1201) COUNTY ASSESSOR’S OFFICE--HIRING OF SUBJECT-MATTER EXPERT--COMMISSIONER BENTLEY

Commissioner Bentley addressed the hiring of a Subject-Matter Expert to assist the County Assessor and the scope of work for that individual. See below.

County Assessor’s Office
Independent Consultant

Consultant: Debbie King
Reports to: Dena Diorio, Assistant County Manager

Scope of Work

1) Implement Recommendations in Internal Audit Report dated April 26, 2013
Purpose: Ensure that all recommendations are fully implemented
Tasks:
• Prepare status report of implementation of recommendations to date
• Pursuant to Issue #1 in the report, ensure that documented policies and procedures
exist for key business activities for RMV valuations, property appeal processes and
information system access
• Pursuant to Issue #2 in the report, validate and document that procedures related to
routine reviews of appeals and supporting documentation ensure compliance with the
Machinery Act
• Pursuant to Issue #3 in the report, validate and document that the pre-billing edit
process for RMV is effective. Validate and document the revised procedures have been
developed in response to the changeover to the State Vehicle Tax System (VTS)
• Pursuant to Issue #4 in the report, document and validate that the revised reconciliation
procedures for ensuring all assessed registered motor vehicles are processed for billing.
Validate and document the revised procedures have been developed in response to the
changeover to the State Vehicle Tax System (VTS)
• Pursuant to Issues #5 & #8 in the report, collaborate with the IT Program Manager to
develop and implement an IT Security Policy for all the systems in the Assessor’s Office
• Pursuant to Issue #6 in the report, validate and document that the review and approval
of property valuation changes are properly documented
• Prepare weekly status reports for the Board of County Commissioners

Deliverables:
Implementation Plan
Weekly Status Reports
Documented Policies & Procedures for key business activities
Training Plan for staff on policies and procedures
IT Security Plan

2) Prepare Implementation Plan for Recommendations in the Customer Service Solutions Report
Purpose: Ensure that there is a documented strategy & plan for implementing recommendations

Tasks:
• Prioritize recommendations based on input from Assessor’s Office staff
• Categorize recommendations based on ease of implementation
• Prepare a detailed project plan that assigns accountabilities, tasks and timetables for
completion
• Develop internal & external communication plans. This includes strategies for
communicating internally, and with other County departments including the Office of
the Tax Collector, Public Information and 311
• Develop customer service survey and document process for tabulating & reporting
results
• Document key business processes
• Recommend key performance indicators (KPI’s) tied to key business processes
• Develop recommendations for applying customer service strategies across the
Assessor’s Office and the Office of the Tax Collector
• Prepare weekly status reports for the Board of County Commissioners

Deliverables:
Implementation Plan
Weekly Status Reports
Documented procedures for key business processes
Communication plans
Customer Service Survey
Cross departmental customer service recommendations

3) Preparation for Implementation of HB 200
Purpose: Ensure the Assessor’s Office has a documented plan for successful
implementation of the legislation

Tasks:
• Prepare a detailed project plan that assigns accountabilities, tasks and timetables for
completion
• Review documentation received from Pearson’s Appraisal Service that the four
conditions stipulated in the legislation have been met

- Prepare RFP documents for the procurement of services from qualified appraisal companies. RFP will include a detailed scope of work, minimum qualifications of proposers, appraisal methodology to be followed and timetables. Develop evaluation criteria and matrix for evaluating proposals.
- Develop and document procedures for tracking the results of the review and reporting to the Board of County Commissioners
- Develop and document procedures for tracking and reporting changes in value and forecasting assessed valuation for the FY2015 budget
- Prepare weekly status reports for the Board of County Commissioners

Deliverables:
- Project Plan and updates as needed
- Weekly Status Reports
- RFP for Appraisal Services
- Documented procedures for tracking and reporting the results of the review
- Documented procedures for tracking and reporting changes in value

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke, to approve the proposed scope of work for Debbie King to assist the County Assessor in the performance of his duties.

Commissioner Fuller expressed opposition for the need to hire a Subject-Matter Expert.

Interim County Manager Shields and Assistant County Manager Diorio addressed this matter in response to Commissioner Fuller’s opposition, specifically the scope of work.

It was noted by Assistant County Manager Diorio that in the event Ms. King did not come on board, someone should still be hired to assist with managing the special projects listed in the scope of work.

After further discussion, the vote was taken on the motion as follows:

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the proposed scope of work for Debbie King to assist the County Assessor in the performance of his duties.

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work.

Substitute motion was made by Commissioner Fuller, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work, but that there needed to be a specific end date for the work to be completed and a dollar cap on the amount to be spent for this service.

Commissioner Clarke asked Interim County Manager Shields to comment on the intent with respect to the length of time and cost for this service.

Interim County Manager Shields said some parameters were needed. He said what he had in mind was to initially have a four-month window of time for this service to be completed and a not to exceed amount of $50,000. He said there would also be certain performance expectations and termination provisions.

Commissioner Fuller withdrew his substitute motion, however, the substitute motion was
never seconded.

After further discussion, the vote was then taken on the original motion as follows:

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Fuller voting no, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work.

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

(13-1191) RESTRICTED CONTINGENCY - COUNTY ASSESSOR’S OFFICE -- COMMISSIONER BENTLEY

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to transfer the FY2014 funding increase for the County Assessor’s Office in the amount of $1,800,000 from the agency’s operating budget to restricted contingency. The Board will consider appropriating funds from restricted contingency to the Assessor’s Office operating budget following the Board’s appointment of a new Assessor and after the Board determines the appropriate dollar amount to appropriate to the Assessor’s Office, based on the completion of the Board’s revaluation review action plan and implementation of an action plan based on the recommendations of Customer Service Solutions.

Assistant County Manager Diorio addressed this matter prior to the above vote.

STAFF REPORTS & REQUESTS

(13-1202) REPORT ON NC FAST-NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY

The Board received an update from staff regarding the implementation of NC FAST in Mecklenburg County. Rodney Adams, Director, Economic Services Division of the Department of Social Services gave the update. The following was covered:

- Work Support Strategies
- Work Support Strategies Tenets
- What is NC FAST
- NC FAST Targeted Deployments
- NC FAST Activities
- Challenges

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

Comments

Commissioner Leake asked how information regarding NC FAST would be disseminated to the public. Director Adams addressed the question.

Commissioner Bentley asked about the “Woodwork” impact mentioned in the report that stated 210,000 + individuals identified as “potentially” eligible for services based upon Census information. She asked how that number was derived. Director Adams addressed the question.
Commissioner Leake asked about the qualifying income level to be at the poverty level. Director Adams addressed the question.

This concluded the discussion.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1192) SELECTION OF NACO VOTING DELEGATE AND ALTERNATE -- CHAIRMAN COTHAM

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to select Commissioner Fuller to serve as the County's voting delegate and Commissioner Ratliff as the alternate for the 2013 National Association of Counties (NACo) Annual Conference to be held July 19-22, 2013 in Tarrant County/Fort Worth, Texas. In the event the Board's representatives are unable to attend, authorize the president of the NC Association of County Commissioners (or his/her designee) to pick up the County's ballot and cast the County's votes.

Note: The following Board members are attending the conference: Commissioners Dunlap; Fuller; and Leake; and Vice-Chairman Ratliff.

(13-1203) DISTRICT 2 UPDATE -- COMMISSIONER LEAKE

The Board received a verbal report from Commissioner Leake on activities in District 2.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1181) GRANT APPLICATION - FEMA LETTERS OF MAP REVISION -- LUESA

1) Approve submitting a grant application for up to $20,000 with the Federal Emergency Management Agency

2) If awarded, recognize, receive and appropriate grant funds and authorize the Interim County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement

3) Authorize the carry-forward of unspent funds for the duration of the grant

(13-1182) TAX REFUNDS

Approve refunds in the amount of $14,426.84 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(13-1188) MINUTES

15
Approve minutes of Regular meeting held June 18, 2013 and Closed Session held June 18, 2013

THIS CONCLUDED ITEMS APPROVED BY CONSENT

____________________

(13-1171) SOLE SOURCE VENDOR PURCHASE -- GREENWAVE ASSOCIATES

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6) from GreenWave Associates as requested by the Park and Recreation Department for its Computer Controlled Irrigation System.

NOTE: North Carolina General Statute 143-129 and the County Procurement Policy mandate that Mecklenburg County procure all apparatus, supplies, materials and equipment totaling $30,000 or more by competitive bidding. An exemption is allowed if a needed product is available from only one source of supply or standardization or compatibility is the overriding consideration. The City/County Procurement Services Division (PSD) has approved a sole source exemption to purchase weather stations, controllers and other irrigation equipment on an ongoing basis. Installation of equipment will allow the County to participate in the Charlotte-Mecklenburg Utilities Department (CMUD) Smart Water Program, which will result in an estimated savings of up to $274,000 per year in water expenses. GreenWave is the only authorized reseller of the controllers currently utilized by the Park and Recreation Department and required to maintain compatibility and standardization.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1183) BROOKLYN VILLAGE

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled: RESOLUTION APPROVING THIRD AMENDMENT TO THE BROOKLYN VILLAGE / KNIGHTS BASEBALL STADIUM INTERLOCAL COOPERATION AGREEMENT.

WHEREAS, the County and the City have previously entered into that certain “Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement” approved by the City on May 14, 2007 (the “Interlocal Agreement”); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of December 7, 2007 (“First Amendment”) to defer the time for closing on the sale of certain real property by the County to Brooklyn Village LLC (the “Second Ward Property”); and
WHEREAS, the County and Brooklyn Village LLC entered into an Agreement of Sale for County Property dated January 17, 2008 (the “Sales Agreement”) under which the County agreed to sell the Second Ward Property to Brooklyn Village LLC; and

WHEREAS, the County and Brooklyn Village LLC amended the Sales Agreement effective September 8, 2010 to defer the time for closing under the Sales Agreement; and

WHEREAS, by agreement dated October 11, 2011, Brooklyn Village LLC assigned its rights as Buyer under the Sales Agreement to Spectrum Investment Services, Inc. (“Spectrum”), as allowed by the Sales Agreement; and

WHEREAS, the County and Spectrum amended the Sales Agreement effective as of November 20, 2012 to extend the time for Spectrum to close on purchase of the Second Ward Property to June 1, 2013 (the “Second Extension to Sales Agreement”); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of January 29, 2013 (“Second Amendment”) to defer the time for closing on the sale of the Second Ward Property by the County to Brooklyn Village LLC (the “Second Ward Property”) until June 1, 2013; and

WHEREAS, Brooklyn Village LLC did not close on the sale of the Second Ward Property by June 1, 2013, and thereby lost its right to purchase the Second Ward Property; and

WHEREAS, the Interlocal Agreement, as amended through the Second Amendment, provides in Section 2.04 b) that should the County not sell the Second Ward Property to Brooklyn Village LLC by June 1, 2013, the City could require the County to re-convey Marshall Park to the City if the City provides notice to the County to do so within sixty (60) days; and

WHEREAS, the County believes that it can find a purchaser within the next year for just the apartment parcel (one of three parcels to be sold from the Second Ward Property) even though it believes that it cannot currently find a purchaser for all three of the parcels, and has started working on a possible arrangement among the City, the County, the Housing Authority of the City of Charlotte, NC (“Housing Authority”) and the Charlotte-Mecklenburg Board of Education (“Board of Education”) for a possible phased sale approach, with just the apartment parcel to be sold initially; and

WHEREAS, in order to provide the necessary time for the City, the County, the Housing Authority and the Board of Education to come to some agreement on this phased sale approach, and to preserve the right of the City to require re-conveyance of Marshall Park should this phased sale approach not be acceptable to all parties, the City and the County desire to amend the Interlocal Agreement to change the June 1, 2013 date to October 1, 2013, and to provide that the County cannot sell any of the former Marshall Park property until there has been either a further amendment of the Interlocal Agreement or a new interlocal agreement dealing with Marshall Park has been approved and executed; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to execute the “Third Amendment to Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement” in substantially the form presented to the Board of Commissioners with such technical corrections and minor modifications as he may deem necessary consistent with the spirit and intent of the transaction described herein.

Commissioner Leake removed this item from Consent for more public awareness.
(13-1190) GRANT APPLICATION -- NC DEPARTMENT OF PUBLIC SAFETY (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

(1) Approve the submission of a grant application for funding in the amount of $305,568 from the North Carolina Department of Public Safety (NCDPS)

(2) If awarded, recognize, receive and appropriate such funds; no match is required

(3) If awarded, establish two Criminal Justice Case Manager positions in Criminal Justice Services

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:53 p.m.

_________________________________  ____________________________
Janice S. Paige, Clerk                  Patricia “Pat” Cotham, Chairman
ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioners Trevor Fuller and Bill James

-INFORMAL SESSION-

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1207, 13-1212, 13-1219, 13-1225, 13-1226, 13-1229, and 13-1239.

STAFF BRIEFINGS - NONE

(13-1242, 13-1255, 13-1244) CLOSED SESSION – PERSONNEL MATTER, LAND ACQUISITION AND CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel #035-054-23.

Attorney Bethune informed the Board that there was no Personnel Matter or Consult with Attorney matter to discuss in Closed Session, only Land Acquisition.

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 5:45 p.m.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.
Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Ratliff to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Note: A moment of silence was held for Attorney Julius Chambers. Attorney Chambers passed away on August 2, 2013. He was considered a “champion for civil rights,” an attorney and educator. He was well known for his successful litigation of Swann vs. Charlotte-Mecklenburg Board of Education. The case dealt with busing for the purpose of integrating schools.

AWARDS/RECOGNITION

(13-1220) 2013 NACO ACHIEVEMENT AWARDS

The Board recognized Mecklenburg County programs that received 2013 Achievement Awards from the National Association of Counties (NACo). Danny Diehl, Director of Public Information addressed the awards and introduced departmental representatives that were present. The following departments received awards: Mecklenburg County Tax Office, Park and Recreation, Information Technology, and the Sheriff’s Office.

Note: The annual Achievement Award Program was begun by the National Association of Counties (NACo) in 1970 to recognize innovative programs that modernize county government and increase services to residents. Achievement Awards are given in 21 different categories including children and youth, criminal justice, county administration, environmental protection, information technology, health, and many more. Mecklenburg County has been honored with 14 Achievement Awards this year. Other County award recipients will be recognized at the September 3, 2013 meeting.

A description of the programs that received awards is on file with the Clerk to the Board.

(13-1215) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Maria Hill, a middle school student, addressed growing up with asthma and living in the vicinity of Stewart Creek. She noted the fowl odors and groundwater contamination that occur after Stewart Creek floods. She asked the Board to address the flooding issue of Stewart Creek.

Gwen Forney with Bright Hopes, a non-profit organization with the mission of implementing projects that stimulate good school attendance for CMS students, addressed the importance of attending school. She commented on the learning gaps that occur as a result of missed days from school. She also addressed the responsibility of students and parents as it related to school attendance.

Anthony Livingston, Regional Director, Coalition Against Bigger Trucks, addressed and expressed opposition to legislation (H.R. 612) that has been introduced in Congress to raise the federal truck weight limit from 80,000 pounds to 97,000 pounds. Per Mr. Livingston, the bill was almost identical to legislation that was “overwhelmingly” opposed by law enforcement, first responders, local elected officials, AAA, and engineers in previous Congresses. Mr. Livingston said there were provisions as well to increase the size of trucks. He noted safety issues as a result of an increase in truck size and weight. He shared handouts regarding this issue.
AUGUST 6, 2013

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

It was the consensus of the Board to allow persons that had signed up to speak regarding Stewart Creek to speak during the public appearance portion of the meeting.

County Attorney Bethune noted that Item 13-1224-Report on 2013 Flooding Response would address Stewart Creek.

The Board then, without objection, moved Item 13-1224-Report on 2013 Flooding Response up on the agenda and consented to allow persons desiring to speak about Stewart Creek to do so after the presentation by staff.

STAFF REPORTS & REQUESTS

(13-1224) REPORT ON 2013 FLOODING AND RESPONSE

The Board received an update on the Storm Water Service response to 2013 flood events. Dave Canaan, Director of Storm Water Services gave the report.

The presentation summarized rainfall amounts and locations of the flooding, how Storm Water Services reduced the impact of recent flood events and what mitigation efforts were underway and planned for the future.

Note: Charlotte-Mecklenburg was experiencing the fifth-most wet summer on record. The last time was in 1943. There have been approximately 60 homes and businesses impacted by flood events this year. However, many additional homes and businesses would have flooded or impacted to a greater extent without ongoing and/or previously implemented flood mitigation efforts by Storm Water Services.

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

Comments

Commissioner Dunlap asked based on what’s known to date, how many additional residences and/or buildings needed to be purchased. Director Canaan said he would get that number and report back.

Commissioner Dunlap asked that when staff reported back to address how many years it would take to acquire the properties at 50% of the cost versus at the County’s current rate.

Commissioner Leake shared concerns received from constituents and that she’d seen firsthand regarding flooding in the community.

Commissioner Leake asked that when staff reported back to address what could be done and what could the County do to eliminate flooding along Stewart Creek.

The following persons addressed flooding issues with Stewart Creek:

Aaron McKeithan, chair of the Historic West End Neighborhood Association, an informal gathering of presidents of 15+ neighborhood associations and other community-based groups along the Beatties Ford Road corridor, asked that priority assistance be given to alleviating flooding along Stewart Creek and Irwin Creek, as well as clean up efforts. Mr. McKeithan said
both creeks bordered the Beatties Ford Road corridor. He noted flooding issues neighborhoods had endured over the years, causing environmental concerns and resulting in property damage. He asked the Board to direct staff to take immediate action and put in place an appropriate long term solution to the problem.

Ronald Ross, a resident of Northwood Estates, addressed creek overflows, contamination, erosion, fowl odors, fecal coliform, and property damage as a result of continuous flooding. Mr. Ross also addressed the unresponsiveness of the City of Charlotte Storm Water Department. He noted requests that were submitted to the City of Charlotte Storm Water Department in 2005 that had not been addressed. Mr. Ross expressed concern for health issues as a result of flooding and contamination. He suggested consideration be given to doing a health study of the residents in these areas to find out what the exposures have been due to contaminants. He encouraged the Board to seek citizen input when developing solutions.

Commissioner Bentley left the dais during Mr. Ross’ remarks and was away until noted in the minutes.

Tammy Hill, president of the Stewart Creek Environmental Association addressed flooding along Stewart Creek and the impact on surrounding communities. She said residents on the Westside felt “neglected.” Ms. Hill said the Stewart Creek Watershed was one of the largest in the County and deserved “immediate, sustained, and comprehensive attention.”

Ms. Hill provided the Board with a list of questions that she wanted answers to. The questions were as follows:

1. How much will it cost to obtain a Capital Investment Project to restore natural life back to Stewart Creek?
2. Who is responsible for the health of creeks within Mecklenburg County? City, County or State?
3. Has Stewart Creek in its entirety ever been cleaned? If yes, what was the date?
4. Were there measures taken to remove the sewage from the July 12, 2013 flood on Stewart Creek?
5. Has air quality testing occurred since the July 12, 2013 flood? If yes, what were the results: If no, why was no testing completed and when can we expect testing to occur, along with receipt of testing results?

Ms. Hill also brought for the Board’s awareness, a sample of the water tested on August 1, 2013 that showed e coli being present and pictures showing e coli present after the flood on July 11, 2013 that had flowed into the street from the grass.

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

Note: The water sample was given to Director of Storm Water Services Dave Canaan.

Larry Harris, a resident of the Smallwood Community, addressed erosion issues as a result of flooding and property damage. He encouraged the Board to take whatever steps necessary to resolve these issues, not only in the Smallwood Community, but in communities county-wide.

Holye Martin, a former County Commissioner, asked the Board to address the flooding issues brought before them. Former Commissioner Martin said this was a public health issue that needed to be addressed.

Note: The other Public Appearance speakers then spoke on their issue(s) of concern.

Tom Derham, former chair of the Citizen’s Revaluation Advisory Committee (CRAC), addressed the 2011 Revaluation, specifically the preparation of the Schedule of Values. Mr. Derham said CRAC’s task was not to write the Schedule of Values. He said the committee’s task was to listen
to staff and to use those values and make available for public comment on the methodology readiness to execute the revaluation. Mr. Derham said as a committee they assumed the events that had “challenged” staff to perform complex revaluations in the past had been addressed. Further, that land valuations would be taken into consideration in complex neighborhoods and that staff would use “caution” to value real estate, particularly in all categories in a “down and declining market.” Mr. Derham said somewhere in all of the execution, “a lot of the assurances and conversations were lost in translation.”

Mr. Derham noted an article in the newspaper where he said the Interim County Manager said the current Schedule of Values was not correct. Mr. Derham said members of the CRAC would agree that the current Schedule of Values should not be used. He said the Schedule of Values was “like the keys to your car, it’s what drives the revaluation.” Mr. Derham said there were mistakes in the numbers stated in the Schedule of Values, that he “missed and take responsibility for missing.”

Mr. Derham asked the Board to question the need for additional staff and other needs that staff had addressed and to keep in mind that there are other counties, Wake County, for example, that do the exact same work but with less staff. He encouraged the Board to let the consultant that was hired to assist the County Assessor to come in and make an assessment before taking any action regarding staffing needs.

Betty Marlin addressed disease testing and prevention. She referenced a water sample that she took on Irwin Creek in March at a time when there had not been any flooding. Ms. Marlin said she took the sample to Park and Recreation because it was taken just below Biddleville Park at the bottom of the Johnson C. Smith football field. She said a habitat dwelling had just been broken up there and that it looked worst now. Ms. Marlin said Park and Recreation passed it on to Storm Water Services and she received a response August 2. Ms. Marlin encouraged everyone to work together. She recommended those in the medical field work together to develop a list of symptoms for allergies, contaminants, such as mole, and STD’s. Ms. Marlin suggested that the reporting of STD’s in the community be done by streets and not just by zip codes. Ms. Marlin said there were 99 contaminants cited off of Stewart Creek.

(13-1205) APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

The following nominees were considered for appointment to the Alcoholic Beverage Control Board: Phyllis Barnette, Ernest Barry, Malachi Greene, Earl Leake, Robert Nixon, Wayne Powers, Lloyd Scher, Elton Shoemaker, Donna Smith, and Nancy Wiggins.

Members of the Board’s Ad Hoc Appointment Committee, Commissioners Clarke, Leake and Ratliff addressed the interview process that was conducted. Commissioner Clarke recommended Earl Leake.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to appoint Earl Leake to fill an unexpired term expiring June 30, 2015.

He replaces Jerry Hwang.

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to delay the second appointment to the Alcoholic Beverage Control Board until the September 3, 2013 meeting.
Note: It was felt that the second appointment should occur when more Commissioners were present.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The following nominees were considered for appointment to the Charlotte-Mecklenburg Community Relations Committee: Lynnette Carr, Sarah Demarest, Sophia Gaither, Trymaine Gaither, Melandee Jones, Ola Mitchell, Kwesi Nichols, Dana Sidberry, and Nadia Vanderhall.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to appoint Kwesi Nichols to the Charlotte-Mecklenburg Community Relations Committee to fill an unexpired term expiring September 1, 2013 and a full three-year term expiring September 1, 2016 effective September 2, 2013.

He replaces Andy Silver.

(13-1206) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to reappoint Joan Kirk to the Adult Care Home Advisory Committee for a three-year term expiring August 30, 2016.

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to reappoint Keith Long and Fern Paterson to the Air Quality Commission as general public representatives for three-year terms expiring August 31, 2016 effective September 1, 2013.

BICYCLE COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Devin Chidester to the Bicycle Committee to fill an unexpired term expiring March 31, 2015.

He replaces Jane Wasilewski.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Denise Williams to the Nursing Home Community Advisory Committee for a one-year term expiring August 31, 2014.

She replaces Aida Bertsch.
REGION F AGING ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to reappoint Clarissy Knox to the Region F Aging Advisory Committee as an Alternate for a one-year term expiring June 30, 2014 and Marilyn O’Connor as a Delegate for a two-year term expiring June 30, 2015.

PUBLIC HEARINGS

(13-1222) REAL ESTATE EXCISE TAX REFUND REQUEST

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to hold a hearing on a request by Samantha H. Terres, PLLC for reimbursement of incorrect filing of North Carolina excise tax to Mecklenburg County in the amount of $540, which was denied by the Interim County Manager because it did not meet the statutory timeframe for making the request.

No one appeared to speak.

Commissioners inquired as to what would happen if the Board approved the request, even though it didn’t meet the required six months deadline.

County Attorney Bethune said he would have to do some research before being in a position to answer the question.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to continue the hearing on a request by Samantha H. Terres, PLLC for reimbursement of incorrect filing of North Carolina excise tax to Mecklenburg County in the amount of $540, which was denied by the Interim County Manager because it did not meet the statutory timeframe for making the request, until the September 3, 2013 meeting.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-1243) IMPLEMENTATION OF SESSION LAW 2013-362 (SENATE BILL 159 – PROPERTY REAPPRAISAL)

The Board received a report on actions to implement Senate Bill 159 related to the 2011 property revaluation in Mecklenburg County. Interim County Manager Shields gave the report and reviewed options available to the Board.

Interim County Manager Shields noted that there were inconsistencies between what’s in the Schedule of Values and what’s in the Tax Assessor’s Office computer system. He said the inconsistencies were “huge,” but if the County goes with 2011 Revaluation Correction Option 2, then those inconsistencies “won’t matter.” Interim County Manager Shields said the inconsistencies won’t matter because when the County looks at value and determine values, after it runs the first run through to set the value, actual sales were being used and actual income, if it’s businesses or commercial property. He said those two approaches were used to determine the “true” value. He said the Schedule of Values used what’s called the “cost approach,” but because the actual values were determined by the sales approach or the
income approach, accurate information now on the Schedule of Values wasn’t needed. He said staff, once the value was determined, tweaks the qualitative numbers and figures that could impact the property record card. He said the interest was in making sure the value was correct regardless of “how we got there.”

Interim County Manager Shields said staff wanted consistency between the Schedule of Values and what’s in the computer system for the next revaluation.

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

Comments

Commissioner Dunlap asked Interim County Manager Shields to clarify a statement he made regarding the Schedule of Values and the impact if corrected. Interim County Manager Shields explained.

Commissioner Leake asked Interim County Manager Shields to provide clarity for the public. Interim County Manager Shields said what the general public should to be interested in was “that the values were accurate, that there’s equity and that at some point and time if they were due a refund, that they would receive a refund.”

Commissioner Ridenhour asked about the appraisal company that would be brought in and would they re-do what Pearson’s Appraisal Services had already done. Interim County Manager Shields said if there’s another independent appraisal company other than Pearson’s Appraisal Services or if it’s Pearson’s, there would have to be an independent review of all values within Mecklenburg County. Further, that all settled cases could be impacted, if the independent appraisal company comes back and says the values should be different, then that value once it’s approved by the Board would be the value.

Interim County Manager Shields said under the proposed implementation plan, all property owners would have the right to appeal. He said staff would send notices to all property owners with respect to what the recommendation was for their property, be it a decrease, increase, or no change in value. He said once notices were received by property owners, the property owner would have the right to appeal using the standard process of the Board of Equalization and Review and through the Property Tax Commission.

Interim County Manager Shields said the refund would go back to the property owner that actually paid the taxes.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution acknowledging that the conditions of Section 1 of S.L. 2013-362 applies to Mecklenburg County and direct the County Manager to engage a qualified appraisal company to conduct a review of all values in Mecklenburg County in accordance with S.L. 2013-362.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
ACKNOWLEDGING THAT NORTH CAROLINA SESSION LAW 2013-362 APPLIES TO MECKLENBURG COUNTY

WHEREAS, pursuant to North Carolina General Statute 105-286, Mecklenburg County conducted a Reappraisal of all real property effective January 1, 2011 (hereinafter referred to as the “2011 Revaluation”); and

WHEREAS, on July 3, 2012, the Board of Commissioners selected Pearson’s Appraisal Service, Inc.
WHEREAS, Pearson's Appraisal Service, Inc. performed a review of the 2011 Revaluation on November 20, 2012, which report found instances of inequity and erroneous data that had impacts on the valuations of properties in Mecklenburg County; and

WHEREAS, on July 18, 2013 the General Assembly of North Carolina ratified Session Law 2013-362, which law was approved by Governor Pat McCrory on July 26, 2013, a copy of which is attached as Exhibit A; and

WHEREAS, Session Law 2013-362 requires that under those conditions set forth in Session Law 2013-362, a county must follow certain procedures to correct general reappraisals resulting in property values that do not comply with the requirements of North Carolina law by setting forth the steps required to bring the general reappraisal into compliance with the applicable property tax mandates; and

WHEREAS, the Board of Commissioners has received an Affidavit of Robert H. Pearson dated August 1, 2013 for the purpose of addressing the conditions set forth in Session Law 2013-362, a copy of which affidavit is attached as Exhibit B; now, therefore, be it

RESOLVED that the Board of Commissioners makes the following findings:

1. Mecklenburg County's last general reappraisal was performed for the 2011 tax year.

2. Pearson's Appraisal Service, Inc. is a qualified appraisal company registered with the North Carolina Department of Revenue.

3. Pearson's Appraisal Service, Inc. is a company independent of Mecklenburg County. It was selected and retained by Mecklenburg County to perform a review of the 2011 Revaluation.

4. Pearson's Appraisal Service, Inc. performed a review of the 2011 Revaluation, using a sample size of no less than 375 properties, the relevant characteristics of which were reviewed on location at the properties.

5. Based upon the Affidavit of Robert H. Pearson dated August 1, 2013 submitted to the Board, the County has independent evidence that the majority of commercial neighborhoods in the County reviewed by Pearson's Appraisal Service, Inc. possessed significant issues of inequity.

6. Based upon the Affidavit of Robert H. Pearson dated August 1, 2013 submitted to the Board, the County has independent evidence that for residential neighborhoods instances of inequity or erroneous data had an impact on the valuation of the neighborhood as a whole.

7. The four conditions set forth in Section 1 of Session Law 2013-362 have been met and apply to Mecklenburg County and the 2011 Revaluation. And, be it

FURTHER RESOLVED that having found that the conditions set forth in Section 1 of Session Law 2013-362 apply to the Mecklenburg County 2011 Revaluation, the Board of Commissioners hereby directs the Interim County Manager/County Manager to take all steps necessary to implement the requirements set forth in Section 2(ii) of Session Law 2013-362. Specifically, the Interim County Manager/County Manager is directed to take all steps necessary to have a qualified appraisal company conduct a review of all the values in the County by neighborhoods and make recommendations to the Board of Commissioners as to the true value of the properties as of January 1, 2011 so that, as required by Session Law 2013-362, the Board of Commissioners can make any changes on the abstracts and tax records to ensure that the assessed values of incorrectly appraised properties in the County reflect the true values of those properties effective January 1, 2011 pursuant to G.S. 105-286 and apply the adjusted values for those properties for each tax year until the next general reappraisal for real property is performed by the County pursuant to G.S. 105-286, unless those adjusted values are changed in accordance with G.S. 105-287.

Resolution recorded in full in Minute Book _______ Document # ________.
Motion was made by Commissioner Leake, seconded by Commissioner Clarke, to appropriate $1,062,000 for 11 new positions in the Assessor’s Office.

Assistant County Manager Dena Diorio addressed this item.

Note: At its July 2, 2013 meeting, the Board placed $1,800,000 in restricted contingency for the County Assessor’s Office, to be appropriated by the Board upon receipt of sufficient justification that the funds would be used to support critical projects in the Department. Assistant County Manager Dena Diorio requested that the Board appropriate $1,062,000 for the following items:

1) 10 Real Property Appraisers - $796,000  
2) 5 Administrative Support Staff for customer service - $214,000  
3) 1 IT Program Analyst - $52,000

Comments

Commissioner Leake asked about current staffing levels for Real Property Appraisers, which was addressed.

Chairman Cotham said it would be good if the next County Assessor had the opportunity to hire staff with respect to the positions being requested. She said this would add to the County’s offer of employment. She suggested staff hire the additional technical type positions on a contract basis.

Chairman Cotham asked for clarity regarding the salaries, which was addressed.

Commissioner Clarke asked for clarity regarding the combined model, which was addressed.

Commissioner Clarke asked for clarity regarding the total staffing level for the Tax Assessor’s Office, which was addressed.

Commissioner Clarke asked about Wake County’s use of contracted staff to conduct appraisals, which was addressed.

Commissioner Dunlap asked for clarity on the best practices regarding the number of appraisers needed based on the number of parcels within a county, which was addressed.

Commissioner Dunlap said he wanted to note for the record that he took exception to the NC Legislature “forcing” Mecklenburg County to hire a certain staffing level.

Commissioner Ridenhour said he, too, felt any additional hiring should be done by a new County Assessor. He said he understood, however, the need to hire the IT Program Analyst and administrative support staff.

Commissioner Dunlap asked for comments on the idea suggested by Public Appearance speaker, Tom Derham, to allow the consultant, Debbie King, to assess what the staffing levels were and what they need to be.

Interim County Manager Shields said staff would welcome feedback from Ms. King, but that her scope of work did not include looking at staffing levels. He said Ms. King had a specific scope of work which was to address issues in the Internal Audit Report and to look at the
AUGUST 6, 2013

Customer Service Solutions report with regard to customer service and to help with the implementation of Senate Bill 159.

Interim County Manager Shields said because of the recruitment schedule involved, a new County Assessor would have time to be involved in the hiring process. It was noted that because of the lead time required to execute a recruitment process of this magnitude, it was anticipated that the new staff wouldn’t begin employment until around October.

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cottham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to end the debate.

The vote was then considered on the motion by Commissioner Leake, seconded by Commissioner Clarke, to appropriate $1,062,000 for 11 new positions in the Assessor’s Office.

Assistant County Manager Diorio said the request was for 16 positions and not 11.

Commissioner Leake amended her original motion from 11 new positions to 16 new positions. Commissioner Dunlap seconded. The vote was then taken on the amended motion as follows:

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 4-2 with Commissioners Clarke, Dunlap, Leake, and Ratliff voting yes and Commissioners Cottham and Ridenhour voting no, to appropriate $1,062,000 for 16 new positions in the Assessor’s Office.

Note: 1) 10 Real Property Appraisers - $796,000  
2) 5 Administrative Support Staff for customer service - $214,000  
3) 1 IT Program Analyst - $52,000

Assistant County Manager Diorio said the desire was to hire 10 Real Property Appraisers but because of on-going recruitment problems in being able to accomplish that desire, staff would bring in temporary staff to try and get the work done quickly.

STAFF REPORTS & REQUESTS

(13-1217) NOVEMBER 5, 2013 BOND REFERENDUM

RESOLUTION MAKING REQUIRED FINDINGS

Commissioner Dumont Clarke introduced the following resolution and moved that it be adopted. Commissioner Vilma Leake seconded that motion, and the resolution was read by the above title.

RESOLVED that the Board of Commissioners of the County of Mecklenburg hereby makes the following factual findings:

1. Description of the projects: Bonds in the maximum principal amount of $500,000,000 are proposed to be issued for the following projects: school facilities and community college facilities.

2. Facts regarding necessity of proposed projects: The proposed projects are necessary and expedient because present facilities are inadequate to meet the needs in the community.

3. Facts supporting the amount of bonds proposed: The amount of bonds proposed is adequate and not excessive for the proposed purposes based on present estimates.
4. **Past debt management policies:** The County has in the past always appropriated funds in accordance with North Carolina law during each fiscal year in an amount sufficient to retire all principal and interest on indebtedness.

5. **Past budgetary and fiscal management policies:** The County has always adopted its budget in a timely manner in accordance with North Carolina statutory requirements and has obtained an unqualified opinion from a certified public accountant in connection with each annual audit.

6. **Retirement of Debt:** Any increase in the County’s property tax rate resulting from issuance of the proposed bonds is not excessive.

The motion was adopted by the following vote:

**AYES:** Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

**NAYS:** None

Note: Commissioner Bentley was not present at the time this matter was considered.

*       *       *

**RESOLUTION TO INTRODUCE BOND ORDER**

Commissioner Dumont Clarke moved adoption of a resolution to introduce the following bond order, that motion was seconded by Commissioner Vilma Leake, and the resolution was read by the above title.

**BOND ORDER AUTHORIZING THE ISSUANCE OF $290,000,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG**

**WHEREAS,** the Board of Commissioners of the County of Mecklenburg deems it advisable to make the improvements hereinafter described; and

**WHEREAS,** the Board has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Commission has notified the Board that the application has been filed and accepted for submission to the Commission;

**NOW, THEREFORE, BE IT ORDERED** by the Board as follows:

The Board determines that it is necessary to provide school facilities, including the acquisition and construction of new school facilities, the improvements and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, and to pay capital costs of such improvements.

To raise the money required to pay capital costs of providing the improvements described above, in addition to any funds which may be made available for that purpose from any other sources, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be $290,000,000.

Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

A sworn statement of the County’s debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

This bond order shall take effect when approved by the voters of the County at a referendum.

The motion to introduce the above bond order was adopted by the following vote:

**AYES:** Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

**NAYS:** None

Note: Commissioner Bentley was not present at the time this matter was considered.

*       *       *
RESOLUTION TO INTRODUCE BOND ORDER

Commissioner Dumont Clarke moved adoption of a resolution to introduce the following bond order, that motion was seconded by Commissioner Vilma Leake, and the resolution was read by the above title.

BOND ORDER AUTHORIZING THE ISSUANCE OF $210,000,000 COMMUNITY COLLEGE BONDS OF THE COUNTY OF MECKLENBURG

WHEREAS, the Board of Commissioners of the County of Mecklenburg deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Board has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Commission has notified the Board that the application has been filed and accepted for submission to the Commission;

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

The Board determines that it is necessary to provide community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, and to pay capital costs of such improvements.

To raise the money required to pay capital costs of providing the improvements described above, in addition to any funds which may be made available for that purpose from any other sources, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be $210,000,000.

Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

A sworn statement of the County’s debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

This bond order shall take effect when approved by the voters of the County at a referendum.

The motion to introduce the above bond order was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None

Note: Commissioner Bentley was not present at the time this matter was considered.

*       *       *

RESOLUTION AUTHORIZING PUBLIC HEARING ON BOND ORDERS

Commissioner Dumont Clarke moved the adoption of the following resolution, the motion was seconded by Commissioner Vilma Leake and the resolution was read by the above title.

WHEREAS, the bond orders entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $290,000,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG”, and “BOND ORDER AUTHORIZING THE ISSUANCE OF $210,000,000 COMMUNITY COLLEGE BONDS OF THE COUNTY OF MECKLENBURG” have been introduced at the meeting of the Board of Commissioners of the County of Mecklenburg held on August 6, 2013, and the Board desires to provide for a public hearing thereon and the submission of a statement of debt in connection therewith as required by The Local Government Finance Act;

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

The public hearing upon those bond orders shall be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, North Carolina, at a meeting that begins at 6:00 P.M., September 3, 2013.

The Clerk to the Board of Commissioners is hereby directed to cause a copy of each bond order to be published at least once in a newspaper of general circulation in the County of Mecklenburg.
order to be published with the notice of public hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to the public hearing.

The Director of Finance is hereby directed to file with the Clerk to the Board of Commissioners prior to publication of the bond orders with the notices of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County.

The motion was adopted by the following vote:
AYES: Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Vilma Leake, Kim Ratliff, and Matthew Ridenhour
NAYS: None
Note: Commissioner Bentley was not present at the time this matter was considered.

Extracts & Resolutions recorded in full in Minute Book _______Documents # ________, ________, ________ and ________.

(13-1246) RESOLUTION -- PRESERVATION OF FEDERAL INCOME TAX EXEMPTION FOR INTEREST EARNED ON MUNICIPAL BONDS

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution supporting the preservation of the Federal Income Tax Exemption for interest earned on municipal bonds.

Resolution recorded in full in Minute Book _______Document # ________.

(13-1251) HEALTH DEPARTMENT TRANSITION UPDATE

The Board received a post-transition update on Health Department services. Assistant County Manager Michelle Lancaster gave the update. The following was noted:

- On July 1, 2013, public health services that were previously provided under contract by Carolinas HealthCare System transitioned to the Mecklenburg County Health Department.
- Recruitment of a Health Director – Assistant County Manager Lancaster said her plan was and is to spend about 60 days at the Health Department to get a clear understanding of Health Department operations. She said the County had not operated the Health Department in totality since 1995.
- Having a clear understanding of Health Department operations would aide staff in ensuring that the right person was hired for Health Director.
- Transition of employees – 433 employees were transition from Carolinas HealthCare System over to the County – Currently there were 60 vacancies out of about 600 employees total for the Health Department.
- Asset and Facility Management – The assets managed by Carolinas HealthCare System which consisted of the main Health Department Campus, now the Neil C. Cooksey, Sr. Health Center, the Beatties Ford Road Clinic facility and about 23 vehicles did not return to the County in “great shape.” Thus, monies were spent to get both vehicles and facilities in better condition.
- An assessment of all Health Department programs was being conducted.

Comments
Commissioner Leake expressed concern for employee morale at the Health Department. She noted an example of someone that recently left the County, after eleven years, because he felt he had been continuously overlooked for opportunities to move up in the organization.

Commissioner Leake said there’s a concern by some at the Health Department that retired persons were being asked to come back as consultants.

Commissioner Leake asked Assistant County Manager Lancaster to take a look at the concerns expressed by employees to see if there’s any validity to them or not, and if so, that those matters be addressed.

Commissioner Leake said there had been meetings in the community where questions and concerns were raised about the Health Department and its treatment of clients that come for services. She said concern was expressed also regarding a program that was moved from the Beatties Ford Road Clinic to the Billingsley Road location. She did not specify the program.

Assistant County Manager Lancaster said when issues were brought to the attention of Human Resources they’re investigated.

Chairman Cotham said she also heard from Health Department employees and persons in the community with concerns. Chairman Cotham said she’d been told by some employees that they were required to sign a statement prohibiting them from speaking with County Commissioners.

Assistant County Manager Lancaster said the County did not ask employees to sign anything prohibiting them from speaking with members of the Board. She said Carolinas HealthCare may have.

Commissioner Clarke asked about the number of retired Health Department employees that were asked to come back as consultants. Assistant County Manager Lancaster said currently there was one, Polly Baker. She said Ms. Baker was with the County prior to Health Department services transitioning to Carolinas HealthCare. Ms. Baker, subsequently became an employee of Carolinas HealthCare and was over Public Health. Assistant County Manager Lancaster said Ms. Baker retired a few years ago.

Assistant County Manager Lancaster said Ms. Baker was called in to assist with the transition only and would not remain permanently.

Commissioner Bentley returned to the dais.

This concluded the presentation and discussion of this matter. The above is not inclusive of every comment but is a summary.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(13-1193) SELECTION OF NCACC VOTING DELEGATE

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to appoint Commissioner Leake as the Board’s voting delegate for the 106th Annual Conference of the North Carolina Association of County Commissioners (NCACC) to be held at the Sheraton Greensboro at Four Seasons/Koury Convention Center in Guilford County, N.C., on August 22-25, 2013.
Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to approve recommended revisions to the Code of Ethics to include format changes, additional statutory language, and rewording various provisions; and in addition to change the wording of (j) of Section 1: Standard of Conduct, to read as follows: County Officials will act ethically and responsibly in accordance with all laws at all times.

Note: The County’s Chief Compliance Officer Charter calls for the Chief Compliance Officer to provide recommended changes to the County’s Code of Ethics at least annually to the Board and the Audit Review Committee, as appropriate. Several weeks ago, Deputy County Attorney/Chief Compliance Officer Tyrone Wade conferred with County Attorney Marvin Bethune to identify potential changes to the Code of Ethics. Proposed changes also were reviewed by the County’s Risk Management/Compliance Governance Committee and the Interim County Manager and Executive Team. At its June 18, 2013 meeting, the Audit Review Committee considered the recommended revisions and unanimously approved recommending to the Board the revisions in the attached documents.

Code of Ethics recorded in full in Minute Book _______, Document # ________.

(13-1234) DAVIDSON SCENIC BYWAY

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to authorize the Chairman to send a letter of support, on behalf of the Board, for the proposed Davidson Scenic Byway.

Note: The Davidson Lands Conservancy requested the Board’s support and assistance in getting the Davidson Scenic Byway designated as an official scenic byway, the first in Mecklenburg County. The N.C. Department of Transportation has designated 54 scenic byways to give visitors and residents a chance to experience North Carolina’s history, geography and culture, while also raising awareness for the protection and preservation of these treasures. The proposed scenic route traces the evolution of a unique community that was sparked by a commitment to higher education and civic engagement and is sustained by its historic and rural origins and its commitment to its natural assets. The route would begin on NC 115 at the Granville Grant Historic Marker on the Iredell/Mecklenburg line, and then continue on North Main Street to Concord Road. From the village green, it would proceed east to Grey Road, and then turn north to the Iredell line. At this point, it would turn south on Shearer Road and end at Fisher Road, which is the entrance to Fisher Farm Park. Byways are carefully selected to portray the diverse beauty and culture of the Tar Heel State and provide travelers with safe and interesting alternate travel routes.

Roy Alexander, Executive Director of the Davidson Lands Conservancy addressed this matter prior to the above vote.

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

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):
GREENWAY DONATIONS -- BACK CREEK AND IRWIN CREEK GREENWAY

Accept the donation by The Crosland Group, Inc. of tax parcels 051-142-98 (±0.003 acres), 051-142-99 (±0.05 acres), 051-214-77 (±4.673 acres) and 213-135-74 (±0.05 acres) along Back Creek and McAlpine Creek for future greenway trail construction.

Note: Three of the subject parcels are located along Back Creek in the Coventry neighborhood in the eastern portion of Mecklenburg County. Parcel 213-135-74 is located along McAlpine Creek in the Sardis Woods neighborhood in the southeastern portion of the County. The properties are located primarily in the floodplain, except for parcel 213-135-74, and the Crosland Group, Inc. has offered the property to the County for inclusion in the greenway program as part of its subdivision approval. The total acreage of property being donated is ±4.776 acres.

GREENWAY DONATION -- FLAT BRANCH GREENWAY

Accept the donation of Tax Parcel 229-396-99 (±11.086 acres) from the Auburn Place Homeowner’s Association along Flat Branch for future greenway trail construction.

DESTRUCTION OF FINANCIAL DOCUMENTS -- LUESA

Approve the disposal of LUESA (Solid Waste) records in accordance with the State of North Carolina Record Retention statutes.

Note: The records to be destroyed in accordance with the State Records Retention and Disposition Schedule, established by the NC Department of Cultural Resources, Division of Archives and History comprise:

- Solid Waste Accounts Receivable Records (Collection Reports, Check Logs, Duplicate Statements, and Accounts Uncollectable) from FY10 and older
- Solid Waste Landfill Tickets from FY10 and older

CARMEL VALLEY GREENWAY DONATION -- MCALPINE CREEK GREENWAY

Accept the donation of Tax Parcel 221-201-22 (±2.3 acres) along McAlpine Creek for future greenway trail construction.

Note: The property was required to be donated to the County as part of the Carmel Valley development approval. The current owners, FF Carmel Valley II, LLC, which is not the original developers, contacted the County to begin the process of conveying the property. This property will serve as a future neighborhood connection to McAlpine Creek Greenway.

MINUTES

Approve minutes of Regular meeting held July 2, 2013.

BUDGET AMENDMENT -- APPROPRIATION OF FUND BALANCE FOR DAVIDSON ETJ FIRE SERVICE DISTRICT

Appropriate $2,000 from the Davidson ETJ Fire Protection Service District (FPSD) fund balance for FY14 funding.
AUGUST 6, 2013

Note: During FY13, the Davidson ETJ FPSD collected $106,373 and the Town of Davidson contracted for $83,745 to provide fire protection services in the ETJ district, generating fund balance of $22,628 in the fund dedicated to this fire service district. In preparation for the FY14 budget, the Town of Davidson requested to contract for $99,990 in fire protection services. However, the County’s FY14 budget ordinance was adopted for $98,074. The request to appropriate $2,000 from the Davidson ETJ FPSD fund balance for FY14 would allow for contracting with the Town of Davidson for the full amount requested by the Town for FY14 fire protection services.

(13-1228) APPOINTMENT OF REVIEW OFFICERS

Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds office pursuant to N.C.G.S. 47-30.2 to be amended as follows:

1. Jason Pauling, Maria E. Floren, and Broderick Whitlock are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.

2. Lisa McCarter shall be deleted from the Resolution adopted January 4, 2006 and Catherine Stutts shall be deleted from the Resolution adopted March 15, 2011.

Resolution recorded in full in Minute Book __________Document # __________.

(13-1232) CPCC -- RESOLUTION REGARDING A GUARANTEED ENERGY SAVINGS CONTRACT

Adopt a resolution acknowledging the execution and delivery by Central Piedmont Community College Board of Trustees of a guaranteed energy savings contract.

Note: By means of a Request for Proposals, CPCC selected Trane U.S. Inc. (Trane) to perform a detailed energy audit referred to as the Investment Grade Audit (IGA). Trane has completed the audit and CPCC is ready to enter into a performance contract with Trane to implement the recommendations of the IGA. CPCC is required to submit the findings of the IGA and apply for the authority to enter into the performance contract to the Local Government Commission. The submittal to the Local Government Commission requires the passage of a resolution by the Board of County Commissioners.

Resolution recorded in full in Minute Book __________Document # __________.

(13-1233) VOICE OVER INTERNET PROTOCOL (VOIP) FINANCING

Authorize the Interim Director of Financial Services and the Interim County Manager to arrange financing for the VoIP project, up to $5 million and adopt RESOLUTION APPROVING FINANCING TERMS.

RESOLUTION APPROVING FINANCING TERMS

WHEREAS: Mecklenburg County (“County”) has previously determined to undertake a project for the Voice over Internet Protocol (VoIP) Project (the “Project”), and the Interim Director of Financial Services has now presented a proposal for the financing of said Project.

BE IT THEREFORE RESOLVED, that the Mecklenburg County Board of Commissioners
AUGUST 6, 2013

Authorizes the Interim County Manager to negotiate and execute an agreement or agreements with Key Government Finance, Inc. to finance the Project in accordance with the proposal dated July 31, 2013. The amount financed shall not exceed $5,000,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 0%, and the financing term shall not exceed fifty-nine (59) months from closing.

Note: The Business Support Services Agency (BSSA) seeks to purchase and install the equipment necessary for migrating the County's telephone system from AT&T to Voice Over Internet Protocol (VoIP), which will result in an annual savings of more than $1 million. Moving to VoIP will reduce move, add, change (MAC) costs and time, and will better support employee mobility. Cisco Capital Systems has offered to finance up to $5 million for the project at a 0% interest rate. This will allow the County to complete the project approximately three years earlier than anticipated. Annual payments will be paid from the County's Technology Reserve.

Resolution recorded in full in Minute Book _______ Document # ________.

(13-1236) TAX COLLECTOR’S ANNUAL SETTLEMENT FOR FISCAL YEAR 2013

Receive and accept the Tax Collector’s Settlement.
MECKLENBURG COUNTY
Office of the Tax Collector

To: Board of County Commissioners
   Bobbie Shields, Interim County Manager
   Dena Diorio, Assistant County Manager

From: Neal L. Dixon, Tax Collector

Date: July 22, 2013

Subject: Tax Collector's Settlement for Fiscal Year 2013

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Mecklenburg County Board of Commissioners for fiscal year 2013 (tax year 2012).

Total FY 2013 Tax charged to the Tax Collector for Collection: $943,976,455.06

Real Estate & Personal Property Tax

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected*</th>
<th>Uncollected</th>
<th>Pot. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$882,390,509.12</td>
<td>$873,255,012.82</td>
<td>$10,806,925.67</td>
<td>98.96%</td>
</tr>
</tbody>
</table>

Registered Motor Vehicle Tax

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected*</th>
<th>Uncollected</th>
<th>Pot. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$61,585,945.94</td>
<td>$53,598,878.03</td>
<td>$8,515,097.21</td>
<td>87.03%</td>
</tr>
</tbody>
</table>

Combined Total

<table>
<thead>
<tr>
<th>Net Levy</th>
<th>Collected*</th>
<th>Uncollected</th>
<th>Pot. Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>$943,976,455.06</td>
<td>$926,833,890.85</td>
<td>$19,322,022.88</td>
<td>98.18%</td>
</tr>
</tbody>
</table>

*Note: The amount collected includes interest and collection fees which are not included in the net levy.

At the end of FY2013 there were a total of 99 parcels with tax bills totaling $252,442.85 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection on these tax bills. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 1,074 real estate, personal property, and registered motor vehicle tax bills totaling $859,492.83.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS
700 East Stonewall Street (28202) • P.O. Box 31457 • Charlotte, North Carolina 28231 • 704-336-3322

Note: The Tax Collector’s Settlement is submitted to the Board of County Commissioners in accordance with North Carolina General Statute 105-373(3). The Settlement is to be entered into the records of the Board of County Commissioners as directed by statute.

(13-1237) ORDER OF COLLECTION - 2013 AD VALOREM TAXES

Authorize the Tax Collector to collect 2013 ad valorem taxes

Note: General Statute 105-321(b) states: "Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the
tax receipts are delivered to him, but the failure to do so, shall not affect the tax collector's rights and duties to employ the means of collecting taxes provided by this subchapter. The order of collection shall have the force and effect of a judgment and execution against the taxpayers' real and personal property."

ORDER OF COLLECTION
NORTH CAROLINA, MECKLENBURG
TO THE TAX COLLECTOR OF MECKLENBURG COUNTY
GENERAL STATUTE 105-321(b)
You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Mecklenburg and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Order of Collection recorded in full in Minute Book _______, Document # ________.

(13-1238) TAX REFUNDS
Approve refunds in the amount of $131,739 and interest as statutorily required to be paid as requested by the Assessor resulting from Clerical errors, audits and other amendments.

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

(13-1240) CHARLOTTE-MECKLENBURG SCHOOLS LEASE
Authorize the Interim County Manager to decline the County's statutory right of first refusal to lease Tax Parcels #080-063-10 and #080-063-09 (+/- 0.565 acres) owned by the Charlotte-Mecklenburg Board of Education to permit a lease to Levine Properties, Inc.

Note: Charlotte-Mecklenburg Schools (CMS) would like to lease to Levine Properties, Inc. approximately 0.565 acres of vacant gravel parking lot area located in First Ward, which is contiguous to County-owned property. The parking area will be used for the staging of materials and parking for construction related to the First Ward Project. These parcels are part of a land exchange detailed in an interlocal agreement between the Charlotte-Mecklenburg Board of Education and Mecklenburg County, executed in September, 2009. The County will acquire the property from CMS and the parking lot will eventually be deeded to Levine Properties, Inc. as part of the development agreement.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1207) PROCLAMATION -- CHILD SUPPORT AWARENESS MONTH
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation declaring August 2013 as Child Support Awareness Month in Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness.
AUGUST 6, 2013

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

(13-1212)  COMMUNITY DEVELOPMENT BLOCK GRANT -- FIVE YEAR CONSOLIDATED PLAN (2013-2018) AND FY14 ANNUAL ACTION PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the Five Year Consolidated Plan (2013-2018) and the FY14 Annual Action Plan for Mecklenburg County's Community Development Block Grant program, funded by the US Department of Housing and Urban Development.

Note: As required by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County prepared a Five Year Consolidated Plan to integrate planning efforts for the County’s Community Development Block Grant (CDBG) funds, which focuses on the housing and community development needs of low and moderate income persons. The purpose of a Consolidated Plan is to identify housing and community development needs and to develop specific goals and objectives to address these needs over five years. The Plan is developed by the Centralina Council of Governments (CCOG), which administers the County’s CDBG funds under contract with Mecklenburg County.

This is the second Consolidated Plan for Mecklenburg County and covers the period of July 1, 2013 through June 30, 2018. Preparation and approval of the Consolidated Plan is a prerequisite to the County’s continued receipt and use of federal housing and community development funds. All activities and funding priorities included in Mecklenburg County’s Consolidated Plan will address three statutory goals set by HUD:

→ Provide Decent Housing
→ Provide A Suitable Living Environment
→ Provide Expanded Economic Opportunities

Commissioner Leake removed this item from Consent for more public awareness. Board Assistant Amber Snowden addressed this item.

(13-1219)  BUDGET AMENDMENT -- FIT FAMILY CHALLENGE AWARD (HEALTH DEPARTMENT)

Motion was made by Commissioner Ratliff, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate revenue of $10,000 from Coca-Cola Bottling Co. Consolidated.

Commissioner Ratliff removed this item from Consent for more public awareness. Ms. Alison Patient, Sr. Director, Corporate Affairs, Coca-Cola Bottling Co. Consolidated and Mr. Mark Etheridge with Charlotte Parent magazine addressed the Fit Family Challenge Award.

(13-1225)  BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate $60,000 to FY14 Land Development Bond Budget.
NOTE: Funds were received due to the default of bond obligations for the completion of subdivision requirements for OAK LIN, LLC. The funding amount of $60,000 will be utilized for administrative costs, drainage, roadway repair, sidewalk, and street trees to complete the subdivision requirements per the Town of Huntersville for the Oaks at McIlwaine. The defaulted bond funds need to be appropriated to the Land Development Bond Budget to reimburse the County for construction expenses, staff time and attorney fees related to the project. The improvements will be completed and funded by the Town of Huntersville. The County will reimburse the Town of Huntersville with the remaining bond funds.

Commissioner Leake removed this item from Consent for more public awareness. Dave Canaan, Director of Storm Water Services addressed this item.

(13-1226) GRANT APPLICATION -- BLUMENTHAL FOUNDATION

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

1) Approve the submission of a grant application for funding in the amount of $1,000 from the Blumenthal Foundation to support GIS Day in Mecklenburg County

2) If awarded, recognize, receive and appropriate grant funds.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1229) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate additional revenue of $49,328 from North Carolina Department of Health and Human Services (NC DHHS).

Note: During the FY 14 budget process, the General Communicable Disease Control allocation was omitted in error. The allocation is received annually from NC DHHS.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1239) MEMORANDUM OF UNDERSTANDING -- BALLANTYNE COMMUNITY PARK AND COMMUNITY HOUSE ROAD STREET IMPROVEMENTS

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager to execute documents necessary to enter into a Memorandum of Understanding with the City of Charlotte that will lead to the eventual conveyance of road right-of-way and permanent utility/sidewalk and temporary construction easements to the City from County-owned Tax Parcels #229-041-07 and #229-041-39 associated with Ballantyne Community Park capital improvements and the City's Farm-to-Market roadway improvements to Community House Road

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT
Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:20 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, 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 located at 600 East Fourth Street 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 3, 2013.

ATTENDANCE

Present:
Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, George Dunlap,
Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff
and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent:
None

-INFORMAL SESSION-

Commissioners Bentley, Clarke, Dunlap and Fuller were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1257, 13-1264, 13-1266, 13-1268, 13-1272, 13-1273, 13-1276, 13-1281, 13-1282, 13-1285, and 13-1293.

STAFF BRIEFINGS - NONE

(13-1177, 13-1252, 13-1288) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and carried 5-0 with Commissioners Cotham, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion, Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:07 p.m. and came back into Open Session at 6:00 p.m.

Commissioners Bentley, Clarke, Dunlap and Fuller were present when the Board came back into Open Session. They entered the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.
SEPTEMBER 3, 2013

Commissioner Clarke left the meeting and was absent until noted in the minutes.

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Ridenhour to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Note: Prior to the start of the meeting, Commissioner Bentley acknowledged and congratulated former County Commissioner Dan Ramirez on his receipt of the Order of the Long Leaf Pine Award presented to him recently by the Governor. The Order of the Long Leaf Pine is among the most prestigious awards presented by the Governor of North Carolina. The Order of the Long Leaf Pine is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guidelines by which recipients are selected for this award. Former County Commissioner Ramirez is battling Lou Gehrig’s disease.

Also, Commissioner Leake acknowledged her attendance as the Board’s representative at the North Carolina Association of County Commissioners Annual Conference in Greensboro, NC. August 22-25, 2013. Commissioner Leake said it was a good conference.

AWARDS/RECOGNITION

(13-1277) 2013 NACO ACHIEVEMENT AWARDS AND NACIO AWARDS OF EXCELLENCE

The Board recognized Mecklenburg County programs that received awards from the National Association of Counties (NACo) and the National Association of County Information Officers (NACIO).

Danny Diehl, Director of Public Information addressed the awards and introduced departmental representatives that were present. The following departments received awards: Business Support Services Agency, Public Library of Charlotte-Mecklenburg, Information Technology & the Department of Social Services, Land Use & Environmental Services Agency, Tax Assessor’s Office & Sheriff’s Office, County GIS, the Domestic Violence Fatality Review Team, and Public Information for receiving the National Association of County Information Officers awards.

Note: The annual Achievement Award Program was begun by the National Association of Counties (NACo) in 1970 to recognize innovative programs that modernize county government and increase services to residents. Achievement Awards are given in 21 different categories including children and youth, criminal justice, county administration, environmental protection, information technology, health, and many more. Mecklenburg County was honored with 14 NACo Achievement Awards and three NACIO awards this year. Other County award recipients were recognized at the August 6, 2013 meeting.

A description of the programs that received awards is on file with the Clerk to the Board.

(13-1291) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:
Gardner Hawkins, Managing Director and Founder of Melange Health Solutions, a mental health services provider, spoke on behalf of Melange and other providers regarding contracting with the County for the provision of mental health services. He provided the Board handouts regarding Melange’s business operations with respect to performance, quality of services provided, and compliance with the requirements. Mr. Hawkins said out of $1.8 million that samples were taken from for audit purposes, less than $1,000 had to be paid back. He said Melange was continuously being audited by the Division of Medical Assistance and MeckLINK. He asked the Board to have an independent review board to review the actions that MeckLINK was taking with providers who have consistent records of compliance.

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

Trasha Black and Diana Dunkin with the Minority Coalition of Behavioral Healthcare Providers of Color shared the organization’s mission and vision statement, which was provided by Ms. Dunkin. Ms. Black addressed providers’ experiences with MeckLINK.

Ms. Black said there were many providers across the community experiencing the same issues that Melange Health Solutions was experiencing with respect to continuous audits, including walk-in audits. Ms. Black said it seemed as if minority providers were being disproportionately targeted for repayments and expulsion from the network.

She said as a coalition they provided a petition to the Board asking that there be an independent review board to oversee actions at MeckLINK. Ms. Black read the following statement:

“We the undersigned hereby petition to the Mecklenburg County Board of Commissioners to put an immediate halt to the cancellation of Medicaid Provider contracts by the MeckLINK MCO and to appoint an independent review board to review and approve all contract terminations, recommendations from MeckLINK MCO staff. The current appeals process denies due process and will bankrupt most small providers, even if the provider is successful in challenging the termination. The MeckLINK MCO has engaged in a targeted effort against small and overwhelmingly minority-owned provider agencies in order to remove them from the network of Medicaid providers, deny consumer choice and access to services.”

Ms. Black said at a recent meeting several questions were posed to MeckLINK and what they noticed was that their organizations were receiving approximately 50 – 60 percent denial rates for consumers who clearly met state definition. She said they’ve seen their consumers go to jail, hospitalized, homeless, and even “injured or killed by the police department and law enforcement.”

Ms. Black said they would like an independent review board to determine authorization approvals by provider and the number of hours on site. Ms. Black said they were not opposed to audits and walk-in reviews, if they’re occurring across the board for large and small agencies. Ms. Black said they were also interested in the referrals that were coming out of MeckLink. Ms. Black said they were being told by individuals and organizations that they have had long term relationships with, that they were being told they could no longer refer to their organization and that those referrals were being targeted and sent to larger organizations.

Ms. Black said they would provide copies of the petition to the Board, however, nothing was provided to the Clerk for distribution.

Commissioner Leake asked when would there be a meeting to address the questions raised by the Public Appearance speakers.
Chairman Cotham said per a conversation with Interim County Manager Shields regarding concerns expressed by the speakers and others, it was her understanding that this matter was going to be addressed.

Interim County Manager Shields said in addition to the information shared with the Board in last week’s Board Bulletin that an information sharing meeting would be held because staff was interested in knowing the types of information shared by the public appearance speakers and others, so that those concerns could be looked into. Commissioners were encouraged to attend those information sharing meetings.

Chairman Cotham assured the speakers and others that their voices were being heard and that their concerns would be addressed.

(13-1258) APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

The vote was taken on the following nominees for appointment to the Alcoholic Beverage Control Board:

- Phyllis Barnette: None
- Ernest Barry: None
- Malachi Greene: None
- Robert Nixon: None
- Wayne Powers: None
- Lloyd Scher: Commissioners Cotham, Dunlap, Fuller, James, Leake, and Ratliff

Voting Ceased

Elton Shoemaker
Donna Smith
Nancy Wiggins

Chairman Cotham announced the appointment of Lloyd Scher to the Alcoholic Beverage Control Board to fill an unexpired term expiring June 30, 2014.

He replaces Angeles Ortega-Moore.

PUBLIC HEARINGS - 6:30 PM

(13-1294) REAL ESTATE EXCISE TAX REFUND REQUEST

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reopen the hearing originally started on August 6, 2013, and continued until September 3, 2013, on a request by Samantha H. Terres, PLLC for reimbursement of incorrect filing of North Carolina excise tax to Mecklenburg County in the amount of $540, which was denied by the Interim County Manager because it did not meet the statutory timeframe for making the request.

No one appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close hearing on a request by Samantha H. Terres, PLLC for reimbursement of incorrect filing of North Carolina excise tax to Mecklenburg County in the amount of $540, and...
deny the request based on the grounds that the request did not meet the statutory timeframe for a refund which is within six months of paying the tax.

Note: The request was received 14 months after the date the tax was paid in Mecklenburg County. The required deadline for submitting a request is no later than six months after the date the tax was paid.

(13-1274) NOVEMBER 5, 2013 BOND REFERENDUM

Interim Director of Financial Services Wanda Reeves addressed the November 5, 2013 Bond Referendum process. The Board then took the following actions noted below with respect to this matter.

REPORT FROM CLERK

The Clerk to the Board of Commissioners reported to the Board of Commissioners that the bond orders entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $290,000,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG” and “BOND ORDER AUTHORIZING THE ISSUANCE OF $210,000,000 COMMUNITY COLLEGE BONDS OF THE COUNTY OF MECKLENBURG” which had been introduced on August 6, 2013, had been published in a qualified newspaper on or before August 27, 2013, with notice that the Board would hold a public hearing thereon on September 3, 2013. The Clerk also reported that the County’s Interim Director of Financial Services had filed in the Clerk’s office a statement of debt complying with the provisions of The Local Government Bond Act and that such statement showed the net indebtedness of the County to be 1.55% of the assessed valuation of property in the County subject to taxation.

Motion was made by Commissioner Bill James, seconded by Commissioner Trevor Fuller and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to receive the above report from the Clerk.

PUBLIC HEARING ON BOND ORDERS

Commissioner Bill James moved that the Board proceed to hold a public hearing on the bond orders. The motion was seconded by Commissioner Trevor Fuller and was unanimously adopted with an 8-0 vote.

At 7:03 P.M., the Chairman of the Board announced that the Board would hear anyone who wished to be heard on the questions of the validity of the bond orders and the advisability of issuing the bonds.

Note: The following persons appeared to speak in support of the Bond Order Authorizing The Issuance of $290,000,000 School Bonds Of The County Of Mecklenburg: Mary McCray, Karen Price, and David Comer. No one appeared to speak in opposition of the bond orders.

After the Board had heard all persons who requested to be heard, Commissioner Bill James moved that the public hearing be closed. The motion was seconded by Commissioner Trevor Fuller and was unanimously adopted with an 8-0 vote.

* * *
SEPTEMBER 3, 2013

ADOPTION OF SCHOOL BOND ORDER
AND AUTHORIZATION OF BOND ELECTION

Commissioner Bill James moved adoption of the following, which was read by title:

(1) The Board adopts without change and directs the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $290,000,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG” introduced at the meeting of the Board of Commissioners held on August 6, 2013.

(2) The questions whether the qualified voters of the County of Mecklenburg shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the bonds of the County authorized by that bond order, which indebtedness shall be secured by a pledge of the County’s faith and credit, (b) the levy of a tax for the payment thereof, and (c) that bond order, shall be submitted to the qualified voters of the County at an election to be held in the County on November 5, 2013.

(3) The Clerk is hereby authorized and directed to publish a notice of that election, which shall be in substantially the form below.

(4) That notice of special election shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the special election.

(5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots, to provide the equipment for the holding of the election and to conduct and to supervise the election.

(6) The Clerk to the Board of Commissioners shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after the resolution is adopted.

The motion was seconded by Commissioner Kim Ratliff and was adopted by the following vote:

AYES: Commissioners Karen Bentley, Patricia Cotham, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYES: None

Note: Commissioner Clarke was present at the meeting but absent at the time this matter was considered.

*   *   *

ADOPTION OF COMMUNITY COLLEGE BOND ORDER
AND AUTHORIZATION OF BOND ELECTION

Commissioner Bill James moved adoption of the following, which was read by title:

(1) The Board adopts without change and directs the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $210,000,000 COMMUNITY COLLEGE BONDS OF THE COUNTY OF MECKLENBURG” introduced at the meeting of the Board of Commissioners held on August 6, 2013.

(2) The questions whether the qualified voters of the County of Mecklenburg shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the bonds of the County authorized by that bond order, which indebtedness shall be secured by a pledge of the County’s faith and credit, (b) the levy of a tax for the payment thereof, and (c) that bond order, shall be submitted to the qualified voters of the County at an election to be held in the County on November 5, 2013.
SEPTEMBER 3, 2013

(3) The Clerk is hereby authorized and directed to publish a notice of that election, which shall be in substantially the form below.

(4) That notice of special election shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the special election.

(5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots, to provide the equipment for the holding of the election and to conduct and to supervise the election.

(6) The Clerk to the Board of Commissioners shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after the resolution is adopted.

The motion was seconded by Commissioner Trevor Fuller and was adopted by the following vote:

AYES: Commissioners Karen Bentley, Patricia Cotham, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYES: None

Note: Commissioner Clarke was present at the meeting but absent at the time this matter was considered.

*        *        *

THE COUNTY OF MECKLENBURG, NORTH CAROLINA
NOTICE OF SPECIAL BOND ELECTION

NOTICE IS HEREBY GIVEN that a special bond election will be held in the County of Mecklenburg, North Carolina, on November 5, 2013, for the purpose of submitting to the qualified voters of the County the questions whether they shall approve or disapprove (1) the indebtedness to be incurred by the issuance of bonds of the County of the maximum principal amount of $290,000,000, which indebtedness shall be secured by a pledge of the County’s faith and credit, and (2) the levy of a tax for the payment of those bonds, and (3) the bond order entitled, “BOND ORDER AUTHORIZING THE ISSUANCE OF $290,000,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG,” adopted by the Board of Commissioners to authorize the issuance of those bonds and the levy of that tax; and whether they shall approve or disapprove (1) the indebtedness to be incurred by the issuance of bonds of the County of the maximum principal amount of $210,000,000, which indebtedness shall be secured by a pledge of the County’s faith and credit, and (2) the levy of a tax for the payment of those bonds, and (3) the bond order entitled, “BOND ORDER AUTHORIZING THE ISSUANCE OF $210,000,000 COMMUNITY COLLEGE BONDS OF THE COUNTY OF MECKLENBURG,” adopted by the Board of Commissioners to authorize the issuance of those bonds and the levy of that tax.

The $290,000,000 school bonds are authorized to pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor.

The $210,000,000 community college bonds are authorized to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor.

The ballots to be used at the election shall contain the words, “SHALL the order authorizing $290,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to
pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, and a tax to be levied for the payment thereof, be approved?", and "SHALL the order authorizing $210,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, and a tax to be levied for the payment thereof, be approved?"with squares labeled “YES” and NO” beneath or beside those words, in which squares the voter may record his choice.

In the event a majority of the qualified voters voting at that election vote to approve a particular order, the incurring of indebtedness and the levy of a tax related thereto, those bonds shall be issued and taxes shall be levied for the payment of the bonds.

The polls for the election will open at the hour of 6:30 A.M. and will close at the hour of 7:30 P.M. The election will be held at the following precincts and polling places:

<table>
<thead>
<tr>
<th>PCT No.</th>
<th>Location</th>
<th>Street</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>WESTMINSTER PRESBYTERIAN CHURCH</td>
<td>101 COLVILLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28207</td>
</tr>
<tr>
<td>2</td>
<td>ST JOHN'S BAPTIST CHURCH</td>
<td>300 HAWTHORNE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28204</td>
</tr>
<tr>
<td>3</td>
<td>COCHRANE MIDDLE SCHOOL</td>
<td>6200 STARHAVEN DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>4</td>
<td>THE GROVE PRESBYTERIAN CHURCH</td>
<td>5735 E W T HARRIS BLVD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>5</td>
<td>THIRD PRESBYTERIAN CHURCH</td>
<td>4019 CENTRAL AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>6</td>
<td>AMITY PRESBYTERIAN CHURCH</td>
<td>2831 N SHARON AMITY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>7</td>
<td>RANDOLPH MIDDLE SCHOOL</td>
<td>4400 WATER OAK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>8</td>
<td>MYERS PARK ELEMENTARY SCHOOL</td>
<td>2132 RADCLIFFE AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28207</td>
</tr>
<tr>
<td>9</td>
<td>COVENANT PRESBYTERIAN CHURCH</td>
<td>1000 E MOREHEAD ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28204</td>
</tr>
<tr>
<td>10</td>
<td>HOLY TRINITY GREEK ORTHODOX CATHEDRAL</td>
<td>600 EAST BLVD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28203</td>
</tr>
<tr>
<td>11</td>
<td>GREATER MOUNT MORIAH BAPTIST CHURCH</td>
<td>727 W TRADE ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28202</td>
</tr>
<tr>
<td>12</td>
<td>WALLACE PRIUITT RECREATION CENTER</td>
<td>440 TUCKASEEGEE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>13</td>
<td>FIRST WARD ELEMENTARY SCHOOL</td>
<td>715 N CALDWELL ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28202</td>
</tr>
<tr>
<td>14</td>
<td>HAWTHORNE HIGH SCHOOL</td>
<td>1411 HAWTHORNE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>15</td>
<td>MIDWOOD BAPTIST CHURCH</td>
<td>2029 MECKLENBURG AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>16</td>
<td>EAST STONEWALL AME ZION CHURCH</td>
<td>1729 GRIERS GROVE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>17</td>
<td>BILLINGSVILLE ELEMENTARY SCHOOL</td>
<td>124 SKYLAND AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>18</td>
<td>EASTOVER ELEMENTARY SCHOOL</td>
<td>500 CHEROKEE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28207</td>
</tr>
<tr>
<td>19</td>
<td>MYERS PARK HIGH SCHOOL</td>
<td>2400 COLONY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>20</td>
<td>AVONDALE PRESBYTERIAN CHURCH</td>
<td>2821 PARK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>21</td>
<td>ST PAUL UNITED METHODIST CHURCH</td>
<td>2830 DORCHESTER PL</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>22</td>
<td>MARIE G DAVIS MILITARY ACADEMY</td>
<td>3343 GRIFFITH ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28203</td>
</tr>
<tr>
<td>23</td>
<td>BISHOP SPAUGH COMMUNITY ACADEMY</td>
<td>1901 HERBERT SPAUGH LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>24</td>
<td>BETTE RAE THOMAS RECREATION CENTER</td>
<td>2921 TUCKASEEGEE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>25</td>
<td>WEST CHARLOTTE RECREATION CENTER</td>
<td>2401 KENDALL DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>26</td>
<td>COLE MEMORIAL UNITED METHODIST CHURCH</td>
<td>2022 W SUGAR CREEK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>27</td>
<td>HIGHLAND RENAISSANCE ACADEMY</td>
<td>125 W CRAIGHEAD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28206</td>
</tr>
<tr>
<td>28</td>
<td>NEW COVENANT ARP CHURCH</td>
<td>2541 ELKWOOD CIR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>29</td>
<td>MERRY OAKS ELEMENTARY SCHOOL</td>
<td>3508 DRAPE AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>30</td>
<td>PLAZA ROAD CHILDREN'S ACADEMY</td>
<td>1000 ANDERSON ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>31</td>
<td>BARRINGER ACADEMIC CENTER</td>
<td>1546 WALTON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>32</td>
<td>CHRIST EPISCOPAL CHURCH</td>
<td>1412 PROVIDENCE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28207</td>
</tr>
<tr>
<td>33</td>
<td>EASTWAY MIDDLE SCHOOL</td>
<td>1501 NORLAND RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>34</td>
<td>OAKHURST BAPTIST CHURCH</td>
<td>5037 MONROE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>35</td>
<td>COTSWOLD ELEMENTARY SCHOOL</td>
<td>300 GREENWICH RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>36</td>
<td>PROVIDENCE BAPTIST CHURCH</td>
<td>4921 RANDOLPH RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>37</td>
<td>PINEWOOD ELEMENTARY SCHOOL</td>
<td>805 SENECA PL</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>No.</td>
<td>Location</td>
<td>Street</td>
<td>City</td>
<td>State</td>
<td>Zip</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------------------</td>
<td>---------------------</td>
<td>----------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>38</td>
<td>COLLINSWOOD ELEMENTARY SCHOOL</td>
<td>4000 APPLEGATE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>39</td>
<td>SOUTHVIEW RECREATION CENTER</td>
<td>1720 VILMA ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>40</td>
<td>THOMASBORO ELEMENTARY SCHOOL</td>
<td>538 BRADFORD DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>41</td>
<td>HOSKINS AVENUE BAPTIST CHURCH</td>
<td>101 S HOSKINS AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>42</td>
<td>HIDDEN VALLEY SCHOOL</td>
<td>5100 SNOW WHITE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28213</td>
</tr>
<tr>
<td>43</td>
<td>GARINGER HIGH SCHOOL</td>
<td>1100 EASTWAY DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>44</td>
<td>SHAMROCK GARDENS ELEMENTARY SCHOOL</td>
<td>3301 COUNTRY CLUB DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>45</td>
<td>WINDSOR PARK ELEMENTARY SCHOOL</td>
<td>3910 SUDBURY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>46</td>
<td>WTVI TELEVISION STATION</td>
<td>3242 COMMONWEALTH AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>47</td>
<td>SCOTTISH RITES MASONIC BODIES</td>
<td>4740 RANDOLPH RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>48</td>
<td>PROVIDENCE UNITED METHODIST CHURCH</td>
<td>2810 PROVIDENCE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>49</td>
<td>PARK ROAD MONTESSORI</td>
<td>3701 HAVEN DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>50</td>
<td>WEDGEWOOD BAPTIST CHURCH</td>
<td>4800 WEDGEWOOD DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>51</td>
<td>SALVATION ARMY CLUB</td>
<td>940 MARSH RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28209</td>
</tr>
<tr>
<td>52</td>
<td>ST MARK'S UNITED METHODIST CHURCH</td>
<td>917 CLANTON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>53</td>
<td>REDEEMER LUTHERAN CHURCH</td>
<td>2422 ASHLEY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>54</td>
<td>OAKLAWN LANGUAGE ACADEMY</td>
<td>1810 OAKLAWN AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>55</td>
<td>LINCOLN HEIGHTS ELEMENTARY SCHOOL</td>
<td>1900 NEWCASTLE ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>56</td>
<td>DRUID HILLS ELEMENTARY SCHOOL</td>
<td>2801 LUCENA ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28206</td>
</tr>
<tr>
<td>57</td>
<td>SHARON PRESBYTERIAN CHURCH</td>
<td>5201 SHARON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>58</td>
<td>STARMOUNT PRE K CENTER</td>
<td>1600 BROOKDALE AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>59</td>
<td>MONTCLAIRE ELEMENTARY SCHOOL</td>
<td>5801 FARMBROOK DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>60</td>
<td>BRIARWOOD ELEMENTARY SCHOOL</td>
<td>1001 WILANN DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>61</td>
<td>METHODOIST HOME RECREATION CENTER</td>
<td>3200 SHAMROCK DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>62</td>
<td>ALBEMARLE ROAD ELEMENTARY SCHOOL</td>
<td>7800 RIDING TRAIL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>63</td>
<td>NEW HOPE BAPTIST CHURCH</td>
<td>7841 IDLEWILD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>64</td>
<td>BEN SALEM PRESBYTERIAN CHURCH</td>
<td>6801 MONROE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>65</td>
<td>SARDIS PRESBYTERIAN CHURCH</td>
<td>6100 SARDIS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28270</td>
</tr>
<tr>
<td>66</td>
<td>RAMA ROAD ELEMENTARY SCHOOL</td>
<td>1035 RAMA RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>67</td>
<td>LANSDOWNE ELEMENTARY SCHOOL</td>
<td>6400 PRETT CT</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>68</td>
<td>ST STEPHEN UNITED METHODIST CHURCH</td>
<td>6800 SARDIS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28270</td>
</tr>
<tr>
<td>69</td>
<td>OLDE PROVIDENCE SCHOOL</td>
<td>3800 REA RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>70</td>
<td>ST JOHN'S EPISCOPAL CHURCH</td>
<td>1623 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>71</td>
<td>SHARON ELEMENTARY SCHOOL</td>
<td>4330 Foxcroft RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>72</td>
<td>CARMEL PRESBYTERIAN CHURCH</td>
<td>2048 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>73</td>
<td>HEATHSTEAD COMMUNITY CENTER</td>
<td>6140 HEATH RIDGE CT</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>74</td>
<td>ALEXANDER GRAHAM MIDDLE SCHOOL</td>
<td>1800 RUNNYMEDE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>75</td>
<td>HOLY COVENANT UCC PREVIOUSLY PILGRIM CHURCH</td>
<td>6151 SHARON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>76</td>
<td>FOREST HILL CHURCH</td>
<td>7224 PARK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>77</td>
<td>NATIONS FORD ELEMENTARY SCHOOL</td>
<td>8300 NATIONS FORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>78</td>
<td>ALDERSGATE UNITED METHODIST CHURCH</td>
<td>5338 NATIONS FORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>79</td>
<td>TUCKASEEGEE ELEMENTARY SCHOOL</td>
<td>2028 LITTLE ROCK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28214</td>
</tr>
<tr>
<td>80</td>
<td>THRIFT BAPTIST CHURCH</td>
<td>8415 MOORES CHAPEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28214</td>
</tr>
<tr>
<td>81</td>
<td>ALLENBROOK ELEMENTARY SCHOOL</td>
<td>1430 ALLENBROOK DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28208</td>
</tr>
<tr>
<td>82</td>
<td>GREENVILLE MEMORIAL AME ZION CHURCH</td>
<td>6116 MONTEITH DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28213</td>
</tr>
<tr>
<td>83</td>
<td>ALBEMARLE ROAD PRESBYTERIAN CHURCH</td>
<td>6740 ALBEMARLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>84</td>
<td>CALVARY CHURCH OF THE NAZARENE</td>
<td>4000 N SHARON AMITY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28205</td>
</tr>
<tr>
<td>85</td>
<td>CHARLOTTE SECONDARY SCHOOL</td>
<td>8310 MCALPINE PARK DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28211</td>
</tr>
<tr>
<td>86</td>
<td>CARMEL MIDDLE SCHOOL</td>
<td>5001 CAMILLA DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>87</td>
<td>PINEVILLE CHURCH OF THE NAZARENE</td>
<td>8614 PINEVILLE-MATTHEWS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>88</td>
<td>LIVING SAVIOUR LUTHERIAN CHURCH</td>
<td>6817 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>89</td>
<td>COULWOOD MIDDLE SCHOOL</td>
<td>500 KENTBERRY DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28214</td>
</tr>
<tr>
<td>PCT No.</td>
<td>Location</td>
<td>Street</td>
<td>City</td>
<td>State</td>
<td>Zip</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------</td>
<td>----------------------</td>
<td>--------------------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>90</td>
<td>SOUTH CHARLOTTE MIDDLE SCHOOL</td>
<td>8040 STRAWBERRY LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>91</td>
<td>PROVIDENCE PRESBYTERIAN CHURCH</td>
<td>10140 PROVIDENCE CHURCH LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>92</td>
<td>QUAJL HOLLOW PRESBYTERIAN CHURCH</td>
<td>8801 PARK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>93</td>
<td>CHURCH OF JESUS CHRIST LATTER DAY SAINTS</td>
<td>5815 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>94</td>
<td>ALBEMARLE ROAD RECREATION CENTER</td>
<td>5027 IDLEWILD RD N</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>95</td>
<td>HICKORY GROVE UNITED METHODIST CHURCH</td>
<td>6401 HICKORY GROVE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>96</td>
<td>CHARLOTTE CHRISTIAN SWIM AND TENNIS CENTER</td>
<td>7823 SARDIS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28270</td>
</tr>
<tr>
<td>97</td>
<td>SHARON SOUTH HOMES CLUBHOUSE</td>
<td>8437 KNIGHTS BRIDGE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>98</td>
<td>EBENEZER A R PRESBYTERIAN CHURCH</td>
<td>6210 OLD PINEVILLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>99</td>
<td>GREENWAY PARK ELEMENTARY SCHOOL</td>
<td>8301 MONROE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>100</td>
<td>CANDLEWYCK BAPTIST CHURCH</td>
<td>7200 PROVIDENCE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>101</td>
<td>CARMEL PLACE</td>
<td>5512 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>102</td>
<td>BIBLE BAPTIST CHURCH</td>
<td>2724 MARGARET WALLACE RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28105</td>
</tr>
<tr>
<td>103</td>
<td>CROSS AND CROWN LUTHERAN CHURCH</td>
<td>300 PINEVILLE-MATTHEWS RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28105</td>
</tr>
<tr>
<td>104</td>
<td>DEVONSHIRE ELEMENTARY SCHOOL</td>
<td>6500 BARRINGTON DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>105</td>
<td>NEWELL ELEMENTARY SCHOOL</td>
<td>8601 OLD CONCORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28213</td>
</tr>
<tr>
<td>106</td>
<td>MCCINTOCK MIDDLE SCHOOL</td>
<td>2101 RAMA RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>107</td>
<td>VARICK RENAISSANCE CENTER</td>
<td>3165 ZION RENAISSANCE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>108</td>
<td>HICKORY GROVE BAPTIST CHURCH</td>
<td>6050 HICKORY GROVE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>109</td>
<td>HAWTHORNE RECREATION CENTER</td>
<td>345 HAWTHORNE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28202</td>
</tr>
<tr>
<td>110</td>
<td>CHURCH AT CHARLOTTE</td>
<td>2500 CARMEL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>111</td>
<td>BEVERLY WOODS ELEMENTARY SCHOOL</td>
<td>6001 QUEL HOLLOW RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>112</td>
<td>MESSIAH LUTHERAN CHURCH</td>
<td>8300 PROVIDENCE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>113</td>
<td>MCKEE ROAD BAPTIST CHURCH</td>
<td>4300 MCKEE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28270</td>
</tr>
<tr>
<td>114</td>
<td>SOUTH MECKLENBURG HIGH SCHOOL</td>
<td>8900 PARK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>115</td>
<td>SLAVIC EVANGELIC CHURCH EMMANUEL</td>
<td>7541 LAWYERS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>116</td>
<td>CORNERSTONE BAPTIST CHURCH</td>
<td>8947 ALBEMARLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>117</td>
<td>GARR MEMORIAL CHURCH</td>
<td>7700 WALLACE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>118</td>
<td>CARMEL BAPTIST CHURCH</td>
<td>1145 PINEVILLE-MATTHEWS RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28105</td>
</tr>
<tr>
<td>119</td>
<td>PROVIDENCE ROAD CHURCH OF CHRIST</td>
<td>4900 PROVIDENCE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>120</td>
<td>SHARON LAKES</td>
<td>8301 SHARON LAKES RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>121</td>
<td>WILLIAM DAVIE PARK</td>
<td>4635 PINEVILLE-MATTHEWS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>122</td>
<td>GOOD SHEPHERD UNITED METHODIST CHURCH</td>
<td>13110 MOSS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28273</td>
</tr>
<tr>
<td>123</td>
<td>NORTH RIDGE MIDDLE SCHOOL</td>
<td>7601 THE PLAZA</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>124</td>
<td>HICKORY GROVE ELEMENTARY SCHOOL</td>
<td>6300 HIGHLAND AVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>125</td>
<td>PINLEY GROVE ELEMENTARY SCHOOL</td>
<td>8801 EAGLEWIND DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>126</td>
<td>NATHANIEL ALEXANDER ELEMENTARY SCHOOL</td>
<td>7910 NEAL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>127</td>
<td>HOPPEWELL BAPTIST CHURCH</td>
<td>18841 DAVIDSON-CONCORD RD</td>
<td>DAVIDSON</td>
<td>NC</td>
<td>28036</td>
</tr>
<tr>
<td>128</td>
<td>MALLARD CREEK ELEMENTARY SCHOOL</td>
<td>9801 MALLARD CREEK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>129</td>
<td>PINEVILLE ELEMENTARY SCHOOL</td>
<td>210 LOWRY ST</td>
<td>PINEVILLE</td>
<td>NC</td>
<td>28134</td>
</tr>
<tr>
<td>130</td>
<td>COKEBURY UNITED METHODIST CHURCH</td>
<td>6701 IDLEWILD LD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28212</td>
</tr>
<tr>
<td>131</td>
<td>PEACE MORAVIAN CHURCH</td>
<td>4418 REA RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>132</td>
<td>NEWELL PRESBYTERIAN CHURCH</td>
<td>1500 W ROCKY RIVER RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28213</td>
</tr>
<tr>
<td>133</td>
<td>HUNTERSVILLE UNITED METHODIST CHURCH</td>
<td>14005 STUMPTOWN RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>134</td>
<td>BRADLEY MIDDLE SCHOOL</td>
<td>13345 BEATTIES FORD RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>135</td>
<td>WINDING SPRINGS ELEMENTARY SCHOOL</td>
<td>6601 HORAGE MANN RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>136</td>
<td>CPCC LEVINE CAMPUS</td>
<td>2800 CAMPUS RIDGE RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28105</td>
</tr>
<tr>
<td>137</td>
<td>PROVIDENCE COUNTRY CLUB</td>
<td>6001 PROVIDENCE COUNTRY CLUB DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>138</td>
<td>OLYMPIC HIGH SCHOOL</td>
<td>4301 SANDY PORTER RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28273</td>
</tr>
<tr>
<td>139</td>
<td>HAWK RIDGE ELEMENTARY SCHOOL</td>
<td>9201 BRYANT FARMS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>140</td>
<td>HARRISON UNITED METHODIST CHURCH</td>
<td>15008 LANCaster Hwy</td>
<td>PINEVILLE</td>
<td>NC</td>
<td>28134</td>
</tr>
<tr>
<td>141</td>
<td>UNIVERSITY CITY REGIONAL LIBRARY</td>
<td>301 E W T HARRIS BLVD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>PCT No.</td>
<td>Location</td>
<td>Street</td>
<td>City</td>
<td>State</td>
<td>Zip</td>
</tr>
<tr>
<td>---------</td>
<td>----------</td>
<td>--------------------</td>
<td>-----------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>142</td>
<td>LAKE NORMAN BAPTIST CHURCH</td>
<td>7921 SAM FURR RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>143</td>
<td>LAKE FOREST COMMUNITY CHURCH</td>
<td>8519 GILEAD RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>144</td>
<td>ST MATTHEW CATHOLIC CHURCH</td>
<td>8015 BALLANTYNE COMMONS PKWY</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>145</td>
<td>HICKORY GROVE BAPTIST CHURCH NORTH CAMPUS</td>
<td>2350 ODELL SCHOOL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>146</td>
<td>TURNING POINT ACADEMY</td>
<td>2300 W SUGAR CREEK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>147</td>
<td>E E WADDELL LANGUAGE ACADEMY</td>
<td>7030 NATIONS FORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>148</td>
<td>COMMUNITY HOUSE MIDDLE SCHOOL</td>
<td>9500 COMMUNITY HOUSE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>149</td>
<td>JOSEPH W GRIER ACADEMY</td>
<td>8330 GRIER RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>150</td>
<td>HOLLY HUNTER CHURCH</td>
<td>4316 MT HOLLY-HUNTERSVILLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>151</td>
<td>CROFT COMMUNITY SCHOOL</td>
<td>4911 HUCKS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>200</td>
<td>BERRYHILL BAPTIST CHURCH</td>
<td>9801 WALKERS FERRY RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28214</td>
</tr>
<tr>
<td>201</td>
<td>J H GUNN ELEMENTARY SCHOOL</td>
<td>7400 HARRISBURG RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>202</td>
<td>CORNELIUS TOWN HALL</td>
<td>21445 CATAWBA AVE</td>
<td>CORNELIUS</td>
<td>NC</td>
<td>28031</td>
</tr>
<tr>
<td>203</td>
<td>ROBINSON PRESBYTERIAN CHURCH</td>
<td>9424 HARRISBURG RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>204</td>
<td>BACK CREEK PRESBYTERIAN CHURCH</td>
<td>1821 BACK CREEK CHURCH RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28213</td>
</tr>
<tr>
<td>205</td>
<td>REEDY CREEK ELEMENTARY SCHOOL</td>
<td>10801 PLAZA RD EXT</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>206</td>
<td>DAVIDSON TOWN HALL</td>
<td>216 S MAIN ST</td>
<td>DAVIDSON</td>
<td>NC</td>
<td>28036</td>
</tr>
<tr>
<td>207</td>
<td>HUNTERSVILLE ELEMENTARY SCHOOL</td>
<td>200 GILEAD RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>208</td>
<td>BETHEL PRESBYTERIAN CHURCH</td>
<td>19920 BETHEL CHURCH RD</td>
<td>CORNELIUS</td>
<td>NC</td>
<td>28031</td>
</tr>
<tr>
<td>209</td>
<td>LONG CREEK ELEMENTARY SCHOOL</td>
<td>9213 BEATTIES FORD RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
<tr>
<td>210</td>
<td>MCCROEY YMCA</td>
<td>3801 BEATTIES FORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>211</td>
<td>HORNETS NEST ELEMENTARY SCHOOL</td>
<td>6700 BEATTIES FORD RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>212</td>
<td>OASIS SHRINE TEMPLE</td>
<td>604 DOUG MAYES PL</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>213</td>
<td>RANSON MIDDLE SCHOOL</td>
<td>5850 STATESVILLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>214</td>
<td>UNIVERSITY CITY UNITED METHODIST CHURCH</td>
<td>3835 W W T HARRIS BLVD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>215</td>
<td>MATTHEWS COMMUNITY CENTER</td>
<td>100 MCDOWELL ST</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>216</td>
<td>CROWN POINT SCHOOL</td>
<td>3335 SAM NEWELL RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>217</td>
<td>CHRIST COVENANT CHURCH</td>
<td>800 FULLWOOD LN</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>218</td>
<td>MT HARMONY BAPTIST CHURCH</td>
<td>2817 MT HARMONY CHURCH RD</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>219</td>
<td>MINT HILL TOWN HALL</td>
<td>4430 MINT HILL VILLAGE LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>220</td>
<td>MINT HILL MASONIC LODGE #742</td>
<td>10224 LAWYERS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>221</td>
<td>PHILADELPHIA PRESBYTERIAN CHURCH</td>
<td>11501 BAIN SCHOOL RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>222</td>
<td>OAKDALE ELEMENTARY SCHOOL</td>
<td>1825 OAKDALE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>223</td>
<td>COOKS MEMORIAL PRESBYTERIAN CHURCH</td>
<td>3413 MT HOLLY-HUNTERSVILLE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28216</td>
</tr>
<tr>
<td>224</td>
<td>GARDEN MEMORIAL PRESBYTERIAN CHURCH</td>
<td>2324 SAM WILSON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28214</td>
</tr>
<tr>
<td>225</td>
<td>BELLE JOHNSTON COMMUNITY CENTER</td>
<td>1000 JOHNSTON DR</td>
<td>PINEVILLE</td>
<td>NC</td>
<td>28134</td>
</tr>
<tr>
<td>226</td>
<td>MCALPINE ELEMENTARY SCHOOL</td>
<td>9100 CARSWELL LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>227</td>
<td>MCKEE ROAD ELEMENTARY SCHOOL</td>
<td>4101 MCKEE RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28226</td>
</tr>
<tr>
<td>228</td>
<td>KENNEDY MIDDLE SCHOOL</td>
<td>4000 GALLANT LN</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28273</td>
</tr>
<tr>
<td>229</td>
<td>CHRIST THE KING LUTHERAN CHURCH</td>
<td>13501 S TROY ST</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28278</td>
</tr>
<tr>
<td>230</td>
<td>STEELE CREEK PRESBYTERIAN CHURCH</td>
<td>7407 STEELE CREEK RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28217</td>
</tr>
<tr>
<td>231</td>
<td>PINEVILLE UNITED METHODIST CHURCH</td>
<td>110 S POLK ST</td>
<td>PINEVILLE</td>
<td>NC</td>
<td>28134</td>
</tr>
<tr>
<td>232</td>
<td>SOUTH MECKLENBURG PRESBYTERIAN CHURCH</td>
<td>8601 BRYANT FARMS RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28277</td>
</tr>
<tr>
<td>233</td>
<td>ELIZABETH LANE ELEMENTARY SCHOOL</td>
<td>121 ELIZABETH LN</td>
<td>MATTHEWS</td>
<td>NC</td>
<td>28215</td>
</tr>
<tr>
<td>234</td>
<td>NORTHEAST MIDDLE SCHOOL</td>
<td>5960 BRICKSTONE DR</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>235</td>
<td>LEBANON ROAD ELEMENTARY SCHOOL</td>
<td>7300 LEBANON RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>236</td>
<td>BLAIR ROAD UNITED METHODIST CHURCH INC</td>
<td>9135 BLAIR RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28227</td>
</tr>
<tr>
<td>237</td>
<td>UNIVERSITY MEADOWS ELEMENTARY SCHOOL</td>
<td>1600 PAVILION BLVD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28262</td>
</tr>
<tr>
<td>238</td>
<td>DAVID COX ROAD ELEMENTARY SCHOOL</td>
<td>4215 DAVID COX RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>239</td>
<td>MALLARD CREEK RECREATION CENTER</td>
<td>2530 JOHNSTON DEHLER RD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28269</td>
</tr>
<tr>
<td>240</td>
<td>COMMUNITY IN CHRIST LUTHERAN CHURCH</td>
<td>7621 NORMAN ISLAND DR</td>
<td>CORNELIUS</td>
<td>NC</td>
<td>28031</td>
</tr>
<tr>
<td>241</td>
<td>J M ALEXANDER MIDDLE SCHOOL</td>
<td>12201 HAMBRIGHT RD</td>
<td>HUNTERSVILLE</td>
<td>NC</td>
<td>28078</td>
</tr>
</tbody>
</table>
Voters may register to vote by submitting in person or by mail a properly completed and signed voter registration application form to the Mecklenburg County Board of Elections at 741 Kenilworth Avenue, Suite 202, Charlotte, North Carolina. Except in certain limited situations, such forms must (1) if submitted in person (or by a person delegated by the applicant), be received by the Board of Elections by a time established by that Board but no earlier than 5:00 P.M. on October 11, 2013 (2) if submitted by mail, be postmarked no later than October 11, 2013. Registration to vote may also be accomplished at offices of the Department of Motor Vehicles in connection with certain applications relating to drivers’ licenses, or at the offices of certain state service agencies designated by law as voter registration agencies. Voter registration forms may be available at public libraries and public high schools. Certain persons who become qualified to register and vote between the deadline to register and the election day may apply in the manner provided by law to register on the election day. Certain persons in the armed forces and their spouses, certain veterans, certain civilians working with the armed forces, and members of the Peace Corps who are absent from their county of residence may register by mail at any time prior to the election in the manner provided by law and in person at any time, including the day of the election. For details on the above matters (including deadlines), contact the Mecklenburg County Board of Elections at 741 Kenilworth Avenue, Suite 202, Charlotte, North Carolina.

Any qualified voter may apply for an absentee ballot to be used in voting at the election. Information concerning the time and manner for applying for an absentee ballot, including the last day for making an application, can be obtained from the Mecklenburg County Board of Elections at 741 Kenilworth Avenue, Suite 202, Charlotte, North Carolina.

In addition to the foregoing, any qualified voter of the County may also register in person and vote early at a one-stop voting site during the period for early voting. Contact the Board of Elections for further information concerning such “no excuse one-stop” voting procedures.

By order of the Board of Commissioners of the County of Mecklenburg.

Janice S. Paige
Clerk to the Board of Commissioners
County of Mecklenburg, North Carolina

Extracts/Resolutions recorded in full in Minute Book _____ Document # ______.

ADVISORY COMMITTEE REPORTS

(13-1210) MECKLENBURG DOMESTIC VIOLENCE FATALITY PREVENTION AND PROTECTION REVIEW TEAM

The Board received an annual report from the Domestic Violence Fatality Prevention and Protection Review Team (DVFR). The Honorable Jane Harper, retired judge and chair of the DVFR and Helen Lipman, staff liaison gave the report.

Note: The Domestic Violence Fatality Prevention and Protection Review Team (DVFR) is charged with reporting to the BOCC annually about its findings and recommendations for increasing safety and reducing domestic violence fatalities in the community.

It was noted that the top priority recommendation for this year was better enforcement of existing laws to keep guns and ammunition out of the hands of criminals. In addition to recommendations concerning firearms, recommendations were also made with respect to
substance abuse, children, strategic information sharing, and training, & case coordination. The DVRFT accomplishments were also highlighted.

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

Commissioner Leake commented on the importance of addressing domestic violence issues. She encouraged the community to take the issue seriously and to support the recommendations listed in the report.

Commissioner Bentley asked about the use of the Domestic Violence Lethality Screen for First Responders form. Chair Harper said she was certain it was being used by Charlotte-Mecklenburg Police Department officers, and officers in the Towns of Davidson and Huntersville. She said she was not sure if other law enforcement entities were using it or not but it was made available to each of them.

Commissioner Bentley encouraged the use of the screening form by all law enforcement jurisdictions within the County and to support as well of all of the DVRFT’s recommendations and to infuse them in their operations.

Commissioner Fuller asked for feedback regarding how mental illness, if it did, played a role in some instances of domestic violence and what the community and the Board could do to address that issue in particular. Staff Liaison Lipman said sometimes there may be co-occurring issues of mental illness and domestic violence, but she would not imply that domestic violence was actually a mental illness because it was not. She said there had been discussions in the past about the need for additional mental health related services sometimes for certain people who were “perpetrators.” She said there was more work to do in the community in that arena.

Chairman Cotham commented on her experience having worked with individuals who had committed acts of domestic violence. She said unfortunately in some instances of domestic violence it’s considered a misdemeanor. Chairman Cotham said the issue of domestic violence was one that needed more public discussion. She said it was one of those topics that people don’t often like to talk about but that we should.

Chairman Cotham thanked the DVRFT for their report and the work that they do.

MANAGER’S REPORT

(13-1289) ASSESSOR RECRUITMENT UPDATE

The Board received an update on the recruitment to appoint a County Assessor. Interim County Manager Bobbie Shields gave the update. It was noted that Commissioners Bentley, Clarke, Fuller and Leake served as the Board’s interview panel.

He asked that the Board adopt a resolution appointing Kenneth L. Joyner as County Assessor for a term beginning October 1, 2013 and ending on June 30, 2017. He shared with the Board Mr. Joyner’s background and credentials.

Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution appointing Kenneth L. Joyner as County Assessor for a term beginning October 1, 2013 and ending on June 30, 2017 with his compensation and benefits as stated in the letter from the Human Resources Director to Mr. Joyner dated August 23, 2013.

Note: Mr. Joyner and his wife were present and prior to the above vote, expressed thanks to the Board for their vote of confidence.
Without objection, Chairman Cotham moved Item 13-1300 up on the agenda at the request of Commissioner Leake.

Commissioner Leake said there were seniors in the audience interested in Item 13-1300 and to avoid them having to stay much later, asked that the item be moved up.

(13-1300) IRWIN CREEK WATERSHED UPDATE - (COMMISSIONER LEAKE)

The Board received a report from Commissioner Leake on recent activities in the Irwin Creek Watershed.

Commissioner Leake called on Dave Canaan, Director of Storm Water Services to address this item.

Director Canaan noted staff’s response to questions raised at the August 6, 2013 meeting concerning Stewart Creek and other flood mitigation matters. He addressed recent meetings of staff with the Historic West End Neighborhood Association and the Stewart Creek Environmental Association.

Commissioner Clarke returned to the meeting.

Director Canaan said there were several things common to all of the discussions with the above referenced organizations and other residents. He said staff received good feedback and would be establishing a process where staff would list City/County projects in a simple table and compare them against the end results of the interests expressed by residents. He said the common things noted were 1) reduce property losses due to flooding, 2) no contaminated flood water in or around homes and businesses, 3) have a clean, healthy environment with diverse habitat.

Director Canaan said he’d already scheduled meetings with City officials to begin putting the list of projects together and to discuss the concerns of residents. Director Canaan said the goal was to take the interests and concerns of residents into consideration when considering projects and the impact of those projects.

Director Canaan acknowledged that communication was important. He said many of the community agencies and County/City agencies could improve their efforts when it came to responding to flood victims, particularly those that did not get flooding in their home or business, but had flooding in their crawl space or HVAC system.

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

Commissioners Leake, Dunlap, and Ratliff thanked staff for hearing and responding to the concerns of citizens with respect to the issue of flooding. The citizens were thanked as well for making the Board aware of their concerns.

Chairman Cotham thanked Director Canaan for the report.

STAFF REPORTS & REQUESTS
The Board received a report on the 2013 Session of the N.C. General Assembly.

Public Affairs Officer Brian Francis gave the report, which was a summary of legislative actions of the 2013 N.C. General Assembly, including those related to the Board’s legislative agenda.

He acknowledged the reports prepared by the North Carolina Association of County Commissioners and Troutman Sanders Strategies, the County’s contracted lobbyist in Raleigh, with respect to the 2013 Session of the N.C. General Assembly and included in the Board’s agenda materials. He then summarized the results of the County’s specific requests. The following was noted:

1) The request to remove the sunset on the Domestic Violence Fatality Review Team and adjust the composition of the team was approved. H456 is now Session Law 2013-70
2) The request to make uniform the penalties for various locally collected taxes did not make this legislative session. Work on this request will continue.
3) The request to broaden the permitted uses of storm water fees remains in Senate Finance and is eligible during the short session. It’s staff’s understanding that there were a few Senators concerned about expanding the authority of local governments on this issue, but staff will work to address those concerns.
4) The request to support legislation to enact the policies of the Board related to revaluations, hopefully can be accomplished through passage of Senate Bill 159 which is now Session Law 2013-326. House Bill 200 remains in Senate Rules.
5) The request to protect Mecklenburg County’s ability to implement the MeckLINK MCO- In January, MeckLINK was authorized by a special bulletin from Secretary Wos to continue operation under the 1915 b/c waiver, however, there was legislation approved late in the session that would remove the Board from governing MeckLINK and require the Board to either establish an authority or merge with another MCO.
6) The request to remove members of the MPO and RPO from the state ethics regime was approved and is now Session Law 2013-156.
7) The 250th Mecklenburg County Anniversary Resolution was adopted by the House on May 21.

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

Comments

Commissioner James asked about House Bill 867 – An Act to Allow for the Movement of Certain Medicaid Recipients and whether it would have any impact on the County’s budget when it came to mental health services, if passed. He said staff didn’t have to provide a response now but he would like an answer provided at a later date.

Commissioner James said there was another bill that he took note of which was House Bill 346- An Act Authorizing Counties and Cities to Attach and Garnish a Member of the Governing Body If the County or City Has Been Granted a Money Judgment Against a Member and the Money Judgment Has not Been Satisfied. Commissioner James said he didn’t know what prompted this bill.

Commissioner Dunlap said he either heard or read in the news that there was an elected official somewhere that owed the governing body money and they were still receiving a salary from that governing body.
SEPTEMBER 3, 2013

Public Affairs Officer Francis informed the Board of its obligation to appoint a member to the Airport Commission as a result of Session Law 2013-272 – An Act to Create the Charlotte Douglas International Airport Authority.

Chairman Cotham said she was contacted by Charlotte City Manager Ron Carlee requesting to come and speak to the Board regarding the Airport matter. Chairman Cotham said her response to him was “that would be good.”

Public Affairs Officer Francis said it was his understanding that the City of Charlotte had an injunction that prevents the implementation of the transfer of the airport to a new governing body. He said that did not, however, impact the requirement placed on the Board to appoint a member to the airport commission. He said the Board would just be appointing someone to a commission that would not be active for the time being. Public Affairs Officer Francis said the appointment needed to occur by October 1, 2013.

Chairman Cotham said she believed that’s what the Charlotte City Manager wanted to talk to the Board about because she believes he disagrees with the interpretation of the law as noted by Public Affairs Officer Francis regarding an appointment to the commission.

Chairman Cotham noted also that Charlotte City Manager Carlee said the City would not be making any appointments at this time.

Commissioner Bentley said she would rely upon the interpretation of the County Attorney and the Public Affairs Officer with respect to what the Board should do.

County Attorney Bethune said the Statute clearly stated an appointment was to be made by October 1, 2013.

Commissioner Dunlap said it appeared that the Board could move forward with the appointment process even though there was an injunction in place.

Commissioner Fuller said he would like to hear, perhaps at the next meeting, from staff and the County Attorney regarding the implication of the Order regarding the Airport Commission and what’s required of the Board before taking any action.

Commissioner Leake said she was concerned about the voter right ID bill and wanted to know what role did the County play regarding the voter restrictions and special elections bill. Public Affairs Officer Francis said the County did not get involved with that bill because it did not have a direct impact on County operations.

Commissioner Leake disagreed and said the County was responsible for setting up the elections. Commissioner Leake said the issue of voter rights was a concern on the local, state and national level.

Commissioner Ridenhour said the Board never discussed the voter rights issue and never directed staff to address this issue.

Commissioner Dunlap addressed the Airport Commission and said the Board could move forward with hearing from the County Attorney and staff with respect to this issue and with seeking applications for appointment to the commission.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake, to place an item on the September 17, 2013 agenda to receive a report from staff and the County Attorney regarding the implication of the Order regarding the Airport Commission and what’s required of the Board, and also hear from the Charlotte City Manager and City Attorney at the September 17, 2013 meeting regarding this issue.
Commissioner James noted that there were other factions involved in the Airport issue, not just the City of Charlotte. Commissioner James said in light of that fact, there may be others that come before the Board to express their view.

Commissioner Dunlap noted that the County’s only involvement was with respect to making an appointment to the Airport Commission.

Commissioner Bentley offered a friendly amendment to Commissioner Fuller’s motion, which was accepted, to authorize staff to move forward with advertising for an appointment to the Airport Commission.

The vote was then taken on the original motion amended as follows:

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to place an item on the September 17, 2013 agenda to receive a report from staff and the County Attorney regarding the implication of the Order regarding the Airport Commission and what’s required of the Board, and also hear from the Charlotte City Manager and City Attorney at the September 17, 2013 meeting regarding this issue. Secondly, to authorize staff to move forward with advertising for an appointment to the Airport Commission.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1286) MEMORANDUM OF UNDERSTANDING -- CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION - (COMMISSIONER CLARKE)

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Board Chairman to execute the proposed Memorandum of Understanding (MOU) creating the Charlotte Regional Transportation Planning Organization (CRTPO).

Commissioner Clarke addressed this item, prior to the above vote.

Memorandum of Understanding recorded in full in Minute Book _____ Document # _______.

Without objection Chairman Cotham moved Item 13-1262 – Amendments-First Ward Project Land Exchange and Development Agreements up on the agenda at the request of Commissioner Clarke.

STAFF REPORTS & REQUESTS

(13-1262) AMENDMENTS -- FIRST WARD PROJECT LAND EXCHANGE AND DEVELOPMENT AGREEMENTS

Commissioner Clarke asked to be excused from voting on Item 13-1262 – Amendments-First Ward Project Land Exchange and Development Agreements to avoid a conflict of interest.

Commissioner Clarke acknowledged that one of his law partners had been engaged by Mr. Levine to do some work, but not on this project.
Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to excuse Commissioner Clarke from voting on Item 13-1262 – Amendments-First Ward Project Land Exchange and Development Agreements to avoid a conflict of interest.

**Commissioner Clarke left the dais and was absent for the remainder of the meeting.**

Motion was made by Commissioner Fuller seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a Resolution Approving Amendments to Economic Development Grant and Reimbursement Agreement, and Related Agreements, with Levine Properties and its Affiliates for First Ward Development.

Prior to the above vote, John Allen, Director of Economic Development, Jim Garges, Director of Park and Recreation, and Daniel Levine addressed the proposed amendments.

*Resolution recorded in full in Minute Book _____ Document # _______.*

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

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

(13-1301) **REPORT FROM ECONOMIC DEVELOPMENT COMMITTEE - (CHAIRMAN COTHAM)**

The Board received an update from Commissioner Fuller regarding the work of the Economic Development Committee. Commissioner Fuller chairs the Board’s Economic Development Committee. The following was noted:

- The Committee has agreed that there needs to be a vision for Economic Development in Mecklenburg County.
- Clarity is needed with respect to where the County currently is and where it wants to go when it comes to economic development.
- A series of Economic Development 101 Sessions will be held at each committee meeting between now and December 2013.
- Mecklenburg County economic development partners will be invited to come to those meetings and share with the committee what role they play in economic development in Mecklenburg County, including the Towns.
- Information received as a result of the Economic Development 101 Sessions will be analyzed and the committee would then discuss what the direction should be going forward.
- Staff will reach out to each commissioner to discuss their view of economic development.
- The committee also will reach out to the County’s Small Business and Entrepreneur Committee for feedback.
- The committee will report back to the full Board in January at a Budget/Public Policy workshop regarding its findings and with a strategic plan for moving forward.

Commissioner Leake asked that the committee also reach out to the Small Business Consortium. *Commissioner Fuller said they would.*
Chairman Cotham thanked Commissioner Fuller for the report.

(13-1302) REPORT ON NACO ANNUAL CONFERENCE IN FORT WORTH, TX - (CHAIRMAN COTHAM)

The Board received a report from Commissioner Fuller on the National Association of Counties (NACo) Annual Conference, July 19-22, 2013 in Fort Worth, TX, attended by Commissioners Dunlap, Fuller, Leake and Ratliff. The following was noted:

- The conference was very informative.
- N.C. was well represented.
- N.C. and Mecklenburg County have an influential voice in NACo.
- There were numerous meetings and workshops on a variety of topics.
- The names of some of the steering committees were shared by Commissioner Fuller.
- The conference is a good opportunity to share ideas and concerns with other officials from across the country.

Chairman Cotham thanked Commissioner Fuller for the report.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1238) TAX REFUNDS

Approve refunds in the amount of $99,612.54 and interest as statutorily required to be paid as requested by the Assessor resulting from Clerical errors, audits and other amendments.

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

(13-1254) FOREST LAND AGREEMENT

Adopt "Agreement for the Protection, Development and Improvement of Forest Land in Mecklenburg County".

Agreement recorded in full in Minute Book _____ Document # _______

(13-1260) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Recognize and appropriate $153,830 from concealed handgun permit fees to the Sheriff's Special Revenue Fund.

(13-1263) CAPITAL RESERVE REQUEST -- AQUATIC FACILITIES

1. Appropriate $9,000 from the Consolidated Aquatic Capital Reserve Fund to install secured dressing stalls in the family locker room at Ray’s Splash Planet; and
2. Appropriate $58,000 from the Consolidated Aquatic Capital Reserve Fund to re-plaster the indoor pool and the kiddie pool areas at the Marion Diehl Recreation Center.

(13-1271) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate funds in the amount of $5,833 for Park and Recreation Department, $21,538 for Business Support Services Agency - Business Financial Management and $1,322 for the Sheriff's Office.

Note: All reimbursements are for stolen and damaged items.

(13-1278) ARCHITECTURAL FIRM SELECTION -- FY 2014 PARK AND RECREATION FACILITY IMPROVEMENT PROJECTS

Adopt Resolution entitled: RESOLUTION APPROVING ARCHITECTURAL FIRMS FOR FY 2014 PARK AND RECREATION FACILITY IMPROVEMENT PROJECTS.

Resolution recorded in full in Minute Book _____ Document # _______.

(13-1279) EASEMENT ACCEPTANCE -- AUSTON WOODS CHARLOTTE PHASE II APARTMENTS, LP

Accept an easement from Auston Woods Charlotte Phase II Apartments, LP on tax parcel 025-121-10 for the future construction of an access trail to Long Creek Greenway.

(13-1280) CONSTRUCTION CONTRACT -- ROOF REPLACEMENT FOR WORK RELEASE & RESTITUTION CENTER

Award a construction contract to Weathergard Commercial and Industrial Roofing, Inc. in the amount of $551,000 for the roof replacement at the Work Release & Restitution Center.

(13-1284) CAPITAL RESERVE REQUEST -- GOLF COURSES

Appropriate the expenditure of $50,000 from the Consolidated Golf Capital Reserve Fund to repair cart paths at the Charles T. Myers and Renaissance Park golf courses.

(13-1285) ABC BOARD TRAVEL POLICY

Approve Mecklenburg County ABC Board travel policy.

Policy recorded in full in Minute Book _____ Document # _______.

(13-1290) MINUTES

Approve minutes of Regular meeting held August 6, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT
SEPTEMBER 3, 2013

(13-1257)   AUCTION FOR DISPOSAL OF VEHICLES AND EQUIPMENT

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the attached list (Exhibit A) provided by staff as surplus, and adopt a resolution authorizing sale of surplus personal property by public auction at 10 a.m. on Saturday, September 21, 2013 at 5550 Wilkinson Boulevard, Charlotte, NC.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution and Exhibit A recorded in full in Minute Book _____ Document # _______.

(13-1264)   CONSOLIDATED GOLF COURSES CAPITAL RESERVE FUND

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to amend the Public Golf Courses Consolidated Capital Reserve Fund Ordinance as follows:

WHEREAS, Mecklenburg County has decided to dedicate to the capital reserve fund 100% of fees and rent payments collected for County golf facilities effective July 1, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Public Golf Courses Consolidated Capital Reserve Fund Ordinance has been renamed as Public Golf Facilities Consolidated Capital Reserve Fund Ordinance and amended as stated below:

SECTION I: The purpose of this request is to hold and account for the amount of revenue as specified above and held for use for capital improvement projects at the County’s public golf facilities.

SECTION II: The County Director of Finance is authorized to receive and place into the Capital Reserve Fund the required percentage of revenue collected.

SECTION III: The County Director of Finance shall hold such revenue in the Capital Reserve Fund until approval of the projects is given by the Board of County Commissioners.

SECTION IV: The Consolidated Golf Facilities Capital Reserve Fund will remain in place until terminated by the Board of County Commissioners.

Commissioner Leake removed this item from Consent for more public awareness.

Ordinance recorded in full in Minute Book _____ Document # _______.

(13-1266)   GRANT APPLICATION -- DELTA DENTAL OF NC FOUNDATION (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve submitting a $5,000 grant application to the Delta Dental of North Carolina Foundation effective January 1, 2014 and if awarded, recognize, receive and appropriate awarded funds.
Note: Grant funds will be used to help offset the costs of providing needed services to uninsured children in Mecklenburg County. Children are eligible for the program in accordance with household income and poverty guidelines established by the North Carolina Division of Public Health, Women and Children’s Health Section.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1268)   GRANT APPLICATION -- RYAN WHITE PART A (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

1. Approve the submission of a grant application for $7,000,000 in Ryan White Part A funds, covering March 1, 2014 through February 28, 2015, from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009.

2. If awarded, recognize, receive and appropriate such funds.

3. Approve the allocation process involving regional participation in accordance with HRSA of the US Department of Health and Human Services guidelines.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1272)   MECKLINK BEHAVIORAL HEALTHCARE THIRD QUARTER FY2013 REPORT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to receive the Third Quarter FY13 MeckLINK Behavioral Healthcare Report.

**FINANCIAL MANAGEMENT**

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>81,966,514</td>
<td>18,566,212</td>
<td>22.65%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>27,567,587</td>
<td>17,612,185</td>
<td>63.89%</td>
</tr>
<tr>
<td>County</td>
<td>23,236,516</td>
<td>13,530,322</td>
<td>58.23%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>132,770,617</strong></td>
<td><strong>49,708,719</strong></td>
<td><strong>37.44%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>9,823,632</td>
<td>6,347,772</td>
<td>64.62%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>8,267,028</td>
<td>2,627,027</td>
<td>100.00%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>4,517,434</td>
<td>4,554,934</td>
<td>100.83%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>3,443,838</td>
<td>3,567,064</td>
<td>103.58%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>6,778,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>4,872,430</td>
<td>4,872,430</td>
<td>100.00%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>100,708,082</td>
<td>27,739,492</td>
<td>27.54%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>132,770,617</strong></td>
<td><strong>49,708,719</strong></td>
<td><strong>37.44%</strong></td>
</tr>
<tr>
<td><strong>Net (Revenues - Expenditures)</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
<td><strong>0%</strong></td>
</tr>
</tbody>
</table>
Note: In accordance with General Statute 122C-115.1(e), within 30 days of the end of each quarter of the fiscal year, the program director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

Commissioners Leake and Fuller removed this item from Consent to ask questions about providers.

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

(13-1273) MECKLINK BEHAVIORAL HEALTHCARE FOURTH QUARTER FY2013 REPORT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to receive the Fourth Quarter FY 2013 MeckLINK Behavioral Healthcare Report.

FINANCIAL MANAGEMENT

<table>
<thead>
<tr>
<th>Revenue Source</th>
<th>Budget</th>
<th>Actual</th>
<th>Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medicaid &amp; CAP</td>
<td>$81,966,514</td>
<td>$73,646,497</td>
<td>89.85%</td>
</tr>
<tr>
<td>State and Federal</td>
<td>28,776,205</td>
<td>26,319,524</td>
<td>91.46%</td>
</tr>
<tr>
<td>County</td>
<td>23,223,472</td>
<td>12,364,550</td>
<td>53.24%</td>
</tr>
<tr>
<td>Total Revenues</td>
<td>$133,966,191</td>
<td>$112,330,571</td>
<td>83.85%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service Continuum</th>
<th>Budget</th>
<th>Actual</th>
<th>Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child &amp; Adolescent Services</td>
<td>$8,970,132</td>
<td>$5,903,961</td>
<td>65.82%</td>
</tr>
<tr>
<td>Adult Mental Health</td>
<td>2,757,528</td>
<td>2,637,821</td>
<td>95.66%</td>
</tr>
<tr>
<td>Adult Substance Abuse</td>
<td>6,176,801</td>
<td>5,411,412</td>
<td>87.61%</td>
</tr>
<tr>
<td>Local Management Entity</td>
<td>3,443,838</td>
<td>3,589,288</td>
<td>104.22%</td>
</tr>
<tr>
<td>CHS Contract Mental Health</td>
<td>6,778,173</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Developmental Disabilities</td>
<td>4,741,930</td>
<td>4,490,059</td>
<td>94.69%</td>
</tr>
<tr>
<td>Managed Care Organization (MCO)</td>
<td>101,097,789</td>
<td>90,298,030</td>
<td>89.32%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>$133,966,191</td>
<td>$112,231,101</td>
<td>83.85%</td>
</tr>
</tbody>
</table>

| Net (Revenues - Expenditures) | 0 | 0 | 0% |

Note: In accordance with General Statute 122C-115.1(e), within 30 days of the end of each quarter of the fiscal year, the program director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

Commissioners Leake and Fuller removed this item from Consent to ask questions about providers. Phil Endress, Director of MeckLINK addressed questions raised regarding providers.

A copy of the report is on file with the Clerk to the Board.
SEPTEMBER 3, 2013

(13-1276) EASEMENT CONVEYANCE -- BRYANT PARK APARTMENTS, LLC

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve three easements to Bryant Park Apartments, LLC on County tax parcel 067-031-11.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1281) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to
1. Accept the “Offer of Sale of Real Estate” from Frank Gerd Wenz and wife, Michele Ruth Wenz, owners of property at 3035 Dunlavin Way (Tax Parcel 093-134-07) for $150,000.

2. Accept the “Offer of Sale of Real Estate” from Brian D. Gott, owner of property at 3109 Dunlavin Way (Tax Parcel 093-134-11) for $125,000.

3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

4. 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.

Commissioner Leake removed this item from Consent for more public awareness. Dave Canaan director of Storm Water Services addressed this item.

Resolution recorded in full in Minute Book _____ Document # _______.

(13-1282) SET SHERIFF FILING FEE FOR OFFICE OF SHERIFF

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a Resolution to Establish Salary for the Office of Sheriff.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution recorded in full in Minute Book _____ Document # _______.

(13-1293) CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2013-2014 ADOPTED BUDGET

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve CMS Budget Amendment.

Note: The Board of Education requested approval of changes in the allocation of the County appropriation by purpose and function of the amount included in the Board of County Commissioners (BOCC) budget resolution on June 18, 2013. As part of the adopted FY2014 County budget, the BOCC approved a total operating funding level of $356,544,548 for CMS.
SEPTEMBER 3, 2013

The BOCC is required to approve any reallocation of funds submitted by the Board of Education that exceeds ten percent within the purpose/function code categories of the approved County appropriation. The purpose/function code allocation in the County's budget ordinance is a placeholder based on a proportional allocation of funds while CMS determines how it will actually allocate all available funds (e.g., State, Federal). The attached changes are the result of CMS adjustments required to match CMS expenditure levels to the County appropriation of $356,544,548. These changes are only adjustments in the allocation of funds. No additional funds are being requested. These adjustments have been approved by the Board on Education on August 13, 2013. There are two changes greater than ten percent in the CMS request. Alternative Programs has a 12 percent reduction. Alternative Programs includes activities to support students in a variety of ways including alternative educational settings and instructional delivery models, summer school, and/or extended day, and other services to keep students in schools. The primary reason for this decrease is the shifting of Response to Instruction cost to state funding, which results in a $1.25 million decrease in county funds for this program. Policy, Leadership, and Public Relations has a 12 percent increase from the preliminary Purpose/Function Code allocation. It is an increase of $1.04 million. This purpose code includes activities concerned with the overall general administration of the entire school district. The primary reason for this increase is funding adjustments to reflect a reorganization and increasing district wide costs.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:45 p.m.

________________________________________
Janice S. Paige, Clerk

________________________________________
Patricia “Pat” Cotham, 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 located at 600 East Fourth Street 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 17, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour Interim County Manager Bobbie Shields County Attorney Marvin Bethune Clerk to the Board Janice S. Paige

Absent: Commissioner Karen Bentley

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1296, 12-1304, 13-1306, 13-1307, 13-1311, 13-1313, and 13-1317.

STAFF BRIEFINGS - NONE

(13-1298, 13-1308) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Coatham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:20 p.m.

Commissioner James was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Ridenhour and the Pledge of Allegiance to the Flag.

AWARDS/RECOGNITION - NONE

(13-1322)  PUBLIC APPEARANCE

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

APPOINTMENTS

(13-1316)  NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Melanie Coyne to the Building Development Commission as a General Public representative to fill an unexpired term expiring July 31, 2014; and Chad Askew to the Building Development Commission as the American Institute of Architects representative for a three-year term expiring July 31, 2016.

They replace Timothy West and Harry Sherrill.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Evelyn Mills to the Juvenile Crime Prevention Council as the Faith Community representative for a two-year term expiring September 30, 2015.

MOUNTAIN ISLAND LAKE MARINE COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Cathy Roche to the Mountain Island Lake Marine Commission for a three-year term expiring September 30, 2016.

WOMEN'S ADVISORY BOARD

Note: An appointment will occur on October 1, 2013.

(13-1328) APPOINTMENTS -- TOWN OF MINT HILL PLANNING AND ZONING BOARDS

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Roger Hendrix to the Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) member for a term expiring June 30, 2015 as recommended by the Town of Mint Hill Board of Commissioners.

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint David Tirey to the Mint Hill Zoning Board of Adjustment as an Extraterritorial Jurisdiction (ETJ) member for a term expiring December 31, 2013 as recommended by the Town of Mint Hill Board of Commissioners.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

(13-1320) MECKLENBURG HIV/AIDS COALITION

The Board received a report from the HIV/AIDS Coalition. Assistant County Manager Michelle Lancaster made introductory remarks and introduced the following presenters, Shannon Warren with Carolinas Care Partnership and on behalf of the Mecklenburg County HIV/AIDS Council, Faye Marshall with Quality Home Care Services and Co-chair of the Mecklenburg County HIV/AIDS Council and Dr. Mark Johnson, Medical Director for Carolinas HealthCare System Director of Infectious Disease Clinic at Myers Park.

Note: On June 4, 2013, the Board approved a request that the Mecklenburg County HIV/AIDS Council and the Ryan White Advisory Board collaborate to consider the issues of HIV/AIDS and the appropriate method for the Board of Commissioners to receive advice and input from stakeholders and community members. As a result, these two advisory groups met on multiple occasions to develop recommendations for the Board of County Commissioners. As part of its collaborative meetings, the two advisory groups began calling the combined group the Mecklenburg HIV/AIDS Coalition.

The following was covered in the report:
- Process Overview & Introductions
- Overview of Mecklenburg County HIV/AIDS Council
- Overview of the Ryan White Program: Community Advisory Board-Charlotte Transitional Grant Area (TGA)
- Recommended Strategies & Action

Recommendation Summary:
The Mecklenburg HIV/AIDS Coalition believes the existing entities of the Mecklenburg County HIV/AIDS Council and the Ryan White Program: Community Advisory Board- Charlotte TGA are effective for our region and do not recommend changing to the Ryan White Planning Council model. Further, the Mecklenburg HIV/AIDS Coalition recommends emphasizing collaboration and communication between and among its members and the Board of Commissioners with specific emphasis on the following four (4) strategies:

Collaboration Strategy 1:
The Board of Commissioners will actively support a partnership with the Mecklenburg HIV/AIDS Coalition.

**Collaboration Strategy 2:**
The Board of Commissioners will proactively collaborate with stakeholders to ensure the entire spectrum of care and prevention are represented in decision-making processes.

**Communication Strategy 1:**
The Board of Commissioners will seek input and advice from the Mecklenburg HIV/AIDS Coalition.

**Communication Strategy 2:**
The Board of Commissioners will develop and implement comprehensive communications to educate stakeholders and the community at-large on issues related to HIV/AIDS care and prevention.

In addition to the recommendations noted above the Mecklenburg HIV/AIDS Coalition members would like to continue meeting as a combined group to pursue the recommended strategies and other joint efforts to address HIV/AIDS in the community and region.

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

**Comments**

Commissioner Leake addressed the importance of this issue. She encouraged the Board and the community to support the efforts of the Mecklenburg HIV/AIDS Coalition.

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

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to approve the strategies recommended by the Mecklenburg HIV/AIDS Coalition.

Commissioner Clarke asked about the impact of the N.C. General Assembly’s rejection of the expansion of Medicaid coverage under the Affordable Care Act and if that decision was reversed, would it strengthen local efforts to treat and prevent the spread of HIV/AIDS.

*Commissioner Ridenhour returned to the dais.*

Dr. Johnson said the Affordable Care Act would dramatically impact the ability to treat HIV infected individuals. He said a lot of these individuals do not have any medical resources in terms of insurance or any other funds to pay for their medical care or funds to pay for the support of other services such as mental health, substance abuse, dental care, etc.

Dr. Johnson said support services would be provided under the Affordable Healthcare Plan. Dr. Johnson said about 30-40% of residents in Mecklenburg County that were HIV positive could be enrolled in a healthcare plan under the Act. He said it would help provide a better delivery system of services to those individuals that were infected. Thus, the expansion of the Medicaid coverage would be of great benefit to these individuals.

Commissioner Clarke said having the expanded Medicaid coverage would be a major step forward in the community with respect to treatment of those infected with HIV/AIDS and with prevention.

Commissioner Clarke encouraged the presenters to make the issue of the expansion of Medicaid coverage under the Affordable Care Act a priority concern.

Chairman Cotham thanked the presenters for their report.
MANAGER'S REPORT

(13-1324) AIRPORT COMMISSION UPDATE

The Board received a report from Charlotte City Manager Ron Carlee regarding the status of appointments to the Airport Commission for Charlotte-Douglas International Airport. The following was noted:

- No appointments have been made to date by Charlotte City Council or the Mayor.
- The City of Charlotte was not discouraging other appointing authorities from moving forward with their appointments.
- The Airport Commission would not become operative until a majority of the appointments were made.
- September 23, 2013 is the last meeting of the month for Charlotte City Council and it is unknown at this time what may transpire at that meeting.
- Per the legislation, appointments are to be made by October 1, 2013.

City Manager Carlee addressed the Charlotte Douglas International Airport’s history, its annual budget, number of employees, and customers.

City Manager Carlee said given the City’s successful management of the Airport, the City was “surprised and dismayed” when legislation was introduced in the last session of the NC General Assembly to remove the airport from the oversight of the City of Charlotte under the direction of the City Manager as a department of the City and to place it in the hands of an independent authority.

City Manager Carlee also addressed the City’s injunction with respect to Senate Bill 380.

Comments

Commissioner Dunlap asked City Manager Carlee whether the City of Charlotte thought it was appropriate for the other appointing authorities to make their appointments. City Manager Carlee said the legislation clearly states that appointments are to be made by October 1, 2013. He said the City was not recommending that the other appointing authorities comply or not comply with that provision of the legislation.

Commissioner Dunlap asked City Manager Carlee was it correct that he was not recommending the County not make an appointment in accordance with the legislation. City Manager Carlee said that was correct.

Commissioner James asked about the composition of the Airport Commission, which was addressed.

Commissioner James asked about the status of the Airport director. City Manager Carlee said the previous aviation director upon the passage of the first Bill, submitted a letter to him expressing that he was now the executive director of the new authority and that his city employment was terminated. City Manager Carlee said he then appointed an interim aviation director who was an assistant director under the previous aviation director. He said the interim aviation director and the executive team that was already in place have been operating the airport since late July.

City Manager Carlee said the previous aviation director was involved in litigation against the City of Charlotte relative to the legislation in his position as executive director.
Commissioner James asked was the previous aviation director being paid in his capacity as executive director of the authority. City Manager Carlee said yes.

Commissioner James asked about the oversight committee addressed in the legislation, which was addressed.

Commissioner James requested a copy of the City’s appointment qualifications for its previous Airport Advisory Board. City Manager Carlee said they could make that available to the Board.

Chairman Cotham asked about the status of the City Airport Advisory Board. City Manager Carlee said the committee still existed and per the legislation, they’re the interim commission, but they have very limited authority. He said given the litigation that’s involved, it was recommended that they not meet during this interim period and thus far they have not met.

Commissioner Fuller noted for the record that he was sympathetic to the City’s position that there was no justification for creation of either the authority or commission. He said the two pieces of legislation reflected in his view “bad” policy. Commissioner Fuller said he believed the Charlotte Airport was created by, maintained by and grown by the citizens of Charlotte. He said the citizens of Charlotte should have the say with respect to what happens at the airport and “not legislators in Raleigh.”

Commissioner Fuller said although he doesn’t support the legislation, the Board did have an obligation to comply with the law and thus, make an appointment to the commission as specified in the legislation.

Commissioner Leake expressed support of the City’s efforts. Commissioner Leake said the community needed save what it was able to “foster years ago,” the Airport.

Chairman Cotham thanked City Manager Carlee for appearing before the Board.

Richard Vinroot, former Mayor of Charlotte said the airport board should be a regional board. He said the Airport was the most important economic development tool, for not only the City of Charlotte and the region, but in the two states of South and North Carolina.

Former Mayor Vinroot addressed the history of the airport and the leadership of former aviation director Jerry Orr. Former Mayor Vinroot gave Mr. Orr high marks for his management of the Airport.

Former Mayor Vinroot said the City paid over $100,000 to a consultant who said the airport should be independent of City Council and the Mayor, that it should be an authority. He said the recommendation was that there be separation between the management, politicians, and the City.

Former Mayor Vinroot encouraged the Board to comply with the legislation and move forward with making an appointment to the Commission. He asked the Board to appoint a “business minded” person.

Chairman Cotham thanked Former Mayor Vinroot for appearing before the Board.

(13-1325) FY14 PLANNING PROCESS

The Board received a report on the FY14 planning process from Hyong Yi, Management and Budget Director.

Note: The purpose of the report was to provide an overview of the objectives, timeline, and
planning activities proposed to occur over the next several months to support the Board in developing its strategic agenda for the next 12-18 months.

**Timeline:**
- **September 17**
  - Briefing for the Board of County Commissioners on the Planning Process
- **Mid-September**
  - Seek input from the community through a series of public forums and meetings
- **Late September – Early October**
  - Interview Commissioners to get their input and perspective
  - Interview the executive team and department directors to obtain their input and perspective
- **Mid-Late October**
  - Hold a planning retreat for the Board of County Commissioners to consider key topics and strategies
- **October and November**
  - Staff work to formulate a draft strategic agenda based on Board direction
- **Early December**
  - Hold a second planning retreat for the Board of County Commissioners to review draft and finalize its strategic agenda
- **January-February 2014**
  - Hold FY15 Budget Retreat for the Board of County Commissioners to discuss key budget issues

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

**Comments**

**Commissioner Leake** said she hoped staff would refer back and address concerns expressed at the Board’s last strategic planning conference.

Commissioner Leake noted the following issues as being concerns expressed out in the community: 1) When will a director of the Health Department be hired? 2) When will a director of Youth and Family Services be hired? 3) When will additional parks be developed and/or enhancements made to existing parks?, 4) What’s being done for seniors in the community?, 5) concerns about flooding, homelessness, and education.

**Commissioner James** said he was interested in consideration being given to going to a bi-annual budget process. He addressed why.

**Commissioner Dunlap** asked Director Yi what type of direction did staff need in order to follow-up on or pursue a particular Commissioner’s request as it relates to the budget, especially if it’s a request that not everyone was in agreement with. Director Yi said it depended upon the request. He said a request such as the one made by Commissioner James with respect to a bi-annual budget process would require Board action in order for staff to research and evaluate the pros and cons of that type of policy matter. He said simple information requests, for example, how much has the County funded CMS over the last five years, would not require Board action.

Commissioner Dunlap said a concern that had been expressed in the past at strategic planning conferences was the issue of how the County funds CMS. He said this was still a concern.

**Commissioner Fuller** said there was a “piece missing” from the FY14 Planning Process, which was the hiring of a county manager.
Commissioner Fuller expressed concern that he had no knowledge of where things stood with the hiring of a new county manager. Commissioner Fuller said it was important to have a county manager in place as you begin to embark upon the FY14 Planning Process.

Chairman Cotham, chair of the Board’s County Manager Search Committee, said she had been contacted by the Search Firm and the expectation was that they would have candidates for the Committee to consider in about two weeks.

Commissioner Fuller expressed concern for the amount of time it was taking to have a county manager in place. He asked what had the Search Firm been doing since being obtained. He also questioned when input would be received from the public regarding what they’d like to see in the next county manager.

Commissioner Fuller said no one from the Search Firm had contacted him regarding a profile for the next county manager.

Commissioner James said there was a process in place, the Board’s Search Committee, selected by the Chairman. He said committee members had one on one conversation with the Search Firm.

Chairman Cotham said the Search Firm had a copy of the NC General Statute regarding the county manager position.

Commissioner Fuller said he thought the entire Board was going to be kept abreast of the process and that there was going to be a discussion of the full Board regarding a county manager profile.

Chairman Cotham commented on the Search Firm’s past experience and briefly on what they've been doing to date.

Chairman Cotham said she was interviewed by the Search Firm, as well as, Commissioner Bentley. Chairman Cotham said the Search Firm was in the process of trying to schedule a meeting with Commissioner Leake, also a member of the Board’s County Manager Search Committee.

Chairman Cotham said the hiring of a new county manager was a priority.

Commissioner Fuller asked who was in charge of the search. Chairman Cotham said the Search Firm was in charge of the search, but that she was in touch with them. She said Human Resources Director Chris Peek had also spoken with the Search Firm.

Chairman Cotham said she would hope to provide the Board with an update at the next meeting.

Commissioner Fuller said each Commissioner should be aware of where things were with the search for a new county manager. Commissioner Fuller said this was the most important hire that the Board makes.

Chairman Cotham said she was very optimistic that the Search Firm would present good candidates to the Board for consideration.

Commissioner Dunlap said Commissioner Fuller expressed some legitimate concerns. Commissioner Dunlap said he too thought the full Board was going to determine the county manager profile.
SEPTEMBER 17, 2013

Commissioner Dunlap suggested there be a Public Policy meeting scheduled in order for the full Board to receive an update on the county manager search.

It was consensus of the Board that the Chairman call a special meeting next week for the purpose of receiving an update on the county manager search.

Commissioner Ratliff asked Human Resources Director Chris Peek comment on his conversations with the Search Firm. Director Peek said he had not spoken with the Search Firm since June, when he informed them of their selection and a subsequent meeting was then held to go over the terms of the contract. He said on August 1 he was notified that the profile had been completed and on August 2 the position was posted. He said any other questions regarding the search would have to be asked of the Chairman.

Commissioner Ratliff asked Director Peek was it correct then that he had not spoken with the Search Firm since June. He said that was correct.

Commissioner Ratliff asked Director Peek if he had any input into the job posting. Director Peek said no, Human Resources was not a part of that process. He said it was being handled by the Chairman and the Search Committee.

Commissioner Ridenhour said there was a process in place. He said if Board members had concerns, those concerns should be communicated to the Board’s committee or to the Search Firm directly.

Commissioner Ridenhour said the Board needed to determine what it means with respect to wanting community input.

Commissioner Ridenhour said as the elected representative for District 5 and having had community meetings, he knew what his constituents wanted in a county manager.

Commissioner Ridenhour said he agreed, however, that an update to the full Board was needed with respect to the county manager search.

This concluded the discussion. It’s not inclusive of every comment but is a summary.

STAFF REPORTS & REQUESTS

(13-1295) BUSINESS INVESTMENT PROGRAM GRANT -- CEDAR FAIR ENTERTAINMENT COMPANY

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners James and Ridenhour voting no, to adopt a resolution approving a Business Program Investment grant to Cedar Fair Entertainment Company for a total estimated amount of up to $594,516 and authorize the County Manager to negotiate and execute a contract.

Note: This project entails a significant expansion of the company’s Carowinds theme park. Phase One of this expansion, upon which this incentive request was based, would consist of a $30 million rollercoaster, a $2.5 million waterslide, a $7 million food complex and $4 million in expansions and upgrades to ticket booth and frontgate areas. Approximately $30 million of the new investment would occur in Mecklenburg County. The project was projected to increase annual attendance by an additional 385,000 customers, and to create 15 full-time jobs with an average annual salary of approximately $43,000. Approximately 270 seasonal jobs are also projected to be created, and the project was estimated to create 20,000 additional room night equivalents in local hotels and motels. The Business Investment Program grant is equal to 90%
SEPTEMBER 17, 2013

of the taxes that would be paid by the company and would be paid over three years. The estimated value of this grant was up to $594,516 and subject to the County’s standard contract conditions setting compliance requirements on the part of the company, including clawback provisions. A fiscal impact analysis showed a present value of net benefits to the County of $311,021 million over six years. The City of Charlotte will also provide financial assistance to this project.

John Allen, Director of Economic Development presented this matter to the Board.

Resolution recorded in full in Minute Book _____ Document # ______.

(13-1318) MECKLINK TRANSITION

Interim County Manager Shields announced the resignation of MeckLINK Behavioral Health Director Phil Endress effective September 30, 2013. He wished Director Endress the best as he leaves the County.

Commissioners expressed thanks to Director Endress for the service he’s rendered and wished him well.

Assistant County Manager Michelle Lancaster addressed the transition of MeckLINK.

Prior to Assistant County Manager Lancaster’s presentation the following persons appeared to speak:

Ashley Jacobs, president of the Mecklenburg Provider Council addressed the Provider network. She said providers cared about the consumers and that she felt they did a good job providing services through MeckLINK.

James Owens with Melange Health Solutions, along with two licensed counselors and a clinical social worker addressed cases that were denied by MeckLINK due to medical necessity. Mr. Owens said they questioned MeckLINK’s denial of these cases, as well as others.

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

Madeline Frank, a senior at Myers Park High School and member of the Teen Health Connection Teen Advisory Board Executive Team, addressed the importance of investing in local mental health services.

Al Jasper and Arnold Tyler with Acceptance, Responsibility and Judgment (ARJ) Agency, addressed and questioned the approval and denial of claims process used by MeckLINK, the credentials process and payment process. They were accompanied at the podium by James Brown and Lynette Withers. Mr. Jasper in his closing remarks encouraged the Board to keep in mind, when selecting a vendor for Medicaid Managed Care services, the issues and concerns that have been expressed as it related to MeckLINK and the County’s previous LME administration of services. He said there needed to be an atmosphere of “cooperation and not confrontation.”

Assistant County Manager Lancaster reviewed a Request for Information proposal for the Medicaid Managed Care Services currently managed by MeckLINK. The Request for Information addressed the following:

- Scope
- Response Process
- Review and Selection Process
Assistant County Manager Lancaster said per feedback she’d received from the NC Department of Health and Human Services the desire of the state was as follows:

- To have three – four Managed Care Organizations (MCO’s), currently there were ten
- To have local buy-in
- A plan that is financially sustainable
- A focus on consumer and patient care

Assistant County Manager Lancaster introduced Dave Richards from the NC Department of Health and Human Services, Division Director for Mental Health to address the desire of the state.

Mr. Richards noted the following:

- He thanked the Board for its commitment to mental health services.
- The state was working on a new plan for Medicaid reform, The Partnership for a Healthy NC.
- They’ve been going throughout the state soliciting input and asking questions of consumers, families and providers.
- The state believed an LME/MCO management system made sense.
- Ten MCO’s was too many and it doesn’t create the kinds of efficiencies that were needed as a state.
- Having ten MCO’s doesn’t create the kind of ability for the state to manage in an integrated system of care.
- The state believed four or less LME/MCO’s were needed, regionally based.
- The state thinks it makes sense to have contiguous MCO’s going forward.
- The state wanted to see financial stability and sustainability going forward, as well as, stability/sustainability with those providing the services.
- The state wanted to see “real” commitment to the clinical needs of the people being served.
- The state “respects and appreciates and wants local input” in this process.
- Mecklenburg County had invested a lot, however, the system should be thought of as a state system.
- Although there might be something important to one community with respect to how it’s MCO was organized, if it resulted in the state not being able to “survive” that’s something that would have to be thought about going forward.
- The system should be organized from a state perspective.
- The state was not saying there’s a mandate that you work with one or other MCO’s going forward, but it’s important as well that there be a state system.
• The state wants to answer questions and provide guidance and make recommendations.

Comments

Commissioner Dunlap asked why Mecklenburg County couldn’t be one of the four LME/MCO’s in the state system. Mr. Richards said he didn’t think that’s what the state has said. He said the state has encouraged that “we look at a map and how we create a system that was regionally based.”

Mr. Richards said Mecklenburg County “obviously has its very own interest that of Mecklenburg County” and the state has to have a state perspective on how it goes forward.

Mr. Richards said the law allowed for Mecklenburg County to choose an option to go forward in that direction, but the state believed it was in the best interest of the state if mergers occurred, because that would create four LME/MCO’s in the sizes that made sense going forward.

Commissioner Dunlap said there were a lot of people in Mecklenburg County, providers, consumers, and employees who were waiting on the Board to make a decision. Commissioner Dunlap said there were some on the Board who did not want to waste time trying to pursue Mecklenburg County to be an MCO, if the state was not going to approve it.

Mr. Richards said “the state was trying to create a system that has a pathway to making sure the LME/MCO system exist; so that the specialty services for people with mental illness, developmental disabilities, and substance abuse services, are managed in a way that we continue that infrastructure to create a statewide system.”

Mr. Richards said to do so, in his opinion and in the best interest of the state was for Mecklenburg County to be a part of another LME/MCO or another LME/MCO be a part of Mecklenburg County. He said that would create a system that was sustainable long term, which was what the state was looking for, “something that was sustainable long term.”

Commissioner Dunlap said it was clear, based on Mr. Richards comments that what mattered was what was in the best interest of the state and not what was in the best interest of Mecklenburg County and its citizens.

Mr. Richards said the state thinks it’s in the best interest of the citizens of Mecklenburg County that there be a state system that was sustainable, efficient, and worked well for citizens across NC.

Commissioner Dunlap asked what happens to the funds saved as a result of efficiencies being achieved across the state.

Mr. Richards said in the current system, the goal was that any savings would be reinvested to provide additional services, B-3 services, such as peer support and respite services.

Commissioner Leake expressed concern for providers. Commissioner Leake said there was a history in NC with how the state has “robbed and denied people to continue their health program because of bills and policies that Raleigh has set up without even coming to the community to see what the issues are.”

Mr. Richards said this was a statewide issue and that if everyone worked together it could be corrected.
Commissioner Fuller said the County was being asked to make decisions, when on the state level there’s no clarity about where things were going.

Commissioner Fuller said the decisions made in Mecklenburg County impact not only Mecklenburg County residents but the state as well. He said when the state passed legislation that required the County to form an authority, it was done without consulting with the County.

Commissioner Fuller said the County was being asked to make a decision without knowing what “the landscape” was. Commissioner Fuller said the County would essentially be making two transitions, one now and one sometime in the future.

Commissioner Fuller said Mecklenburg County was an urban county, unlike its surrounding counties. He said the issues in Mecklenburg County would be different from those in surrounding counties. Commissioner Fuller said because of Mecklenburg County’s size, it would “swamp” any other county it might be aligned with.

Mr. Richards acknowledged the state had not provided much guidance as to what it wanted but that the current administration wanted to do better in that arena.

Mr. Richards said the state wanted to create a system that was sustainable long term. He said the state did not want to continue to go through this process over and over again, nor did it want that for the County or constituents. He said the state wanted to work with the County to create a map that outlined/adhered to a “bigger vision.” He reiterated that ten LME/MCO’s was too many.

Mr. Richards said their responsibility was to look at how they could create a system that worked for the state long term.

Commissioner Fuller asked was it possible, rather than the County going through two transitions, if the County could delay any transition that it had to make now, so that there could be more time to have that thinking about looking at where we want to eventually be, so that when the County does have to change, if it does, that it would only be one transition.

Mr. Richards said the state was not asking “people to change tomorrow.” He said the state was trying to create a circumstance so they’ll know where their headed. He said the state was willing to listen.

Commissioner Fuller asked Mr. Richards was it correct that the state could look favorable on a proposal that would have other MCO’s a part of Mecklenburg County as oppose to it being the other way around.

Mr. Richards said the state was not “picking” the leaders of LME/MCO’s. He said those were decisions people would have to make going forward. He said he would hope that a merger was just that, a merger, and not one entity over another.

Mr. Richards said if an LME/MCO failed, however, and had to be assigned somewhere, that was a “different story.”

Mr. Richards said as long as there was financial stability, contiguous LME/MCO’s going forward and approved, along with the other LME/MCO’s, the state would be okay with that.

Commissioner James said he felt there was “zero” chance that Mecklenburg County would acquire someone else. Commissioner James said once the County turned MeckLINK over to a MCO, it would no longer have any control over it. He said those with concerns would have to voice those concerns to someone else.
Commissioner James said it was not the County’s fault. He said it was the legislators “fault,” “in particular the republican legislators fault.” He said if persons have problems they should talk with the republicans in Raleigh because they made the decision.

Commissioner James said he would like to see included in the RFI a clear disclosure of the fact that MeckLINK owed the County $8.4 million. He said the County was providing money to MeckLINK, which would be something that would have to be figured out with whoever acquires MeckLINK.

Commissioner James said staff was in the process of determining other indirect costs associated with MeckLINK. He said the respondents to the RFI need to aware of what the County’s financial position was with respect to MeckLINK.

Commissioner James asked Mr. Richards if he knew when the state would go from four LME/MCO’s to one.

Mr. Richards said the vision was to have three statewide LME/MCO’s in order to have the infrastructure that would be needed to go to one. He could not give a specific date or timeframe.

Commissioner James said one of the problems the County was faced with because of the state’s decision, which the County had no input in, was that the County put in roughly $18 million local dollars for MeckLINK, but when the state creates the three or four LME/MCO’s, the County could not invest $18 million into it because people would move in and out of Mecklenburg County and the County’s cost would increase.

Commissioner James said the state’s system might be good for the state but it was going to be “very bad” for the people living in Mecklenburg County relying on the services. Commissioner James said residents of Mecklenburg County would “lose” because the County would not be able to provide the level of service it had been providing, because it’ll be controlled somewhere else.

Commissioner Clarke asked that there be a narrative in the RFI explaining that the County spent approximately $8 million to create MeckLINK and to ask to what extent are you willing to reimburse Mecklenburg County for that expenditure of funds.

Commissioner Clarke said the response to that question should be a factor in the Board’s decision, along with the other criteria, of who to select.

Commissioner Clarke said although Mr. Richards said the state was not taking a position, it would cost the County a considerable amount of money to establish its own LME/MCO in light of the requirements outlined in the law, such as having its own financial system.

Commissioner Clarke complimented staff on the RFI it prepared.

Commissioner Clarke said the County wanted to find a good merger partner, who would take care of the County’s consumers, employees at MeckLINK and who would work with providers.

Commissioner Ratliff asked why was MeckLINK being forced to give up and merge with another entity in order to make them larger. Mr. Richards said he didn’t have a good answer but that MeckLINK was the closest to the last of the MCO’s to become an MCO. He said it’s the state’s belief that it’s more efficient to get the system down to four. He said it was just an issue of timing for MeckLINK.

Mr. Richards said the state didn’t want to do anything to destabilize this system further for the citizens of Mecklenburg County or any other county in the state.
Commissioner Ratliff asked would the Board have any control over the MCO that acquires MeckLINK. Mr. Richards said he didn’t know of any control the Board would have based on the legislation. Mr. Richards said, however, it’s felt by his office and the Secretary’s office that county engagement in the system was “critical.” He said the state wanted to create a system that’s responsive to the needs of counties.

Mr. Richards said he was aware of the County’s investment into the system and he hoped going forward the County would work with whoever its partner was, with the state, or whoever else, to find ways to continue to contribute to those things because of the importance of those things to individuals.

Commissioner Ratliff asked Mr. Richards if he would help the County recoup some of its investment back. Mr. Richards said it would not be wise for him to answer that question.

Chairman Cotham thanked Mr. Richards for appearing.

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to direct staff to issue a Request for Information (RFI) for the Medicaid Managed Care Services currently managed by MeckLINK. The RFI will be issued to Alliance Behavioral Health, Cardinal Innovations and Partners Behavioral Health. The RFI will be released no later than Friday, September 20, 2013. The due date for RFI responses is Friday, October 5, 2013 at 5:00 pm. A recommendation will be provided to the Board for action at the October 15, 2013 Board meeting.

**A copy of the RFI presented by Staff is on file with the Clerk to the Board.**

Commissioner Fuller asked about the review and analysis of the responses to the RFI.

Motion was made by Commissioner Fuller but died for lack of a second, to establish an ad hoc committee of the Board who would do the analysis of the MeckLINK Medicaid Managed Care RFI and make a recommendation to the Board.

After discussion of this matter, the motion below was made.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to let staff conduct the analysis of the MeckLINK Medicaid Managed Care RFI and make a recommendation to the Board.

Commissioner James asked that staff find out whether MCO board members received any compensation.

**(13-1326) IMPLEMENTATION OF SENATE BILL 159/S.L. 2013-362**

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to 1) Authorize the Interim County Manager to negotiate contract with Pearson’s Appraisal Services, Inc, for appraisal services to implement the provisions of S.L. 2013-362; 2) Appropriate up to $3,392,000 from unassigned general fund balance for the cost of the appraisal services to be provided by Pearson’s Appraisal Services, Inc.

**Note:** The General Assembly passed S.L. 2013-362, which requires Mecklenburg County to hire an outside appraisal firm to conduct a review of all the values in the County by neighborhood.
Using a Request For Proposal (RFP) process.

Assistant County Manager Dena Diorio presented this matter to the Board prior to the above vote.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1331) CONNECT OUR FUTURE UPDATE

The Board received an update on opportunities to participate in upcoming CONNECT Our Future Community Growth Workshops. Commissioner Dunlap presented the report. He was accompanied by Jim Prosser, Executive Director of Centralina Council of Governments. The following was covered in the presentation:

- Why a Shared Plan for Future Growth
- Challenges Ahead
- What is Connect Our Future
- Why Regional Plans Matter
- Other Regions with Shared Vision, Plans
- How Do We Create a Shared Plan
- Your Choices Count
- Creating the Best Growth Options
- Let’s Have Great Turnout at Workshops

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

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1299) BIG SWEEP PROCLAMATION

Adopt a proclamation designating Saturday, September 28, 2013 as Big Sweep Day in Mecklenburg County.

Note: BIG SWEEP is an annual, statewide event that calls volunteers to action to remove trash and debris from creeks, lakes and rivers.

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

(13-1309) HAZARD MITIGATION PROGRAM -- FLOODPLAIN ACQUISITIONS

Accept the “Offer of Sale and Agreement of Purchase and Sale of Real Estate” from Petra Porter, owner of property at 5128 Kildare Drive (Tax Parcel 099-083-28) for $91,000.

Accept the “Offer of Sale and Agreement of Purchase and Sale of Real Estate” from Tangela Carnegie, owner of property at 5134 Kildare Drive (Tax Parcel 099-083-27) for $78,000.

Accept the “Offer of Sale and Agreement of Purchase and Sale of Real Estate” from Doyle and Evelyn Reed, owners of property at 4029 Whitehurst Drive (Tax Parcel 145-212-05) for $81,000.
Accept the “Offer of Sale and Agreement of Purchase and Sale of Real Estate” from Jon S. and Ginger Porter, owners of property at 8010 Gilead Road (Tax Parcels 015-091-13 & 015-091-14) for $182,873.99.

Note: These acquisitions are a continuation of ongoing flood mitigation efforts which have resulted in more than 250 buildings being removed from the floodplain.

(13-1310) LEASE AMENDMENT -- HISTORIC RURAL HILL

Adopt Resolution entitled: RESOLUTION DECLARING INTENT TO AMEND THE LEASE FOR THE HISTORIC RURAL HILL PLANTATION.

Note: Historic Rural Hill, Inc. (formerly the Catawba Valley Scottish Society, Inc.) has a lease with Mecklenburg County for the Historic Rural Hill Plantation requiring the property to be used for events and activities associated with the Scottish heritage of many local residents. Historic Rural Hill, Inc. has requested that the County amend the current lease to make the following changes: 1) Change the tenant’s name to Historic Rural Hill, Inc. 2) Add a new paragraph to the lease allowing a leasehold deed of trust and 3) Add two additional ten-year options to the lease.

Resolution recorded in full in Minute Book _____ Document # ______.

(13-1314) TAX REFUNDS

Approve refunds in the amount of $238,596.15 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

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

(13-1315) GREENWAY EASEMENT DONATION -- LIZ HAIR TRAIL OF LITTLE SUGAR CREEK GREENWAY

Accept donation of a Greenway Access Easement (+/- 0.0957 acres) and a Temporary Construction Easement (+/- 25’) on Tax Parcel #153-021-09A from the Charlotte-Mecklenburg Hospital Authority and HR of Carolinas, LLC on the Liz Hair Trail of Little Sugar Creek Greenway.

(13-1321) MINUTES

Approve minutes of Regular meeting held September 3, 2013 and Closed Session held August 6, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

____________________
Commissioner James left the meeting and was absent for the remainder of the meeting.

Commissioner Ratliff left the dais and was away until noted in the minutes.
(13-1296) BUDGET AMENDMENT -- SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to recognize and appropriate $1,000 received from the National Sheriffs’ Association to the Sheriff’s Office.

*Note: These funds will be used to purchase handcuffs for the courts.*

Commissioner Leake removed this item from Consent for more public awareness and for clarity as it related to another revenue increase item on the agenda, 13-1304.

(13-1304) BUDGET AMENDMENT -- SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to 1. Recognize and appropriate $113,800 from Inmate Commissary revenue to the Sheriff’s Special Revenue Fund.

2. Recognize and appropriate $54,640 from the Vocational Facility telephone revenue to the Sheriff’s Special Revenue Fund.

*Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs. All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.*

Commissioner Leake removed this item from Consent for more public awareness and for clarity as it related to another revenue increase item on the agenda, 13-1296.

(13-1306) SET PUBLIC HEARING -- NC DEPARTMENT OF TRANSPORTATION (NCDOT) RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to 1) Set a public hearing for 6:30 p.m. at the October 1, 2013 Board of County Commissioners meeting to receive comments on the Mecklenburg County Department of Social Services’ grant application for the NC Department of Transportation’s Rural Operating Assistance Program for Fiscal Year 2013-2014. 2) Direct the Clerk to the Board to publish notice of intent to hold a public hearing.

Commissioner Leake removed this item from Consent for more public awareness.

*Commissioner Ratliff returned to the dais.*

(13-1307) PURCHASE AGREEMENT -- CODE ENFORCEMENT VEHICLES (LUESA)

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to defer taking action on Item 13-1307 to award and execute a unit price contract for the purchase of twenty-six 2014 Ford Escape SUVs for a total of $500,422 to the following lowest responsible bidder: Benson Ford, Easley, SC, $19,247 per unit, until the October 1, 2013 meeting.
Chairman Cotham removed this item from Consent to inquire about responses from local vendors.

Interim County Manager Shields said local vendors did have an opportunity to respond to the bid solicitation because it was advertised.

Chairman Cotham said she contacted a couple of local vendors who informed her that they were not aware it. Chairman Cotham said one vendor provided her with an email received from Procurement in August regarding the need for one vehicle. Chairman Cotham questioned why the vendor received notification regarding one vehicle but not the twenty-six referenced in the agenda item.

The matter was deferred in order to address the following questions:
- What’s the process for notifying local vendors?
- Where have vehicles been purchased from over the last three years? (Commissioner Leake asked this question.)
- What is the procurement process for vehicles? (Commissioner Clarke asked this question.)

(13-1311) CAPITAL RESERVE REQUEST -- PARK AND RECREATION (TENNIS COURTS)

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appropriate $28,000 from the tennis court capital reserve fund to improve drainage at the Jeff Adams Tennis Center.

Chairman Cotham removed this item from Consent for more clarity regarding capital reserve funds.

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

(13-1313) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate $159,241 for the duration of the second grant year of a five-year Substance Abuse and Mental Health Services Administration (SAMHSA) Grant as a subcontractor with Duke University.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Clarke returned to the dais.

(13-1317) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to

A. Approve establishing a fee of $75 per permit for Limited Food Service Establishments (LFSEs).

B. Recognize, receive and appropriate $1,500 generated from the new LFSE fees.
C. Recognize, receive and appropriate $39,600 in additional state allocations received from the Department of Health and Human Services for food and lodging facilities permit fees.

D. Recognize, receive and appropriate $6,152 in additional state allocations from the NC Department of Health and Human Services for inspection of Summer Food Service Program sites in Mecklenburg County.

E. Approve creation of one Environmental Specialist position in the Food and Facilities Sanitation Program to be funded from the newly recognized revenue.

Chairman Cotham and Commissioner Leake removed this item from Consent for more clarity regarding the purpose of the fee and who is it applicable to.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:15 p.m.

____________________  ____________________________
Janice S. Paige, Clerk  Patricia “Pat” Cotham, Chairman
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 3:00 p.m. on Tuesday, September 24, 2013.

ATTENDANCE

Present:   Chairman Patricia Cotham and Commissioners
Karen Bentley, Dumont Clarke, Trevor Fuller,
Bill James, Vilma Leake, and Kim Ratliff
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent:   Commissioners George Dunlap and Matthew Ridenhour

The meeting was called to order by Chairman Cotham.

(1) REPORT FROM COLEMAN LEW+ASSOCIATES – COUNTY MANAGER’S SEARCH

Chairman Cotham said the purpose of the meeting was to receive an update on the search for a county manager from Coleman Lew + Associates, the Search Firm.

The representatives from Coleman Lew + Associates were Shana Plott and Janet DeLoache.

Prior to the start of their presentation, Commissioner Leake acknowledged for the record that she had met with the Search Firm since the Board’s September 17, 2013 meeting. At the September 17, 2013 meeting, other members of the Ad Hoc County Manager’s Search Committee, that were present, stated they’d been in communication with the Search Firm, but Commissioner Leake said she had not. Commissioner Leake said it was her fault that the Search Firm had been unable to connect with her prior to September 17, 2013.

Coleman Lew + Associates representatives Shana Plott and Janet DeLoache introduced themselves and shared their background and areas of expertise. They acknowledged and apologized for the absence of Ken Carrick, President of Coleman Lew + Associates, who was also involved with the search. They said Mr. Carrick was out of town on a prior business commitment. They then proceeded with their presentation. The following was covered:

- Firm Overview
- Search Team
- General Search Process Overview
- Update on County Manager Search

Highlights:
- The position description shared was not an all inclusive Human Resources job description, but gave a potential candidate enough information to hopefully engage them into dialogue.
- The position was posted on various websites and the firm proactively got the position
SEPTEMBER 24, 2013

description into as many hands as possible to spread the word about the position.

- The position description was developed with input from the Search Committee.
- Thus far, they've touched basis with 300+ contacts with respect to the search for a county manager.
- They've begun interviews with potential candidates.
- On October 17, 2013 the Ad Hoc Committee would be presented an initial group of candidates.
- Although the initial group of candidates would be presented on October 17, 2013, Coleman Lew + Associates would continue to source, talk to potential candidates and seek referrals until the Board has selected its “leader.”
- They plan to bring forth a diverse group of candidates with respect to gender, ethnicity, and background.
- Their aim was to target city and county public administrators from similar size jurisdictions.
- This was a work in progress, but they felt good about where they were thus far.
- Coleman Lew + Associates would stay with the process for as long as it took in order to get the “right” person in the job.
- They were open to receiving information on any sources or referrals from Board members.
- Board members were welcomed to email Coleman Lew + Associates at meckcountymanager.com with any feedback.

Comments

Commissioner James asked about the number of applications received to date. The response was that this was a “highly” confidential phase of the process, because they were talking to candidates that were in sitting positions. It was said if their names got out, they would probably withdraw from the process. Further, that it’s a “fluid” number. It was noted that there were more than five that had been extensively interviewed and other interviews were scheduled.

Commissioner Leake asked had there been any reluctance on the part of potential candidates. The response was yes, some questioned whether they would be “seriously” considered. They were informed that it was an open process.

Commissioner Leake said she wanted to make sure there weren’t any barriers preventing someone from participating in the process. Commissioner Leake said she would not want anyone to be discouraged based on previous remarks made by anyone on the Board. Coleman Lew + Associates said all candidates would be treated the same and everyone would go through the same process.

Commissioner Bentley asked about the average time it took to hire someone on this level. The response was four-six months. Further, that Coleman Lew + Associates won’t “sacrifice quality for speed.”

Commissioner Leake asked about County Human Resources involvement in the process. Chairman Cotham said she consulted with Human Resources Director Chris Peek early on in the process, but he had not been involved since that time.

Chairman Cotham said County Human Resources was available to help if needed. She thanked Director Peek for what he and his staff had done to assist early on. She said their assistance probably would be needed when it came to the interviewing process.

Commissioner Fuller said he raised the question about the status of the county manager search at the September 17, 2013 meeting, because he wanted to make sure the Board had a good process and was being as transparent as possible.

Commissioner Fuller addressed the candidate profile. He said the Board as a whole hadn’t had sufficient dialogue with respect to what the Board wanted in the next county manager.
Commissioner Fuller said input was needed from the entire Board, as well as, the public.

Ms. Plott said the profile was developed per conversation with Committee members and their review of the N.C. General Statute regarding county managers. Ms. Plott said the Committee approved the description posted by Coleman Lew + Associates.

Ms. Plott said they would welcome additional feedback from other Board members.

Chairman Cotham said the job description was also shared with County Human Resources.

Commissioner Fuller asked was it too late for public input. Representatives from Coleman Lew + Associates said that was up to the Committee.

Chairman Cotham asked Coleman Lew + Associates if they’d heard from the public. The response was no.

Commissioner Bentley asked Coleman Lew + Associates what their experience had been with respect to having or not having public input when doing searches of this type. The response was there was no evidence that one way was more successful than the other or that it generated better candidates.

Coleman Lew + Associates said it was not too late to receive public input, but that any public forum held would need to be deliberate in purpose and not just a “free for all.” It was stated the Board’s purpose for wanting input and the type of input that was being sought needed to be clear.

Commissioner Leake said per her experience as a former member of the Charlotte-Mecklenburg School Board, public input with respect to the search for a new superintendent was received once the list of candidates was narrowed down. Commissioner Leake said the confidentiality of candidates was very important, especially early on in the process.

Commissioner Ratliff asked for clarity about the October 17, 2013 meeting. Coleman Lew + Associates said the purpose of the meeting would be to present the Committee an initial list of candidates. It was noted that this would not necessarily be the “final” group.

Commissioner Ratliff asked was it too late to receive input from other Board members regarding the position description, even though it was already posted. The response was no that it could be revised but that direction would have to come from the Committee. It was noted that the functions listed in the position description were basically from the N.C. General Statute.

Commissioner Ratliff asked Chairman Cotham would there be an opportunity for the public to provide input. Chairman Cotham said the Board could discuss it.

Chairman Cotham asked had Coleman Lew + Associates experienced any situations where citizens have served on the interview committee. The response was no and for confidentiality reasons that would not be good.

Commissioner Fuller explained what he meant by public input and that it was with respect to the county manager profile. Commissioner Fuller said he wanted the public to have a sense of ownership in the process.

Chairman Cotham asked about a possible public survey to obtain input.

Commissioner Fuller said some form of public input was needed.

Commissioner Bentley said she felt as representatives of the people of Mecklenburg County that
SEPTEMBER 24, 2013

the citizenry elected the Board to make the decision with respect to the candidate profile. Commissioner Bentley said she was not opposed to getting public input, but that it would need to be made clear what the purpose of seeking that input was for.

Commissioner James said this process was an employer’s agreement. He said opening it up to the public would increase the risk of losing candidates. Commissioner James said he felt the job description was pretty clear.

Commissioner James said he was not opposed to receiving input from other commissioners.

Commissioner Clarke suggested holding a public forum to receive public input before the list of candidates was narrowed down.

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and unanimously carried with Commissioner Bentley, Clarke, Cotham, Fuller, James, Leake, and Ratliff voting yes, to hold a public forum to allow the public the opportunity to provide input on what they’d like to see in the next county manager. Secondly, the public forum would be held as part of a Regular Board meeting, rather than holding a special meeting.

Commissioner Fuller asked about the salary for the next county manager.

Chairman Cotham said that was “fluid” and would be negotiated. Chairman Cotham said placing a salary range in the posting would rule some people out.

Commissioner Clarke asked Coleman Lew + Associates what they had been told by the Committee about considering internal candidates. Coleman Lew + Associates said they would treat everyone the same.

Commissioner Bentley said Coleman Lew + Associates probably received “mixed” comments from Committee members with respect to internal candidates.

Coleman Lew + Associates said they would evaluate internal and external candidates that meet the criteria the same. It was noted that all internal candidates would be submitted to the Committee.

Commissioner Clarke said he was just seeking clarity with respect to whether or not there was any consensus on the part of the Committee regarding internal candidates.

Commissioner Leake said everyone would be looked at regardless of race, internal or external.

Chairman Cotham said she informed Coleman Lew + Associates that there may be internal candidates but she never said they should be eliminated.

Coleman Lew + Associates said the direction they received from Committee members was that internal and external candidates were to be treated the same.

Commissioner Clarke asked Coleman Lew + Associates what were three pitfalls any Board should be aware of in hiring a county manager. The response was to remember as a Board that “you’re selling” and you want to entice “good” candidates; keep in mind that constituents were watching the Board and what it was doing and so were candidates. The Board needed to remember that it’s in a “selling and recruiting” mode. Secondly, it’s important that the Board be united as whole, with the understanding that there would be different perspectives on certain issues.

Chairman Cotham reiterated that interested candidates were looking at the Board and the County as well. Chairman Cotham asked County Human Resources for a list of accomplishments that could be used in selling the County.
Prior to adjourning, Commissioner Fuller noted the following:

He would like the Board to have some type of document indicating what the process would be going forward beginning with the public forum through the end of the process. Commissioner Fuller said this way everyone would know where things were with the process.

Secondly, he wanted the Search Firm to feel “empowered” to tell the Board if it’s interfering with the “sales” job. Ms. Plott said they would.

Commissioner Fuller asked would Commissioners who aren’t on the Search Committee have an opportunity to review applications.

The Search Firm representatives deferred to the Search Committee for a response and guidance.

Chairman Cotham said it would be handled like it was with the assessor recruitment, which was that the Board saw those that weren’t chosen when the committee brought forth its recommendation.

It was noted by representatives from Coleman Lew + Associates that it was imperative that information be kept confidential. She said persons who may be interested would not talk with them if their information wasn’t kept confidential.

Commissioner Ratliff asked County Human Resources Director Chris Peek when could the public forum be held. The response was at the October 15, 2013 meeting.

Note: The above is not inclusive of every comment but is a summary.

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ratliff voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:20 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 located at 600 East Fourth Street 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 1, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

Commissioners Bentley, Dunlap, and Ratliff were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1334, 13-1338, and 13-1349.

Chairman Cotham asked for a motion to move Item 13-1349 Proclamation and Recognition Ceremony-POW/MIA Recognition Day to the awards section of the agenda.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to move Item 13-1349 Proclamation and Recognition Ceremony-POW/MIA Recognition Day to the Awards and Recognition section of the agenda.

Commissioner Ratliff entered the meeting.

STAFF BRIEFINGS - NONE

(13-1339, 13-1345, 13-1351) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Prior to going into Closed Session, Chairman Cotham noted that there was no Consult with Attorney matter to be discussed in Closed Session.
OCTOBER 1, 2013

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Personnel Matter.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 5:45 p.m.

Commissioners Bentley and Dunlap were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Note: Jacqueline McNeil with Asset and Facility Management addressed the relocation of Compost Central and the West Mecklenburg Recycling Center, Item 13-1340 on tonight’s agenda. It was noted that the Board would not be asked to take any action at this time. The matter would come back to the Board for action on October 15, 2013.

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

_________________________________

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Ridenhour and the Pledge of Allegiance to the Flag; after which the matters below were addressed.

Note: In honor of the Prisoner of War/Missing In Action Recognition Day Proclamation on the agenda, Color Guards were present to lead the Pledge of Allegiance to the Flag.

AWARDS/RECOGNITION

(13-1349) PROCLAMATION AND RECOGNITION CEREMONY -- POW/MIA RECOGNITION DAY

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a Proclamation declaring October 1, 2013 as POW/MIA Recognition Day in Mecklenburg County and recognize POWs who live in Mecklenburg County.

Present at the meeting was Air Force POW Quincy Collins who was shot down on September 2, 1965 by flak over North Vietnam. He was held captive by the North Vietnamese Communists for seven and a half years. Mr. Collins spent 21 years in the Air Force.

Present also was Air Force POW Ed Halliburton who was shot down and forced to land in Switzerland. Despite landing on neutral Swiss ground, Mr. Halliburton and his crew were held captive near Wengen by Swiss guards “sympathetic” to Hitler for six months.

Note: Both gentlemen were thanked for their service to our country and to the community. They each received a gift bag.

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

(13-1367) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting:
Kathy Stratton expressed concern for her son’s health, Spencer Stratton who is in a Group Home. Per Ms. Stratton, her son is 6ft tall, weighs 116 pounds and is continuing to lose weight. Ms. Stratton said her son was “illegally seized” years ago by the Mecklenburg County Department of Social Services. Ms. Stratton said she wanted to be on record of informing the current Board of her son’s condition. She said the County’s Medicaid program was being “abused and frauded.” Per Ms. Stratton, her son does not qualify for Medicaid. Per Ms. Stratton, the attorneys for the County have deemed her son “homeless” in order to get around the indigent requirement. Ms. Stratton referenced a letter she received from the Department of Social Services that addressed the care that was being provided to her son. Ms. Stratton questioned the accuracy of the statements made in the letter based on her son’s current health condition.

APPPOINTMENTS

(13-1342) APPOINTMENTS

WOMEN’S ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Women’s Advisory Board:

Round One

<table>
<thead>
<tr>
<th>Name</th>
<th>Nominees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alinda Angerville</td>
<td>None</td>
</tr>
<tr>
<td>Jaclyn Blair</td>
<td>None</td>
</tr>
<tr>
<td>Heather Blake</td>
<td>None</td>
</tr>
<tr>
<td>Sarah Byrne</td>
<td>None</td>
</tr>
<tr>
<td>Valerie Dorsett</td>
<td>Commissioner Ratliff</td>
</tr>
<tr>
<td>Sophia Gaither</td>
<td>None</td>
</tr>
<tr>
<td>Devonya Govan-Hunt</td>
<td>None</td>
</tr>
<tr>
<td>Charlene Henderson</td>
<td>None</td>
</tr>
<tr>
<td>Alicia Jones-Muhammad</td>
<td>None</td>
</tr>
<tr>
<td>Wanda Strickland</td>
<td>None</td>
</tr>
<tr>
<td>Jennifer Styczen</td>
<td>None</td>
</tr>
<tr>
<td>Sasha Tomaszynski</td>
<td>None</td>
</tr>
<tr>
<td>Linda Webb</td>
<td>Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff and Ridenhour</td>
</tr>
<tr>
<td>Latonja Worsham</td>
<td>None</td>
</tr>
<tr>
<td>Denise Young-Boyd</td>
<td>Commissioner Bentley</td>
</tr>
</tbody>
</table>

Round Two

<table>
<thead>
<tr>
<th>Name</th>
<th>Nominees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alinda Angerville</td>
<td>None</td>
</tr>
<tr>
<td>Jaclyn Blair</td>
<td>None</td>
</tr>
<tr>
<td>Heather Blake</td>
<td>Commissioners Bentley, Clarke, Dunlap, Fuller, James, Leake, and Ridenhour</td>
</tr>
<tr>
<td>Sarah Byrne</td>
<td>None</td>
</tr>
<tr>
<td>Valerie Dorsett</td>
<td>None</td>
</tr>
<tr>
<td>Sophia Gaither</td>
<td>None</td>
</tr>
<tr>
<td>Devonya Govan-Hunt</td>
<td>None</td>
</tr>
<tr>
<td>Charlene Henderson</td>
<td>None</td>
</tr>
<tr>
<td>Alicia Jones-Muhammad</td>
<td>None</td>
</tr>
<tr>
<td>Wanda Strickland</td>
<td>None</td>
</tr>
<tr>
<td>Jennifer Styczen</td>
<td>None</td>
</tr>
</tbody>
</table>

Voting Ceased
Chairman Cotham announced the appointments of Heather Blake and Linda Webb to the Women’s Advisory Board to fill unexpired terms expiring April 30, 2015.

They replace Karen Okhoya and Lisa Yarrow.

(13-1354) NOMINATIONS/APPOINTMENTS

AIRPORT COMMISSION

The vote was taken on the following nominees for appointment to the Airport Commission:

- David Adams: None
- Wendi Amos: None
- Debra Dawson: None
- Arthur Fields: None
- Randy Freeman: Commissioners Cotham, Dunlap, Fuller, Leake, and Ratliff

Voting Ceased

Todd Fuller
Marc Gustafson
David Lighthall
Al McMillian
Peter Morris
Donald Pomeroy
Heath Prior
Rich Rosenthal

Chairman Cotham announced the appointment of Randy Freeman to the Airport Commission for a two-year term expiring December 31, 2015.


Each Commissioner commented favorable on the Board’s pool of applicants.

LAKE NORMAN MARINE COMMISSION

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint William Young to the Lake Norman Marine Commission for a five-year term expiring October 1, 2018.

(13-1364) APPOINTMENTS -- WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Anthony Morrison to the Waste Management Advisory Board
as recommended by the Charlotte City Council for a term effective immediately and expiring July 13, 2016.

Note: He replaces Jennifer White.

PUBLIC HEARINGS - 6:30 PM

(13-1330) NC DEPARTMENT OF TRANSPORTATION (NCDOT) RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open the public hearing to receive comments on the Mecklenburg County Department of Social Services submittal of an application for the NC Department of Transportation’s Rural Operating Assistance Program for fiscal year 2013-2014.

Chairman Cotham read the following statement:

Voluntary Title VI Public Involvement
Title VI of the Civil Rights Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency’s federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at slipscomb@ncdot.gov.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close the public hearing on the Mecklenburg County Department of Social Services submittal of an application for the NC Department of Transportation’s Rural Operating Assistance Program for fiscal year 2013-2014 and adopt a Certified Statement 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 2013-2014.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate NC Department of Transportation’s Rural Operating Assistance Program grant funds when awarded.

Certified Statement recorded in full in Minute Book _____ Document # ______.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT
Interim County Manager Bobbie Shields informed and invited the Board to the 2013 Employee Fest, October 4, 2013, 10:00 a.m. – 3:00 p.m. at Freedom Park.

STAFF REPORTS & REQUESTS

(13-1283) SECOND HARVEST FOOD BANK EXPANSION -- THREE-PARTY AGREEMENT AND ACQUISITION OF PROPERTY

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt resolution entitled “Mecklenburg County Board of Commissioners Resolution for an Agreement among Mecklenburg County (County), the City of Charlotte (City) and Second Harvest Food Bank of Metrolina, Inc. (Food Bank)” and acquisition of property from the City at 531 Spratt Street”.

Asset and Facility Management Director Mark Hahn and Kay Carter, Executive Director of the Second Harvest Food Bank of Metrolina presented this matter to the Board.

Note: The Food Bank and its predecessor organizations have been operating from County-owned facilities for more than 30 years, most recently at 500-B Spratt Street at the County’s Community Services Facility. The demands of population growth since the mid-90s and the impact of the recent recession have exceeded the capacity of the current facility. Approximately two years ago, Second Harvest Food Bank approached the City and County to discuss expanding the facility. The most feasible land area for expansion was on City property at the rear of the building. However, constructing the addition on City property, with the original building on County property, presented potential complications. Having the building constructed on a parcel under the ownership of one entity, rather than two, facilitates ease of construction and simplifies the real estate arrangement. Accordingly, the City has offered to convey property to the County through a land ledger transaction for the appraised value of $388,300. Second Harvest Food Bank will construct an approximate 15,000 SF expansion on the property at its own cost. The County will retain ownership of the property and the new building addition. The City would also lease additional property directly to the Food Bank for site access and parking. The lease between the County and the Food Bank will be brought to the Board for consideration at a later date. This resolution will authorize the County Manager to negotiate and execute an Agreement among the three parties and authorize the County Manager to negotiate and execute all documents necessary for the acquisition of approximately 1.55 acres of City property at 531 Spratt Street.

Prior to the above vote, Commissioner Leake asked would this have any negative impact on the Greenville Community. Director Hahn said no.

Resolution recorded in full in Minute Book ______ Document # ________.

(13-1335) PERFORMANCE REPORTS -- 2013 EMPLOYEE CLIMATE SURVEY AND COMMUNITY SURVEY

The Board received a report on performance results based on data gathered from the 2013 Employee Climate Survey and the 2013 Community Survey. Performance & Evaluation Manager Monica R. Allen gave the report.

Note: Each year the County’s Office of Management and Budget administers two surveys to gather data used in evaluating performance results for the Board’s Community & Corporate Scorecard. One set of performance results are derived from the annual survey of Mecklenburg County employees. This survey is used to obtain and understand the perceptions employees
OCTOBER 1, 2013

have about working for and within Mecklenburg County government. The second set of performance results are derived from the annual survey of Mecklenburg County residents. This survey is used to obtain and understand the perceptions Mecklenburg residents have about various aspects of County operations, particularly the level of awareness about County services, the perception of the value County services provide and the level of satisfaction residents have with opportunities for citizen involvement. These perceptions are important to know because they inform the Board, County management and employees, and the public about how well the County is performing in terms of communicating with residents and in providing opportunities for residents to participate in their local government. As with the employee survey result, the overall results of the 2013 Community Survey indicate strong performance by the County in generating public awareness of County services and facilities (e.g., recreation centers), as well as in providing opportunities for citizen involvement. In addition, the survey shows that a large majority of Mecklenburg residents have positive perceptions about the quality of County services and believe tax dollars are used for services that improve the community.

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

Comments

Commissioner Clarke asked for clarity regarding the County’s Report Line noted in the report. He asked was the line for reporting fraud. The response was yes, as well as, any matter that an employee felt was unethical.

Commissioner Clarke said the Audit Review Committee receives reports from the County’s Internal Audit Department on information received via the Report Line.

Commissioner Clarke said he was concerned that the awareness level of employees of the Report Line was so low. He asked staff to track that issue more going forward and to develop ways of increasing employee knowledge of the Report Line and what it’s to be used for.

Commissioner Ridenhour asked was anything being done to address the issue noted in the report about safety, specifically as it related to lighting in employee parking lots. Director Allen said that information was passed on to Asset and Facility Management for follow-up.

Commissioner Ridenhour asked for clarity regarding communication and input from the frontline, which was addressed.

Commissioner Ridenhour said he hoped managers and supervisors were listening to frontline employees and seeking their input.

Commissioner Fuller also commented on the results in the report regarding no input from frontline, last minute communication, and communication from frontline. Commissioner Fuller said it appeared to be an issue with communication from the frontline and on “up the chain.”

Commissioner Fuller said it appeared that more work needed to be done with respect to communicating with frontline employees. He said according to the survey results, frontline employees don’t feel they’re being listened to.

Commissioner Fuller said he was also struck by the response to BOC Value Employees and the statement “negative press harms morale.” Commissioner Fuller said he hoped the Board takes note of these two matters and realize that when the Board “excoriates” staff about an issue over and over again in public that it has an effect on staff.
Commissioner Fuller said the Board had a “responsibility” not only to the public, but to County employees as well. He said he hoped the Board would be cognizant of how it criticizes staff. He noted, however, that there was nothing wrong with giving constructive criticism.

Commissioner Bentley asked if staff tracked the turnover rate in parallel with employee survey responses to see if there was a direct impact on the matrix. Director Allen said staff had the ability to do that and occasionally had. She said, however, staff had not seen that as a concern thus far. Director Allen said she always received turnover data from Human Resources a few months after the survey was conducted. She said it was looked at very closely, but mainly because the County had a target with respect to the turnover rate.

Commissioner Bentley asked what the County’s current turnover rate was and was it improving or not improving, especially since 2008. She also asked how the County compared to like-size counties. Director Allen said she would get that information to the Board. Director Allen clarified that the County’s turnover rate captured voluntary departures and not terminations.

Chairman Cotham thanked Director Allen for her report.

(13-1336) BARTON CREEK GREENWAY

The Board received a report on the Barton Creek Greenway construction project. Katie Daughtry with Asset and Facility Management gave the report.

Note: The City of Charlotte’s Blue Line Extension will be located in the median of N. Tryon Street in the University area. To accommodate the street widening needed for the light rail, NCDOT is replacing a bridge on N. Tryon Street, which crosses over Mallard Creek Greenway. The bridge replacement will require a portion of the Mallard Creek Greenway to be closed during construction. The proposed Barton Creek Greenway will serve as a detour around NCDOT’s bridge replacement project during the closing of Mallard Creek Greenway at N. Tryon Street.

The trail will connect existing Mallard Creek Greenway Trail to JW Clay Boulevard through various properties in the Glenwater, University Place, Welwyn, Walden Station and Walden Court neighborhoods. The trail will then use sidewalks along JW Clay Boulevard to access a spur trail leading from N. Tryon Street through the UNCC Campus to connect to the Briar Creek Greenway.

Note: No action was required at this time.

Chairman Cotham thanked Ms. Daughtry for her report.

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

(13-1340) RELOCATION OF COMPOST CENTRAL AND THE WEST MECKLENBURG RECYCLING CENTER

The Board received a report on the proposed relocation of LUESA Solid Waste’s operations at Compost Central and the West Mecklenburg Recycling Center to the 6500-6700 blocks of Rozelles Ferry Road. Bruce Gledhill, PE, LUESA - Director Solid Waste gave the report. The following was covered:

- Current Site
- Compost Central Operations
- West Mecklenburg Recycling Center
OCTOBER 1, 2013

- Why Relocate
- Relocated Site Selection
- Rozzelles Ferry Site Vicinity
- Rozzelles Ferry Parcel
- Public Outreach Activities

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

No action was required at this time.

Chairman Cotham thanked Director Gledhill for his report.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1346) ROMARE BEARDEN PARK BUDGET (CHAIRMAN COTHAM)

Commissioner Leake asked for information regarding the expenditures for the Romare Bearden’s Park Grand Opening.

Park and Recreation Director Jim Garges addressed the Park’s grand opening budget. He noted that the Grand Opening was a three day event.

All Commissioners commented favorably on the value of the park to the community and the success of the grand opening. Some Commissioners, however, expressed concern for the serving of alcohol at the Opening and discouraged this practice going forward.

Commissioner Leake also questioned the spending of $33,000 for someone to perform, which was addressed also by Director Garges.

(13-1347) FACILITY NAMING POLICY -- MECKLENBURG COUNTY COURTHOUSE NAMING (CHAIRMAN COTHAM)

Chairman Cotham presented the Board a request to amend the Mecklenburg County Facility Naming Policy to remove the Mecklenburg County Courthouse as an exclusion from the policy.

Note: The Mecklenburg County Facility Naming Policy states: “Purpose: To establish consistent guidelines for naming buildings and other property, including public areas, owned by Mecklenburg County excluding the Mecklenburg County Courthouse; this name is to remain in perpetuity.”

Chairman Cotham said there was no state law prohibiting the County from changing the name of the Mecklenburg County Courthouse, if it desired to do so.

Commissioner Dunlap noted the recent naming of a County facility after the late Honorable Judge Clifford Johnson and the process followed. He asked had those things been done with respect to Chairman Cotham’s request.

Chairman Cotham said she was aware of the process to be followed, but the first step would be to get the current Facility Naming Policy amended. Chairman Cotham said once that occurred the matter would be brought back to the Board.
Commissioner Dunlap said something should be done for the late Attorney Julius Chambers. He was not aware, however, until tonight that there was policy stating the courthouse was to be named the Mecklenburg County Courthouse in “perpetuity.”

Commissioner Dunlap said in light of that fact, he would have to give more thought to Chairman Cotham’s request.

Commissioner James gave the history of how the renaming of the courthouse came up in the past, specifically, in 2004. He said it was per a request of former County Commissioner Jim Puckett to name the courthouse after former President Ronald Reagan. Commissioner James said there were a lot of people at that time opposed to changing the name at all and that it was not a partisan matter. Commissioner James said that past discussion prompted the Facility Naming Policy to have the perpetuity statement placed in it.

Commissioner James noted also that all courthouses in N.C. bear the name of the county in which they reside.

Commissioner Leake said she too had to get clarity regarding the policy because she knew there had been other renamings that had taken place which seemed to have occurred in a short period of time.

Commissioner Leake said there was a desire by some in the community that the courthouse be renamed and named for the late Attorney Julius Chambers. She said other naming ideas had also been suggested, such as a school.

Commissioner Leake said she did not want this to be a divisive issue for the Board.

Commissioner Bentley read an excerpt from a recent editorial in the Charlotte Observer (September 15, 2013) regarding the renaming of the courthouse. Commissioner Bentley said it was written by David Erdman, an attorney, democrat, and member of the Historic Landmarks Commission.

Commissioner Bentley said per the editorial, Attorney Erdman said the Board was “wise” in 2009 to state that the name of the courthouse should remain the Mecklenburg County Courthouse in perpetuity and he explained why. She said Attorney Erdman acknowledged that the late Attorney Julius Chambers was a “great lawyer” and that his memory should be “preserved forever.” She said Attorney Erdman stated as well that Attorney Chambers’ “fame” arose in the federal court and not in the Mecklenburg County courthouse, a state court. He went on to suggest that perhaps the next new Charlotte-Mecklenburg Schools’ High School be named after Attorney Chambers, or the new federal courthouse that will eventually be built. Per Attorney Erdman, federal courthouses were usually named after individuals.

Commissioner Bentley said she wanted to make the Board aware of the editorial because it came from someone with “credibility from a historical perspective” and who was also an attorney. Commissioner Bentley said it provided the Board with another viewpoint with respect to this matter.

Commissioner Dunlap said he had raised the question as to whether or not there was another building or something else that would be “worthy” of the name Julius Chambers.

Commissioner Dunlap acknowledged that Commissioner James was correct when he stated that every courthouse in the state of N.C. was named for a county. He said in light of this, he was a little concerned if Mecklenburg County was to do something different.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and
Ridenhour voting yes, to delay consideration to amend the Mecklenburg County Facility Naming Policy to remove the Mecklenburg County Courthouse as an exclusion from the policy, until the October 15, 2013 meeting.

Commissioner Clarke suggested perhaps it would be more befitting to place a bust or a full statue of Attorney Julius Chambers in the entry way of the courthouse.

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

HEALTH DEPARTMENT TRANSITION UPDATE (COMMISSIONER LEAKE)

At the request of Commissioner Leake, the Board received an update from Acting Health Director/Assistant County Manager Michelle Lancaster on the status of the Health Department transition as well as the status of the recruitment of a new health director.

The following was noted:
- It’s been ninety days since the County transitioned to provide services formerly contracted to Carolina’s Healthcare System to become a fully run department.
- It’s been ninety days since former Health Director Wynn Mabry retired.
- This is about the third update provided to the Board with respect to the Health Department.
- Acting Health Director/Assistant County Manager Michelle Lancaster has spent 60-90 days at the Health Department reviewing and making assessments.
- Recruitment has begun for new Health Department Director.
- The position was posted today, October 1, 2013.
- The recruitment was being managed by Keisha Scott in County Human Resources.
- The target is to conduct interviews mid-November.
- The target is to have someone in place mid-December or the first of January.

Comments

Commissioner Dunlap asked if staff was looking for a medical doctor or an administrator to serve as Director of the Health Department. Assistant County Manager Lancaster said the primary focus was for persons with “significant” public health experience, which may or may not be someone who’s a doctor. Assistant County Manager Lancaster said being a medical doctor was not a requirement.

Commissioner Leake said she’d been made aware of the following concerns:
- That there were individuals at the Health Department who were not properly trained or had the appropriate credentials necessary for the position they held.
- There was a concern on the part of some men that visit clinics that there were no male physicians to serve them.

Assistant County Manager Lancaster said to her knowledge there was only one outstanding Human Resources issue as it related to the Health Department.

Assistant County Manager Lancaster said she’d met with every Health Department Division Director and that she informed all employees that she had an open door policy. She said one of her focuses has been on the clinical side and that the concerns she had with respect to the clinical side were being addressed. She said the CAP program was also being looked into by Internal Audit.
Assistant County Manager Lancaster said overall she felt good about the direction the Health Department was going in, that there were issues and concerns but they’re being addressed.

The above is not inclusive of every comment but is a summary.

(13-1357) REPORT ON COUNTY MANAGER RECRUITMENT PUBLIC FORUM (CHAIRMAN COTHAM)

Chairman Cotham informed the public that at its Special Meeting on September 24, 2013, the Board decided to hold a public forum at its October 15, 2013 regular meeting to give the public the opportunity to provide input on the desired qualities and qualifications for the next Mecklenburg County Manager.

CONSENT ITEMS

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1332) HAZARD MITIGATION PROGRAM -- FLOODPLAIN ACQUISITION

Accept the “Offer of Sale of Real Estate” from Edna H. Davis, owner of property at 5418 Kinsale Lane (Tax Parcel 099-116-07), for $53,000.

Note: This acquisition is a continuation of ongoing flood mitigation efforts which have resulted in over 250 buildings being removed from the floodplain.

(13-1341) HUMAN RESOURCES POLICY REVISION

Amend the Board’s Human Resources Policy to reflect changes made by the Local Government Employees’ Retirement System.

Note: The North Carolina Local Government Employees’ Retirement System (LGERS) recently provided clarification that any position requiring more than 1,000 hours in a 12-month period must participate in LGERS. The previous standard was 1,039 hours in a 12-month period. The County does not currently offer benefits to employees in temporary positions. The amendments to the Board’s human resources policy further clarify the classifications of full-time, part-time and temporary positions. These amendments allow the County to retain the current benefit plans for these positions while complying with the requirements of both LGERS and the Patient Protection and Affordable Care Act.

The amendment is recorded in full in Minute Book _____, Document #______.

(13-1344) MINUTES

Approve minutes of Regular Meeting held September 17, 2013.

(13-1359) BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES DISPLACED HOMEMAKER PROGRAM (REVENUE INCREASE)
OCTOBER 1, 2013

Recognize, receive and appropriate grant funds from the North Carolina Council for Women/Domestic Violence Commission for the New Beginnings Program in the amount of $40,000 from divorce filing fees.

Note: The New Beginnings Program provides training and support for displaced homemakers in their return to self-sufficiency.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1334) GRANT APPLICATIONS -- ARTS AND SCIENCE COUNCIL (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

1. Approve submitting an application for an Arts and Science Council Cultural Projects Grant; recognize, receive and appropriate grant funds (up to $5,000) if awarded.

Note: The grant application is based on a Teen 4-H Curriculum on Film Making scheduled over 12 weeks, to begin in January 2014, serving ages 13-17.

2. Approve submitting an application for an Arts and Science Council Cultural Festival Project Grant; recognize, receive and appropriate grant funds (up to $5,000) if awarded.

The grant award will be utilized to offer a lunchtime music program to begin in April 2014 serving all ages.

Commissioner Leake removed this item from Consent for clarity. Interim County Manager Shields and Park and Recreation Director Jim Garges addressed this matter.

(13-1338) LEASE AGREEMENT -- HISTORIC RURAL HILL

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt Resolution entitled: RESOLUTION APPROVING AMENDING THE LEASE FOR THE HISTORIC RURAL HILL PLANTATION.

Note: Historic Rural Hill, Inc. (formerly the Catawba Valley Scottish Society, Inc.) has a lease with the County for the Historic Rural Hill Plantation that requires that the property be used for events and activities associated with the Scottish heritage of many local residents. The lease was originally entered into in 1995 for an initial 20-year term, but with the right of the tenant to extend the lease for four additional periods of ten years each. Historic Rural Hill recently invested more than $600,000 in the construction of the Rural Hill Cultural Center. Historic Rural Hill, Inc. requested that the County amend the current lease to make the following changes:

1. Change the tenant’s name to Historic Rural Hill, Inc.,
2. Add a new paragraph to the lease allowing a leasehold deed of trust,
3. Add two (2) additional ten (10) year options to the lease.

The second requested change will allow Peoples Bank to secure its financing as required by bank regulatory requirements by placing a deed of trust just on the tenant’s leasehold estate. The third requested change will provide the tenant with a longer period of time to provide the public with the operations it will be conducting in the new Cultural Center.
OCTOBER 1, 2013

Commissioner Leake removed this item from Consent for more clarity. Interim County Manager Shields and Michael Kirschman with Park and Recreation addressed this matter.

Resolution recorded in full in Minute Book ______ Document # ________.

ADJOURNMENT

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:25 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
OCTOBER 15, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 15, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour Interim County Manager Bobbie Shields County Attorney Marvin Bethune Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1353, 13-1355, 13-1363, 13-1368, 13-1369, and 13-1380.

STAFF BRIEFINGS - NONE

(13-1377) CLOSED SESSION – CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and
Ridenhour voting yes, to go into Closed Session for the following purposes: Consult with Attorney.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 5:34 p.m.

Commissioner Bentley was not present when the Board came out of Closed Session. She left the meeting during Closed Session and returned shortly after the Board came out of Closed Session.

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

- FORMAL SESSION -

Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Bentley to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Note: Girls Scouts Troop 1737 lead the Pledge of Allegiance to the Flag.

AWARDS/RECOGNITION

(13-1350) VILLAGE HEARTBEAT COMMUNITY PARTNERSHIP – UNITED STATES DHHS REGION IV FAITH AND COMMUNITY HEALTH EXCELLENCE AWARD

The Board recognized and congratulated the Health Department's Village HeartBEAT Community Partnership for being selected to receive a Faith and Community Health Excellence Award from the United States Department of Health and Human Services on October 3, 2013.

Cheryl Emanuel, Health Manager with the County Health Department addressed the award and the Village HeartBEAT effort.

Karen Wallace, Annie Pagan, and Rev. J. E. Edwards on behalf of Village HeartBEAT Faith/Community Partners spoke in support of Village HeartBEAT and addressed the importance of staying fit. They encouraged the Board to continue to put emphasis on the importance of having good health. They commended Cheryl Emanuel for all of her efforts. They were joined at the podium by Betty Anderson.

Note: Faith and Community Health Excellence Award recipients were chosen based on the
demonstrated outcomes and impact their organizations are having on public health and the overall creativity and uniqueness of their approaches. Awards were distributed on the evening of October 3, 2013, the first day of the Tri Regional Faith and Community Health Summit, at the Denim & Diamonds Community Awards Reception hosted by the Georgia Diabetes Coalition (GDC).

(13-1361)  VISIONARY LEADERSHIP AWARD FOR MECKLENBURG COUNTY AIR QUALITY’S GRADE PROGRAM

The Board received information regarding Grants to Replace Aging Diesel Engines (GRADE) and recognized Mecklenburg County Air Quality staff for receiving the Southeast Diesel Collaborative (SEDC) Visionary Leadership Award.

Ebenezer Gujjarlapudi, Department Director, LUESA and Leslie Rhodes, Air Quality Division Director, LUESA addressed the award. They were joined at the podium by Alan Giles, Senior Environmental Specialist, Eric Moore, Environmental Specialist, Jennifer Fickler, Environmental Specialist, Jason Rayfield, Environmental Program Manager, and Megan Green, Environmental Program Manager. The following persons were not present but are a part of this team, Anne Bland, Senior Fiscal Analyst and Kelly Smith, Environmental Specialist.

Division Director Rhodes also acknowledged the support of retired Division Director Don Willard who was instrumental in implementing the GRADE program. She also thanked the Board for its continued support.

Note: The Mecklenburg County Air Quality GRADE Program received the Southeast Diesel Collaborative (SEDC) Visionary Leadership Award for:

- Successfully completing 193 retrofit and replacement projects during the five years since GRADE was launched in 2007 with an initial $500,000 investment by the Mecklenburg County Board of Commissioners
- Leveraging $4 million for projects, including U.S. EPA and Department of Transportation funding, to replace or retrofit construction, mining, forestry and airport equipment
- Implementing the first airline rebate program in the US, reducing more than 349 tons of nitrogen oxides from 66 pieces of ground support equipment at Charlotte-Douglas International Airport.

The award is presented annually for projects that best exemplify extraordinary leadership in promoting the goal of the SEDC. The SEDC is a public, private partnership formed by the U.S. Environmental Protection Agency Region 4 office in 2006 to improve air quality and public health by reducing emissions from existing diesel engines. SEDC believes it is critical that
organizations that are improving air quality in the region through superior practices and policies be recognized by their peers and promoted as examples of exceptional corporate environmental stewards. Nominated parties are judged on their effectiveness in meeting the SEDC's goal and objectives and the degree to which they display exemplary leadership and inspire others to step up their efforts to reduce diesel emissions.

(13-1375) PUBLIC APPEARANCE

The following persons appeared to speak during the Public Appearance portion of the meeting:

Ronnie Devine, local coordinator of the Do the Write Thing Essay Program introduced Jordan Albright the Do the Write Thing 2013 Essay Winner.

The Do the Write Thing Essay Challenge is an initiative of the National Campaign to Stop Violence. The program is designed to encourage middle school students to write about youth violence and drug abuse in their communities and suggest ways in which these problems can be resolved. Students are asked to answer three questions: How has youth violence and drug abuse affected my life? What are the causes of youth violence? What can I do about youth violence? The winner of the contest gets a trip to Washington, D.C. and their essay is submitted to the Library of Congress.

Jordan Albright, the Do the Write Thing 2013 Essay Winner is a 6th Grade student at Coulwood Middle School.

Jordan read his essay. He received a standing ovation from the Board and those present in the audience. His adoptive parents were also thanked for the difference they’ve made in Jordan’s life. Jordan said he was unable to stay with his biological mother because of her drug addiction problem and that he and his siblings were separated as a result of it.

Board members congratulated Jordan and encouraged him to continue down the positive path he had undertaken.

(13-1378) COUNTY MANAGER RECRUITMENT PUBLIC FORUM

The Board set aside time at tonight’s meeting to receive input from citizens on the desired qualities and qualifications for the next Mecklenburg County Manager, however, no one signed up to speak.
Human Resources Director Chris Peek said input would be accepted on-line through October 25, 2013 for persons desiring to address qualities and qualifications for the next Mecklenburg County Manager.

APPOINTMENTS

(NOMINATIONS/APPOINTMENTS)

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Martin Sanford to the Waste Management Advisory Board for a three-year term expiring October 30, 2016.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Patrick Darrow to the Waste Management Advisory Board as recommended by the Charlotte City Council for a three-year term expiring September 21, 2016.

Commissioner Leake nominated all applicants for appointment consideration to the Waste Management Advisory Board: Michael Bailey, Jimmy Hawk, Kenneth Morris, and Sasha Tomaszycki.

Note: An appointment will occur on November 5, 2013.

PUBLIC HEARINGS - 6:30 PM - NONE

ADVISORY COMMITTEE REPORTS

(CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE ANNUAL REPORT)

The Board received an annual report from the Charlotte-Mecklenburg Community Relations Committee (CRC). Patricia Albritton, Chair of the Committee and Willie Ratchford, CRC Executive Director gave the report. The following was covered:
• Vision
• Mission
• Fairness in Housing & Public Places
• Dispute Settlement / Mediation
• Training and Education
• Celebrations
• Community Dialogues
• CRC Partners
• Americans with Disabilities Act
• 2013 Accomplishments

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

Chairman Cotham thanked the presenters for the report.

MANAGER’S REPORT

(13-1395) UPDATE ON IMPACT OF FEDERAL GOVERNMENT SHUTDOWN

The Board received an update from Assistant County Manager Michelle Lancaster on the impact of the Federal Government shutdown on Mecklenburg County services. The following was noted:

- WIC applications have resumed and are being processed.
- Work First/Family Assistance applications can be accepted but can’t be processed at this time.
- As updates are received from the state, that information will be shared with the Board.

Comments

Commissioner James asked were there any other federal programs the Board needed to be concerned about. Assistant County Manager Lancaster said staff was taking its direction from the State. She said the only other program staff was asked to look at was the Child Care Subsidy Program, but at this point there was no indication the program would be closing. Assistant County Manager Lancaster stated that because of the way the program was budgeted, the County should be able to operate the program through November. Assistant County Manager Lancaster said the only two programs staff was most concerned about at this time was WIC and Work First/Family Assistance.
OCTOBER 15, 2013

Assistant County Manager Lancaster said she would check with other staff to see if there was anything else.

Interim County Manager Shields said staff did an analysis of federally funded programs and that if the federal government shut down continued, there could be some additional impact. He said staff would continue to monitor the situation.

Assistant County Manager Lancaster said the WIC Program was the only 100% federally funded program. It was noted that WIC had 79 employees.

Commissioner James said he would like to know the number of potential furloughed employees by area. Assistant County Manager Lancaster said the only group of employees that would be applicable to was WIC employees.

STAFF REPORTS & REQUESTS

(13-1307) PURCHASE AGREEMENT -- CODE ENFORCEMENT VEHICLES (LUESA)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to award and execute a unit price contract for the purchase of twenty-six 2014 Ford Escape SUVs for a total of $500,422 to the following lowest responsible bidder: Benson Ford, Easley, SC, $19,247 per unit.

Prior to the above vote, Karen Ewing with Charlotte-Mecklenburg Procurement Services addressed this item.

Commissioners Leake and Cotham said they questioned the award of the bid at the last meeting out of concern for local and in-state vendors.

(13-1370) LAND ACQUISITION -- COMPOST CENTRAL RELOCATION

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel #035-054-23 (+/- 50.824 acres) on Rozzellles Ferry Road from the Evangelical Christian Credit Union for $2,400,000 for relocation of the County's Compost Central Facility.
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to amend the US 521 Foxhole Landfill Phase 2/Compost Central/Recycling Centers Improvements Capital Project Ordinance.

Jacqueline McNeil with Asset and Facility Management presented this matter prior to the above vote.

*Ordinance recorded in full in Minute Book _____, Document #_______.*

**FINANCIAL POSITION OF MECKLINK**

Assistant County Manager Dena Diorio addressed the financial position of MeckLINK. The following was noted:

- On October 8, 2013 the Audit Review Committee received a presentation from staff regarding the accounting treatment of certain transactions at MeckLINK, specifically the start up loan, which was $8.4 million and whether the County should charge MeckLINK a management fee for administrative support received.

- The Committee was interested in the impact on the overall financial position and the impact on the financial performance metrics included in MeckLINK’s contract with the State Department of Health and Human Services. The expectation was that the County would be repaid all or a portion of the start-up costs as part of any merger with another managed care organization (MCO).

- The County funded the start-up costs for the new entity by appropriating $8.4 million from the General Fund to the MeckLINK Enterprise fund. The start-up costs were treated as an inter-fund transfer of cash with the intent that over time the amount would be repaid. The inter-fund transfer of cash was an appropriate accounting treatment of this transaction.

- It’s not a requirement that the $8.4 million be booked as a loan but it can be. The question for the County was whether it expects to receive those funds back or will it be an inter-fund transfer of cash with no expectation of receiving that money back.

- MeckLINK receives services from other County departments including, but not limited to, Financial Services, Human Resources and Asset and Facilities Management for which it does not pay for. $996,000 per year is the approximate costs. The question for the
OCTOBER 15, 2013

The County was whether it should charge MeckLINK a management fee or should it be treated as an in-kind contribution to MeckLINK, basically a subsidy to support the operation.

- If the County records the loan on the balance sheet it would bring MeckLINK into a position of “negative equity,” meaning its liability exceeds its assets. This was not a position that any organization wants to be in.

- Charging the management fee doesn’t throw it into a “negative” position but it does “weaken” the financial position somewhat, because the net income is affected if you start to charge those administrative costs to the organization.

- Overall staff felt that charging those transactions in a different way would actually weaken the financial position of MeckLINK.

- Staff reviewed the three metrics, that the State looked at monthly. If MeckLINK wasn’t in compliance, the State could cancel the County’s contract. The three metrics were 1) the defense interval, 2) the current ratio, and 3) total expenses. Staff found that MeckLINK was not in compliance with the defense interval whether the management fee was booked or not; MeckLINK would not be in compliance with the current ratio if the management fee was booked; with respect to the total expenses, MeckLINK was not in compliance for August thru September if the management fee was booked.

- In light of all these factors, the recommendation of the Audit Review Committee to the full Board was to not record the $8.4 million of start-up costs as a loan and not to charge MeckLINK a management fee of approximately $996,000 per year for administrative costs.

- The concern was that the State could cancel the County’s contract if it continued to operate in a non-compliance state. Secondly, this could hurt the County’s position in discussions about the future of MeckLINK.

Comments

Commissioner James said he didn’t really care if it got recorded on the Schedule W or not, but he was concerned that it was an obligation that MeckLINK owed Mecklenburg County.

Assistant County Manager Diorio said even though it’s recorded as an inter-fund transfer of cash that would not prohibit MeckLINK from repaying that cash back over a period of time as it had the ability to do so. Assistant County Manager Diorio said the problem was “that of time.”
Commissioner James said because there wasn’t enough time for things to stabilize for MeckLINK, such that they would be able to repay the County, it puts the County in the position of either not recording the obligation with the hopes of collecting over a period of time or recording it and “messing up” the Schedule W.

Commissioner James said he wanted to make sure the minutes reflected that MeckLINK had an obligation to the County and owed the County money.

Assistant County Manager Diorio said the Board Action presented to the Board when asking for the appropriation treated it as a loan.

Commissioner James said not recording it on the Schedule W could be reviewed by the State as “dishonest.”

Commissioner James said he was a little “conflicted” because the County said it was a loan but wasn’t recording as such. Commissioner James said he was concerned reports were going to the State without any notation about it. Commissioner James said he wondered if the State would use that against the County in future dealings.

Assistant County Manager Diorio said she didn’t anticipate that the State would use that against the County. She said the County reserved the right to change the accounting treatment of those dollars as long as it’s consistent and complies with GAP and it does.

Assistant County Manager Diorio said the concern was that if it’s recorded as a loan, it would trip some of the metrics and the State could come in and cancel the contract. She said that would put the County in more “precarious” position.

Assistant County Manager Diorio said not recording it as a loan was not being dishonest because it was being treated from an accounting perspective in an appropriate way.

Commissioner James said not recording it as a loan just made it look better, even though it was a loan.

Commissioner Dunlap said if the County was in a “negative” position with the State, then the State could cancel the MeckLINK contract and award it to whomever they wanted. He said if that occurred the County would not be in a position to negotiate “anything.”

Commissioner Dunlap said this would create the potential for the County to not only losing $8+ million but also losing the cost for administration.
Commissioner Dunlap said the County was at the point of deciding 1) whether it wanted to be in a position of having the State come in and decide that MeckLINK was out of compliance and give it to anyone or 2) the County wanted to remain in compliance and thus have some leverage or negotiating power when deciding who the County wanted to award MeckLINK to.

Commissioner Bentley said the goal was to put the Board and the County in the best possible negotiating position.

Commissioner Bentley said the County’s leverage was Mecklenburg County’s population size and those served.

Commissioner Dunlap asked what would happen when MeckLINK was dissolved and all bills were paid. Assistant County Manager Diorio said currently there was a requirement that the County maintain a 2% risk reserve in a separate fund that’s an interest bearing account. She said in the event the contract was dissolved and the County was no longer in business, to the extent that its liabilities had been covered, the County would get to keep that risk reserve.

Assistant County Manager Diorio said the County may not recoup the $8.4 million regardless of how it’s recorded.

Commissioner Bentley read the following statement from Cardinal’s RFI response, which she viewed as a little “double speak” on the part of Cardinal. “Cardinal Innovations would assume responsibility for services and obligations as of and after the date operations are transferred. Cardinal Innovations does not currently expect to assume the prior liabilities of MeckLINK, however, we appreciate that Mecklenburg County wishes to recover its advances made through loans to MeckLINK and we are open to discuss this issue.”

Commissioner Clarke suggested when staff submits the form to the State that a cover letter be included each time that would state 1) “we want to remind you that we have recorded on our books $8.4 million inter-fund transfer of cash, 2) we are providing services to MeckLINK and we estimate the services we’re providing to be approximately $996,000 per year.

Commissioner Clarke said this way there would be complete disclosure.

Note: The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner James voting no, to approve the recommendation of the Audit Review Committee not to record the $8.4 million of start-up costs for MeckLINK as a loan and
not to charge MeckLINK a management fee of approximately $996,000 per year for administrative costs.

**MECKLINK TRANSITION UPDATE**

Assistant County Manager Michelle Lancaster gave an update on the MeckLINK transition process, including a recommendation regarding the future direction of Mecklenburg County’s Medicaid Managed Care Services. The following was noted:

- Per the Board’s authorization a Request for Information (RFI) was issued to Partners Behavioral Health, Alliance Behavioral Health, and Cardinal Innovations in order to determine whether a Mecklenburg County MeckLINK relationship with any of these entities would be viable
- Only Cardinal Innovations responded
- Although Cardinal responded, they made no commitment to compensate the County for any of its investment
- Cardinal made it clear that any relationship between Cardinal and MeckLINK would not be a merger, but rather Cardinal assuming MeckLINK’s subscriber base
- Cardinal allowed only the appointment of one member to their board through a smaller community advisory board

Assistant County Manager Lancaster said per Senate Bill 208, the Board would not be able to provide the governance under the model the County was currently governed under. She said a separate mental health authority would be needed, whether single county or multi-county and it would have to be done by April 1, 2014.

Options available to the County:

1) Maximum County control or involvement through a single county area mental health authority, which was probably not the most viable option per feedback received from the State. However, a single county area authority board would be appointed by the Board and would govern MeckLINK. It could contract various components of MeckLINK or all components to another managed care organization.

2) The Board could decide to tell the State that delivery of public mental health services was a state issue and not a local issue and that Mecklenburg County would no longer participate as a managed care organization. The State would be free to assign Mecklenburg County Medicaid subscribers elsewhere to another managed care organization.

3) (Staff’s recommendation) Direct staff to work with representatives of the State Department of Health and Human Services (DHHS) to identify the appropriate governance and operating structure of publicly managed behavioral health care in
Mecklenburg County. This would result in providing a recommendation to the Board at a later date regarding the specific components of a transition plan for MeckLINK that doesn’t result in a full merger. DHHS has expressed to staff verbally their willingness to work with staff on this concept. Per a conversation with Cardinal Innovations CEO, they expressed a willingness to be open to discuss a relationship short of a full merger.

Assistant County Manager Lancaster said she had two goals, 1) this recommendation would give the Board time to see what happens with Medicaid in the state, 2) the belief was that what’s important to the Board was the role the Board played in governance and this would give the Board more control, short of a single county.

Commissioner Bentley asked about staff’s thinking in terms of a timeframe for getting this done. Assistant County Manager Lancaster said it would have to be “rapid,” but that staff could come back with a full timeline.

The following persons spoke in support of MeckLINK and the County being a single county authority (MCO): Beverly Corpening, Jane Wallwork, and Gina Robins, each of whom has a child with a disability and served by MeckLINK. They also spoke in support of Assistant County Manager Lancaster’s recommendation.

Ms. Robins also spoke in opposition to Cardinal Innovations and addressed their track record with respect to providing services. Ms. Robins said in 2012 a federal district court found that Cardinal Innovations Healthcare Solutions was “systematically denying due process” when certifying clients.

Darren DuBose, an employee of MeckLINK spoke on behalf of other employees and asked the Board to remember MeckLINK employees as it goes through this process. Mr. DuBose said he didn’t recall there being any discussion regarding the impact of these changes on employees. He said their jobs were “hanging in the balance.” Mr. DuBose said employees needed more assurance with respect to keeping their jobs. He said Cardinals RFI response did not give that assurance to the 200 employees of MeckLINK. He encouraged the Board to support the recommendation suggested by Assistant County Manager Lancaster.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller to direct the Chairman to appoint an ad hoc committee to orchestrate, as best possible, the recommendations made by staff (Assistant County Manager Lancaster) by reviewing those recommendations and reporting back to the full Board with a recommendation with respect to MeckLINK and its staff. The ad hoc committee would report back at the next Regular meeting of the Board. The recommendation by Assistant County Manager Lancaster was to direct staff to work with representatives of the state Department of Health and Human Services (DHHS) to identify the appropriate governance and operating structure of publicly managed behavioral
health care in Mecklenburg County. This would result in providing a recommendation to the Board regarding the specific components of a transition plan for MeckLINK that does not result in a full merger.

Commissioner Leake informed Mr. DuBose that the Board had been and still was concerned about the employees of MeckLINK. She said that concern had been expressed publicly.

Commissioner Bentley asked for clarity on the ad hoc committee’s role.

Commissioner Leake said the committee would review Assistant County Manager Lancaster’s recommendation and report back to the full Board on the committee’s endorsement or non-endorsement of staff’s recommendation.

Commissioner Bentley said for clarity purposes based on what was stated, the committee’s core function would be to look at the governance structure and transition plan.

Assistant County Manager Lancaster said that was correct.

Commissioner Bentley said she hoped the development of an ad hoc committee would not slow things up.

Commissioner Fuller spoke in support of having an ad hoc committee because of the complexity of this issue.

Commissioner Ridenhour expressed apprehension regarding the State’s acceptance of anything the County may come up with.

Commissioner Ridenhour asked would this committee be an on-going committee to deal with this particular matter and any future matters with respect to MeckLINK.

Commissioner Leake said her intent was for the committee to deal with the recommendation of Assistant County Manager Lancaster.

Commissioner Bentley said she was not opposed to forming a committee.

Commissioner Bentley requested that in addition to Assistant County Manager Lancaster’s regular contacts at the state DHHS, that Representative Dollar, the Secretary of DHHS, and Pam Shipman be asked to come down and address this issue with the County. Commissioner Bentley said she felt the County was getting “piecemeal” responses.
Commissioner Bentley said the County had no idea what the State’s “end game” was. She said the County deserved answers, so it could plan appropriately.

Assistant County Manager Lancaster said she would make that request of the Secretary and of Representative Dollar.

Commissioner Dunlap said he felt what the Board wanted was to fully explore all of the options and he supports forming a committee.

Commissioner Dunlap said if the allegations noted by one of the speakers were true that had been alleged in lawsuits involving Cardinal and their treatment of customers, then the Board needed to be concerned. Commissioner Dunlap said per what was shared the courts found those allegations against Cardinal to be true.

Commissioner Dunlap said from the beginning staff said there were three groups of people that the Board needed to be concerned about, consumers, providers, and employees.

Commissioner Dunlap said he had some concerns about what the outcome might be, but felt the Board needed to have “once and for all,” all the answers on the table, so that the Board could make an “intelligent” decision as to how to move forward.

Commissioner James said he felt this was a “dead” issue and therefore he could not support establishing a committee. Commissioner James said he would not vote to form an authority, because the County would have to finance an authority at an estimated cost of $5-$7 million. Commissioner James said he could not support investing $5 - $7 million into MeckLINK and to then have the State take MeckLINK “anyway.”

Commissioner James said it’s not the County’s decision but rather it’s the State’s.

Commissioner James said he would not vote 1) to form an authority, 2) to invest taxpayer money to form an authority, and 3) he would negotiate with whatever entity the State wishes.

Commissioner James said for some reason the State wanted Mecklenburg County to merge with Cardinal.

Commissioner James said the “reality” was that the state was telling Mecklenburg County what to do. Commissioner James said the County was not going to be able to “fix this” and that everyone needed to “come to grips” with that.

Commissioner Fuller acknowledged Commissioner James’ comments but said there were still things that had to be done with respect to the future of MeckLINK.
Chairman Cotham noted to the public that it’s the State “pulling the rug” from under the County. She said the County had tried many things and that this was a complicated matter.

Commissioner Fuller offered a friendly amendment to the motion, to have the committee also consider transition issues. Commissioner Fuller said he suggested this in the event, it’s determined that the recommendation of Assistant County Manager Lancaster didn’t work. He said there would still be transition issues to be discussed.

Commissioner Leake accepted the friendly amendment.

The vote was then taken on the motion as amended and noted below.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner James voting no, to direct the Chairman to appoint an ad hoc committee to orchestrate, as best as possible, the recommendations made by staff (Assistant County Manager Lancaster) by reviewing those recommendations and reporting back to the full Board with a recommendation with respect to MeckLINK and its staff. The ad hoc committee would report back at the next Regular meeting of the Board. The recommendation by Assistant County Manager Lancaster was to direct staff to work with representatives of the state Department of Health and Human Services (DHHS) to identify the appropriate governance and operating structure of publicly managed behavioral health care in Mecklenburg County. This would result in providing a recommendation to the Board regarding the specific components of a transition plan for MeckLINK that does not result in a full merger. Secondly, that the committee also consider transition issues.

(13-1382) ICMA ANNUAL CONFERENCE

The Board received a report on the County staff that attended the ICMA (International City County Management Association) Conference in September. Assistant County Manager Lancaster gave the report.

It was noted that on September 22-25, 2013, staff from Mecklenburg County attended the International City County Management Association (ICMA) Annual Conference in Boston, Massachusetts. Staff attending the Conference were Assistant County Managers Michelle Lancaster (who serves as the Co-Chair of the 100th Annual Conference to be held in Charlotte-Mecklenburg in 2014), John McGillicuddy, and Dena Diorio, HR Director Chris Peek, OMB Director Hyong Yi, Citizen Involvement Coordinator Sophia Hollingsworth, County Manager’s Office Business Manager Nyki Hardy, Assistant to the Board Amber Snowden, Assistants to the
OCTOBER 15, 2013

County Manager Janet Payne and Carol Hickey, and BSSA Business Manager Rebecca Herbert. During the Conference, staff attended educational sessions on various topics to increase and enhance knowledge, skills and abilities in public service and local government management. Staff also attended a planning session and "pass the torch" meeting to learn from the experiences of the Host Committee in Boston and prepare to host the 100th ICMA Annual Conference in Charlotte-Mecklenburg in 2014.

A video welcoming the 100th ICMA Annual Conference featuring Interim County Manager Shields and Charlotte City Manager Ron Carlee was shared.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1329) RESOLUTION -- MEDICAID COVERAGE (COMMISSIONER CLARKE)

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 6-3 with Commissioners, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley, James, and Ridenhour voting no, to adopt a Resolution asking the NC General Assembly to reconsider its decision not to expand Medicaid coverage under the Affordable Care Act to provide coverage for poor and low-income adults up to 138 percent of the poverty line ($26,951 for a family of three).

Note: Commissioner Clarke presented this matter to the Board.

Prior to the above vote the following persons spoke in support of the resolution: Dr. Jessica Schorr, Dr. Donald Jonas, Nancy Hudson, John Clark, Joe Segal, and Keith Wilson.

Mecklenburg County
Board of Commissioners

Resolution Urging the North Carolina General Assembly to reconsider its decision not to expand Medicaid coverage under the Affordable Care Act to provide coverage for poor and low-income adults

WHEREAS, there are an estimated 17.5 percent of Mecklenburg County residents (approximately 175,000 people) who are uninsured; and

WHEREAS, the Patient Protection and Affordable Care Act (the “ACA”) provides health insurance coverage for poor and low-income adults by expanding Medicaid to 138 percent of the poverty line ($26,951 for a family of three); and

WHEREAS, the federal government would pay nearly all of the expansion costs – 93 percent over the first nine years (2014-2022) according to estimates prepared by the bipartisan
Congressional Budget Office; and

WHEREAS, the expansion of Medicaid would provide health insurance coverage to nearly 500,000 low-income residents of North Carolina and enable the State of North Carolina and counties and municipalities to save substantial sums on uncompensated medical care for the uninsured; and

WHEREAS, the expansion of Medicaid would bring billions in federal funds to the State and Mecklenburg County over a period of ten years and create many new jobs in the health care sector in Mecklenburg County and elsewhere in the State; and

WHEREAS, the 2012 Supreme Court Decision upholding the ACA modified the ACA and gave states the choice of whether to expand their Medicaid programs; and

WHEREAS, the North Carolina General Assembly in February 2013 with the support of Governor McCrory adopted legislation refusing to expand Medicaid coverage under the ACA joining a number of other states – mainly those with Republican Governors or Republican- controlled legislatures – that have refused to expand coverage for poor and low-income adults; and

WHEREAS, the Republican controlled legislature in the State of Michigan, which has the nation’s 10th-largest uninsured population, has recently accepted the expansion of Medicaid coverage under ACA following the leadership of Republican Governor Snyder, a former businessman in his first term, who concluded the expansion would ultimately save money, control medical costs and help that state’s economy; and

WHEREAS, in the State of Arizona, despite vehement opposition from many legislators who are members of her own political party, Republican Governor Jan Brewer led the successful effort to expand Medicaid coverage under ACA for poor and low-income adults living in that State; and

WHEREAS, in the State of Florida, Republican Governor Rick Scott has tried but been thwarted in his efforts to expand Medicaid coverage under the ACA to poor and low-income residents of that State by a recalcitrant state legislature; and

WHEREAS, under the ACA residents of North Carolina who have incomes from the poverty level up to four times that amount can get federal tax credits to subsidize the purchase of private health insurance, but many below the poverty level will be unable to get tax credits, Medicaid or any other assistance with health insurance coverage; and

WHEREAS, health insurance coverage rates for employers and individuals purchasing private health insurance coverage in North Carolina will likely be higher because hospitals and health care providers throughout the State will be absorbing the unreimbursed costs of providing health care to the uninsured poor and low-income adults who would otherwise be eligible for Medicaid coverage and shifting those costs to private pay patients; and

WHEREAS, the Mecklenburg Board of County Commissioners believes all residents should
have access to quality, affordable health coverage and that expansion of Medicaid coverage under the ACA is a responsible means of achieving that desired goal;

THEREFORE, BE IT RESOLVED THAT:

The Board of County Commissioners of Mecklenburg County does hereby urge the Governor of North Carolina to call the North Carolina General Assembly back into special session to reconsider its previous decision and to take prompt action under the ACA to provide coverage for all poor and low-income adults by expanding Medicaid coverage; and

The Chairman of the Board of County Commissioners be, and she hereby is, authorized and directed to send promptly following its adoption a copy of this resolution to Governor McCrory and each member of the North Carolina General Assembly delegation representing residents of Mecklenburg County.

Resolution recorded in full in Minute Book _______ Document # _________.

(13-1347) FACILITY NAMING POLICY -- MECKLENBURG COUNTY COURTHOUSE NAMING (CHAIRMAN COTHAM)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 5-4 with Commissioners Cotham, Dunlap, Fuller, James, and Leake voting yes and Commissioners Bentley, Clarke, Ratliff, and Ridenhour voting no, to amend the Mecklenburg County Facility Naming Policy to remove the Mecklenburg County Courthouse as an exclusion from the policy.

Prior to the above vote:

Chairman Cotham presented this matter to the Board for consideration.

At the request of Chairman Cotham, County Attorney Bethune explained the proposed language change in the County’s Facility Naming Policy. He also went over the process for proceeding with renaming the Mecklenburg County Courthouse, if the proposed language changed was approved.

Chairman Cotham said to her knowledge there was no law prohibiting a county from naming its courthouse something other than the name of the said county.

Chairman Cotham said if Mecklenburg County was to change the name of its courthouse to something other than the Mecklenburg County Courthouse, it would be the first in the state to do so. Chairman Cotham said the words Mecklenburg County Courthouse would not be removed from the existing granite.
Chase Saunders, an attorney and a former judge, spoke in opposition of removing the Mecklenburg County Courthouse as an exclusion in the County’s Facility Naming Policy. Mr. Saunders said naming a courthouse after an individual raises the question of “who among us is the best for purposes of being remembered for some period of time.”

The Honorable Judge Richard Boner suggested a courtroom be named after the late Attorney Julius Chambers in honor of his contributions to the state of N.C and to the nation. He suggested Courtroom 5370, the largest courtroom in the Courthouse. Judge Boner said a portrait and a plaque could be displayed of Attorney Chambers. Judge Boner noted that years ago he appeared and asked the Board at that time to name courtrooms after the late Judge William H. Scarborough and Judge Frank W. Snepp, Jr. which the Board approved doing.

Judge Boner said he would be happy to take Board members on a guided tour of courtroom 5370, as well as, suggest and provide feedback on where he thought it would be most appropriate to display a portrait and plaque of the late Attorney Julius Chambers.

Judge Boner said he was not arguing against renaming the courthouse but was proposing an alternative that he felt would be much more appropriate.

Attorney James Ferguson spoke in support of removing the Mecklenburg County Courthouse as an exclusion in the County’s Facility Naming Policy. He encouraged the Board to “take advantage of a unique opportunity to recognize the importance of the principles of equal justice, simple justice, of equality under the law by naming the primary courthouse in Mecklenburg County after a man whose life, whose career, and whose commitment, symbolizes more than any other lawyer from this county.” Attorney Ferguson said that would include all of those names that had been mentioned. He said “none of them have symbolized justice in the way that Julius Chambers has.” Attorney Ferguson said it would be a tribute to recognize not only Attorney Chambers, but a public tribute and recognition to show a measure of how this county views justice and equality. Attorney Ferguson said Attorney Chambers work was “transformative” for this community, the state, and the nation.

Commissioner Ratliff said she was supportive of naming something after the late Attorney Julius Chambers but not supportive of changing the current language in the Facility Naming Policy as it relates to the Mecklenburg County Courthouse. Commissioner Ratliff said the change may or may not result in the courthouse being named after Attorney Chambers. Commissioner Ratliff said she would like to see something done to honor Attorney Chambers that would be more permanent and less subject to change.

Commissioner Bentley said she would like to see the Board have a unanimous vote with respect to naming something in honor of Attorney Chambers but in order for that to happen
OCTOBER 15, 2013

an alternative was needed. Commissioner Bentley said other suggestions had been made by persons, including, a suggestion by Commissioner Clarke at the last meeting. Commissioner Clarke suggested a bust or a full statue of Attorney Julius Chambers in the courthouse.

Commissioner Bentley said she felt a bust, statue, or a courtroom honoring Attorney Julius Chambers would be something more sustainable.

Chairman Cotham clarified that the matter before the Board, at this time, was consideration to change the language in the current policy to remove the Mecklenburg County courthouse as an exclusion to the policy. Chairman Cotham said any proposal to name the courthouse something else would come before the Board at a later date.

Commissioner Dunlap said he would support the motion but would not get into any discussion with respect to changing the name of the courthouse. Commissioner Dunlap said he was concern like Commissioner Ratliff that changing the language would not mean the courthouse would be renamed as the Chairman planned to propose at a later date. Commissioner Dunlap said he would be saddened if the current Board renamed the courthouse and a subsequent board later decided to change the name.

Commissioner Dunlap said he was supporting the motion because no board can make a rule that requires a future board to act a particular way.

Commissioner Clarke said he had great respect for Attorney Julius Chambers, his work and his accomplishments. Commissioner Clarke said although the matter before the Board was not about naming the courthouse after Attorney Julius Chambers, that was why Chairman Cotham brought this matter before the Board.

Commissioner Clarke said if the decision was made to rename the Mecklenburg County courthouse, the Board would miss the opportunity to recommend the proposed new federal courthouse be named in honor of Attorney Julius Chambers. Commissioner Clarke said having the federal courthouse named after Attorney Julius Chambers was more appropriate because that’s where the landmark civil rights case was won.

Commissioner Clarke said his opinion had not changed since 2009 when the policy was amended to include the Mecklenburg County Courthouse as an exclusion to the Facility Naming policy, that the courthouse should be named the Mecklenburg County Courthouse in perpetuity and not named after anyone.

Commissioner Fuller said he agreed with Commissioner Dunlap that it’s not “good” policy for one board to set forth the activities of a future board.
OCTOBER 15, 2013
Commissioner Fuller said the language in the current Facility Naming Policy should be changed because to say something can’t be changed in perpetuity was not correct.

Policy recorded in full in Minute Book _____, Document # _______.

(13-1383) AUDITED FINANCIAL STATEMENT REQUIREMENT – HUMAN SERVICES DEPARTMENTS (COMMISSIONER FULLER)

Commissioner Fuller noted that several providers had expressed the belief that it was unfair and excessively costly for them for the County to require that an organization with revenue exceeding $100,000 must have an audited financial statement completed by a CPA in order to contract with any of Mecklenburg County’s Human Services Agency departments.

Commissioner Fuller said per that concern by providers, he felt the Board needed to discuss the requirement.

Mark Brown with Melange Health Solutions spoke in opposition to the requirement. Mr. Brown shared a handout regarding Mélange’s Statement of Financial Capacity. He also shared a letter from The Right Choice. He said what’s impacting and “threatening” the financial stability of their organization was the fact that MeckLINK owed them money, over $44,000 and not because in December of 2012 “a team of CPA’s” didn’t audit their books. Mr. Brown said his organization was contracted with other MCO’s across the state and none have this type of requirement.

A copy the handouts are on file with the Clerk to the Board.

Comments

Commissioner James said the audit requirement was vetted by the Audit Review Committee and it was felt that the requirement was reasonable. He addressed what initiated this discussion with the Audit Review Committee and noted the County’s past history with the organization Open Door.

Commissioner Leake asked about the statement made by Mr. Brown that MeckLINK owed his organization $44,000. Assistant County Manager Diorio said staff was not in agreement with Melange that it was owed any funds. She said everything should be current.

Assistant County Manager Lancaster said staff met with Mr. Brown and his staff and would be doing so again this week. Assistant County Manager Lancaster said staff looked at the claims that Mr. Brown contested and that the parties were not in agreement.
OCTOBER 15, 2013

Assistant County Manager Lancaster said they were paid current and had been paid over $1 million since MeckLINK went live in March for services rendered.

Commissioner Leake asked would the Board be informed that the matter referenced by Mr. Brown was taken care of. Assistant County Manager Lancaster said yes.

Commissioner Dunlap spoke in support of the requirement and explained why.

Commissioner Fuller asked was it known how many providers were not in compliance.

Assistant County Manager Diorio clarified that the requirement did not effect providers who were working at MeckLINK and received Medicaid money. Assistant County Manager Diorio said the County was not allowed to force the requirement on the Medicaid side. She said the requirement only applied if the provider accepted county or state money.

Assistant County Manager Diorio said the $100,000 threshold was actually put in place to make sure the County exempted individual licensed practitioners. She said the County did not want to place a burden on individual licensed practitioners.

Assistant County Manager Diorio said in terms of compliance there were 91 providers that had submitted audited financial statements, 48 providers that have submitted letters of intent. It was noted that letters of intent were only accepted from a CPA.

Assistant County Manager Diorio said staff was tracking the status of those working with CPA’s.

Commissioner Fuller asked were there providers who had not responded. Assistant County Manager Diorio said there were four, two of whom had ignored all of the County’s attempts and two that were just discovered that staff needed to reach out to.

(13-1384) HUMAN RESOURCES POLICY REVISION -- EQUAL EMPLOYMENT OPPORTUNITY NONDISCRIMINATION (COMMISSIONER RATLIFF)

Motion was made by Commissioner Ratliff, seconded by Commissioner Dunlap and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners Bentley, James, and Ridenhour voting no, to amend the Equal Employment Opportunity Section of the County’s Human Resources Policy to include language regarding nondiscrimination based on gender identity that would read as follows: political affiliation, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior.
EQUAL EMPLOYMENT OPPORTUNITY

Mecklenburg County will not engage in unlawful discrimination with respect to all aspects of County employment policy and practice including with respect to race, color, religion, sex, national origin, handicap, age, political affiliation, or on the basis of actual or perceived gender as expressed through dress, appearance, or behavior. In addition, the County will not engage in discrimination on the basis of sexual orientation with respect to all aspects of County employment policy and practice. Sexual orientation means heterosexuality, bisexuality or homosexuality. Adoption of this policy does not constitute approval or expansion of any County benefits beyond those which are expressly provided by the Board of County Commissioners at the date of adoption of this resolution. The County Manager shall adopt policies and procedures to ensure greater utilization of all persons protected by Article 6 of Chapter 126 of the General Statutes of North Carolina.

Prior to the above vote:

Scott Bishop, Chair of Mecklenburg Lesbian, Gay, Bi-Sexual and Transgender Political Action Committee spoke in support of the policy amendment. He thanked Commissioner Ratliff for bringing this matter to the attention of the Board, as well as, co-sponsors Commissioners Dunlap and Fuller.

Commissioner Leake asked for the definition of transgender and how was the County discriminating.

Commissioner Ratliff said the County was not discriminating. She said the request was being made in order to update the County’s current policy to be inclusive of everyone.

Commissioner Ratliff defined transgender as someone who was in between and possibly on the list to have a sex change.

Commissioner Bentley asked in light of the following statement that was included in the agenda material, did this not accomplish what Commissioner Ratliff was wanting: “An employer who discriminates against an employee or applicant on the basis of the person’s gender identity is violating the prohibition on sex discrimination contained in Title VII of the Civil Rights Act of 1964, according to an opinion issued on April 20 by the Equal Employment Opportunity Commission (EEOC).”

Commissioner Ratliff said it did from a federal stand point and that the request was just to update the language in the County’s policy.

Commissioner Bentley said the County had to comply with federal law in its hiring practices, therefore, the request to amend the County’s policy was somewhat “redundant.”
Commissioner Ratliff said it was redundant somewhat.

Commissioner James spoke in opposition. Commissioner James said if you made this a “protective class” of individuals then that meant you had to provide “reasonable accommodations.” He used restrooms as an example.

Commissioner Ratliff said this request was “all about equality.” She said in order for Mecklenburg County to remain competitive in its hiring “locally and globally, we must send a signal that we are as welcome as any other organization for all applicants, whether they be gay, straight, bi-sexual, trans-sexual or transgender.”

Commissioner Ridenhour suggested a simpler statement such as “we will not discriminate against any person for any reason.”

Amended section of the policy recorded in full in Minute Book ______, Document # _______.

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

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1333) TAX REFUNDS

1. Approve refunds in the amount of $614.60 for registered motor vehicles as statutorily required to be paid as requested by the Assessor resulting from clerical errors, value changes and appeals processed in the new statewide Vehicle Tax System.

2. Approve refunds in the amount of $179,710.08 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be 14,834.92.

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

(13-1352) EASEMENT CONVEYANCE -- TRIMURTI TEMPLE DEVASTHANAM
Grant a temporary slope easement of ±11,373 square feet to Trimurti Temple Devasthanam at Hornets Nest Park (tax parcel 037-101-01). 

*Note:* Trimurti Temple Devasthanam is developing a single-family neighborhood immediately north of Hornets Nest Park off Beatties Ford Road. To construct the road improvements required by the City of Charlotte that will serve the new development, a temporary slope easement is needed from the County on park property to enable grading. There will be no permanent facilities located within the temporary slope easement, and there are no proposed impacts to any of the existing trees on the park property. The developer is paying $429.96 for the temporary easement for one year.

**(13-1358) LINCREST PLACE DONATION -- MCMULLEN CREEK GREENWAY**

Accept the donation of Tax Parcel 185-071-01 (±.8905 acres) along McMullen Creek for future greenway trail construction.

*Note:* The subject parcel is located in southeast Charlotte in the neighborhood of Sherwood Forrest. The property owners, Hank and Lucy Dickens, wish to donate the property (±.8905 acres) to the County to be incorporated into the McMullen Creek Greenway system. The property is located entirely in the floodplain.

**(13-1360) CAPITAL RESERVE REQUEST -- AQUATIC FACILITIES**

Appropriate the expenditure of $31,000 from the Consolidated Aquatic Capital Reserve Fund to purchase starting blocks and lane lines for the Mecklenburg County Aquatic Center.

**(13-1365) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS**

1. Accept the “Offer of Sale of Real Estate” from A. Lauren Watkins Finnison and husband Christopher M. Finnison, owners of property at 3029 Dunlavin Way (Tax Parcel 093-134-06) for $145,000

2. Accept the “Offer of Sale of Real Estate” from Amanda Wilson and husband Charles Andrew Konia, III, owners of property at 3117 Dunlavin Way (Tax Parcel 093-134-12) for $117,000

*Note:* These acquisitions represent a continuation of buyouts using FY14 Flood Mitigation Capital Funds of properties identified in the Flood Risk Assessment and Risk Reduction Plan (Plan).
Approve minutes of Regular meeting held Tuesday, October 1, 2013

(13-1385) GRANT APPLICATION -- OUTDOOR NATION MERRELL PACK PROJECT ACTIVATION GRANT

Approve submission of a $2,500 Outdoor Nation Merrell Pack Project Activation Grant application, and recognize, receive and appropriate grant funds if awarded.

Note: This grant will fund all needed equipment for a new Therapeutic Recreation Geocaching Program for young adults who have both physical and intellectual disabilities.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

____________________

(13-1353) JOINT VENTURE BETWEEN CITY OF RALEIGH AND MECKLENBURG COUNTY

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to authorize agreement of Statement of Work (SOW) RG-01 between the City of Raleigh and Mecklenburg County supporting a jointly developed Residential Reciprocal Review program.

Note: The City of Raleigh and Mecklenburg County have jointly developed a Residential Reciprocal Review Program, wherein residential homebuilders from either jurisdiction may submit residential master plan drawing sets for review and approval. Once approved in one jurisdiction, the master plan may be used to gain building permits in both jurisdictions. All drawing submittal review, approval and hosting is electronic, using a customer program jointly developed by the City and County. Once approved, drawings are archived for a minimum of seven years. All drawings submittal, review access and archive access is web based, using E-Plan-NC. This Project will begin on July 1, 2013, and continue on an annual basis, subject to termination. Either party may terminate the agreement, provided they notify the other party in writing twelve months in advance.

Commissioner Fuller removed this item from the agenda for more clarity. Code Enforcement
Director Jim Bartl addressed this item.

(13-1355) BUDGET AMENDMENT -- DSS (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY14 Budget to decrease certain revenues, and recognize, receive and appropriate other revenues to align the FY14 DSS budget with the funding authorizations issued.

A. Adult Day Care: decrease ($8,052) federal revenue and increase $18,452 state revenue

B. Centralina Council of Government (CCOG) Family Caregiver Support: decrease ($21,383) state revenue

C. Centralina Council of Government (CCOG) Project Care: decrease ($42,761) state revenue

D. Home and Community Care Block Grant (HCCBG): decrease ($30,024) federal revenue

E. Social Services Block Grant (SSBG): increase $201,668 federal revenue and decrease ($30,858) state revenue

F. State In-Home: decrease ($2,152) federal revenue

Commissioner Leake removed this item from the agenda for more public awareness.

(13-1363) BUDGET AMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate additional State funds in the amount of $312,252 for funding on a one-time basis for group homes in Mecklenburg County catchment area.

Commissioner Leake removed this item from the agenda for more public awareness.

(13-1368) PURCHASE AGREEMENT -- DODGE CHARGER POLICE PURSUIT VEHICLES (SHERIFF’S OFFICE)
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to award and execute a unit price contract for the purchase of 32 Dodge Charger police pursuit sedans for a total amount of $885,304 to the following lowest responsible bidder:

Horace G. Ilderton, LLC of North Carolina

Dodge Charger:

- Police Pursuit Sedan, $28,849 per unit
- Detective Police Pursuit Sedan, $26,321 per unit
- Slicktop Police Pursuit Sedan, $26,329 per unit

Commissioner Leake removed this item from the agenda for more public awareness.

(13-1369) SET PUBLIC HEARING -- NC DEPARTMENT OF TRANSPORTATION (NCDOT) COMMUNITY TRANSPORTATION GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to

1) Schedule a public hearing at 6:30 p.m. on November 5, 2013 to receive comments on the Mecklenburg County Department of Social Services application for the North Carolina Department of Transportation’s (NCDOT) Community Transportation Grant for Fiscal Year 2014-2015; and

2) Authorize the Clerk to the Board to publish Notice of Intent to hold public hearing

Commissioner Leake removed this item from the agenda for more public awareness.

(13-1380) BUDGET AMENDMENT -- DIVORCED FILING FEES GRANT -- COMMUNITY SUPPORT SERVICES (REVENUE DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve a budget amendment for the Community Support Services Department
to reduce revenue and expenses for the Divorce Filing Fee Grant by $3,122.71 based on revised award letter received from North Carolina Council for Women/Domestic Violence Commission

Commissioner Leake removed this item from the agenda for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:45 p.m.

__________________________________________  ______________________________
Janice S. Paige, Clerk                                Patricia “Pat” Cotham, Chairman
NOVEMBER 5, 2013

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 5, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour Interim County Manager Bobbie Shields County Attorney Marvin Bethune Clerk to the Board Janice S. Paige

Absent: None

- INFORMAL SESSION -

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1323, 13-1386, 13-1394, 13-1402, 13-1406, 13-1409, 13-1411, and 13-1412.

STAFF BRIEFINGS - NONE

(13-1400, 13-1419) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:02 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

FORMAL SESSION

Chairman Cotham called this portion of the meeting to order which was followed by introductions. She then recognized Commissioner Clarke to give the invocation, which was followed by the Pledge of Allegiance to the Flag, after which, the matters below were addressed.

AWARDS/RECOGNITION

(13-1388) EMPLOYEE AWARDS AND RECOGNITION

The Board recognized and congratulated the following County employees:

1) The County’s Team of the Year sponsored by the County’s Diversity Council: Members of the Kinship Care Program in Mecklenburg County’s Department of Social Services

2) The County’s 2013 Customer Service Heroes:
   · Service Quality Hero - Veronica Trice, Business Tax Collections Office
   · Ethics Hero - Vikki Stokes, Building Plans Examiner for LUESA Code Enforcement Division
   · Timeliness Hero - Ron Herring, Business Support Services – Information Technology
   · Courtesy & Respect Hero - Georgette Hood, DSS Senior Nutrition Program Coordinator at Bette Rae Thomas Recreation Center
   · Communication Hero - Linda Margerum, MeckLINK Quality Management Division; and

3) Eileen Brown from Mecklenburg County’s Child Support Enforcement Agency, the 2013 Gerald G. Fox Employee of the Year.

Human Resources Director Chris Peek presented the employees.

(13-1418) PUBLIC APPEARANCE

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

(13-1415) APPOINTMENTS

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Kenneth Morris to the Waste Management Advisory Board for a three-year term expiring October 30, 2016.

Note: He replaced Joe Howarth. The following persons were also nominees for appointment consideration to the Waste Management Advisory Board: Michael Bailey and Jimmy Hawk.
(13-1426) NOMINATIONS/APPOINTMENTS

CITIZEN’S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Anthony Davis to the Citizen’s Transit Advisory Group (CTAG) to fill an unexpired term expiring June 30, 2015.

He replaced Robert Watson who was appointed co-chair of CTAG.

PUBLIC HEARINGS - 6:30 PM

(13-1401) PUBLIC HEARING/GRANT APPLICATION -- NCDOT COMMUNITY TRANSPORTATION

Commissioner Fuller read the following statement:

Voluntary Title VI Public Involvement

Title VI of the Civil Rights Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency’s federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at slipscomb@ncdot.gov.

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing to receive comments on the Mecklenburg County Department of Social Services submitting an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2014-2015.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close the public hearing on the Mecklenburg County Department of Social Services submitting an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2014-2015 and adopt the "Community Transportation Program Resolution" to approve the Mecklenburg County Department of Social Services submitting an application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2014-2015; and recognize, receive and appropriate grant funds when awarded.

Resolution recorded in full in Minute Book _____ Document #_____.

3
ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT - NONE

STAFF REPORTS & REQUESTS

(13-1366) BUSINESS INVESTMENT PROGRAM GRANT – OCTAPHARMA PLASMA, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner James voting no, to adopt a resolution approving a Business Investment Program grant to Octapharma Plasma, Inc. for a total estimated amount of up to $443,216 and authorize the County Manager to negotiate and execute a contract.

Note: This project entails the construction of a new facility in Westlake Business Park in Charlotte. The capital investment will be approximately $22.6 million, and will create 31 full-time jobs with an average annual salary of approximately $47,900. The Business Investment Program grant is equal to 90% of the taxes that will be paid by the company and will be paid over three years. The estimated value of this grant is up to $443,216 and will be subject to the County’s standard contract conditions setting compliance requirements on the part of the company, including clawback provisions. A fiscal impact analysis shows a present value of net benefits to the County of $416,852 over six years. The City of Charlotte will also provide financial assistance to this project.

Resolution recorded in full in Minute Book _____ Document #______.

(13-1427) FY14 PLANNING PROCESS UPDATE

The Board received an update on the FY14 planning process and timetable. Budget/Management Director Hyong Yi presented the update.

Note: At its September 17, 2013 meeting, the Board received a report on the planning process to support the Board’s development of a strategic agenda for the next 12-18 months. This update provided the Board a summary of key themes that emerged from input provided by Board members and others in response to questions related to the strengths and opportunities for improvement within the community and within the County organization. This update also provided the Board with recommended next steps in the planning process, including a timetable for finalizing the Board’s strategic agenda in January prior to a budget retreat that is proposed to be held in February.

Chairman Cotham thanked Director Yi for the presentation.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1391) CULTURAL LIFE TASK FORCE REPORT (CHAIRMAN COTHAM)
The Board received an update from the Arts and Science Council's Cultural Life Task Force on the work of the Task Force to date and the findings that will form the basis of their recommendations. Felecia McDowell Co-Chair of the Task Force gave the report. Wayne Powers a county appointee to the Task Force also made comments. The following was covered:

- Task Force Formation and Membership
- Economic Impact and Significance
- ASC Current Model
- Cultural Planning
- Funding and Support
- Five Comparison Cities
- Future Themes and Ideas

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

Comments

Commissioner Fuller commented on the importance of the arts to the quality of life in a community. He asked was the Task Force discussing how to get back and maintain things to where they were with respect to the cultural life in the community; as well as, the question of how do you grow that effort. Ms. McDowell said yes and elaborated on that point. It was noted the estimated amount needed in order to get back and maintain was around $5 million and to grow the arts, the number would be above $5 million.

Commissioner James said the fact that a service generates economic development didn’t mean that government should “subsidize” that development.

Commissioner James said he had no intent to raise taxes, fees, or implement a hotel/motel tax or occupancy tax in order to provide the arts with additional money. Commissioner James said the reason he supported the study and formation of the Tax Force was because the County did not have to pay for it.

Commissioner Leake commented on how in past years teachers were directed to contribute a certain amount to the Arts. Commissioner Leake said that needed to change and that the mindset should be that giving to the Arts was a “free minded” act and not a demand.

Commissioner Leake expressed her support of Arts Education for children. Commissioner Leake said it was a concern in the community, however, regarding the salaries and number of employees of the Arts & Science Council.

Commissioner Leake requested information on how long had the Arts & Science Council received funds from the County. Ms. McDowell said she would find out.

Commissioner Leake said there must be “equity” in how the County allocates funds to outside agencies.

Commissioner Ridenhour said when the Board received the next update, he would like to know about publically funded programs and which category they fell under.

Commissioner Ridenhour commented on how art was “organic” and comes about through “inspiration.” Commissioner Ridenhour said because art was organic, you can’t “force it to be where it’s not.”
Commissioner Ridenhour said he was interested in knowing what the plan was for future growth of the arts, but not necessarily “through more dollars.” Commissioner Ridenhour said he believed in “organic art and not synthetic art.”

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked the representatives for the report.

*Commissioner Ridenhour left the dais and was away until noted in the Minutes.*

(13-1417) **BOARD OF COMMISSIONERS 2014 MEETING SCHEDULE**

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ratliff voting yes, to approve the Mecklenburg County Board of Commissioners 2014 Meeting Schedule.

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

(13-1421) **MECKLINK TRANSITION COMMITTEE UPDATE**

Commissioner Fuller gave an update on the MeckLINK transition on behalf of the Board’s Ad Hoc MeckLINK Transition Committee, which he chaired.

*Note: Senate Bill 208 passed during the 2013 Legislative Session required that all LME/MCOs be governed by an independent authority. Staff, along with the ad hoc MeckLINK Transition Committee created by the Board at its October 15 meeting, continues to review its options to transition Mecklenburg County’s Medicaid Managed Care Services to a new governance structure in compliance with Senate Bill SB208.*

The following was noted:

- Background of MeckLINK
- Action by the State Legislature to “force” the County to change the way in which it provided behavior health services in Mecklenburg county
- The County was left with only a few options, none of which, per Commissioner Fuller, were good options
- Option 1, The County could have decided to create a separate authority under state law to provide and manage the Medicaid funded behavior health services in Mecklenburg county
- Option 2, The County could join with or turnover its Medicaid funded behavior health services to another entity or authority
- Option 3, The County could transition its Medicaid funded behavior health services to a company called Cardinal Innovations
- The position the County finds itself in impacts the County as an organization, its employees, the community, and those in the community that received behavior health services via the County (120,000), and providers (approximately 700)

*Commissioner Ridenhour returned to the dais.*
The Board’s Ad Hoc MeckLINK Transition Committee reviewed the options and all of the data that was available to the Committee.

The Committee came to the conclusion that the “best” option was to pursue a transition of MeckLINK to a company, Cardinal Innovations.

The Committee came to that decision understanding that many people in the community had a “contrary view” and were opposed to such a transition.

The voices of that opposition were heard.

The Committee looked at each of the options very carefully and the implications of each.

It’s felt by some that the County doesn’t have any options or leverage, but “that’s not true.”

The future negotiating partner should not be of the belief that they can “dictate” the terms of the transition.

If the Ad Hoc Committee’s recommendation is approved, going forward the County is faced with the challenge of rethinking how it provides integrated human services in the community.

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-2 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes and Commissioners Dunlap and Ratliff voting no, to authorize the County Manager to negotiate an interlocal agreement with Cardinal Innovations consistent with the key tenants outlined - governance, employees, loan repayment, assumption of lease space and any other issues deemed critical/important. If negotiations with Cardinal are unsuccessful on the key issues, the committee recommends that we honor our contact with DHHS through March 31, 2014 and allow the state to make the determination of what will happen to the MCO function for Mecklenburg County without Mecklenburg County's involvement.

Note: Prior to the above vote, Commissioner Bentley offered a friendly amendment to correct the March 31 date to say 2014 and not 2013. Commissioner Fuller accepted the amendment.

Comments prior to the above vote:

Commissioner Dunlap said the option recommended by the Ad Hoc Committee was probably the “best of a bad situation.”

Commissioner Dunlap said he still had concerns and therefore would not be able to support the motion.

Commissioner Dunlap said it was a case wherein the federal government was sending money to the state; the state decides how much of those funds they want and “take it off the top” and then send those funds down to the managed care organizations, who also “take money off the top;” and who then say to the provider “this is what you get for the services that you render.”

Commissioner Dunlap said in essence much of the money from the federal government that was intended for consumers never gets spent for its intended purpose.

Commissioner Dunlap said another concern he had was the fact that the Governor appointed to the committee with respect to this issue, the CEO of the largest provider of services, Cardinal Innovations. Commissioner Dunlap said he viewed that as a “conflict of interest.”

Commissioner Dunlap said the Board had been inundated with concerns about Cardinal Innovations and the way in which they provide services to the consumer.
Commissioner Dunlap said even though MeckLINK was not perfect, the County was there to hear the voices of those citizens who had concerns and did everything it could to attempt to resolve those concerns. Commissioner Dunlap said going forward citizens of Mecklenburg County would be at a lost with respect to knowing who to go to with their concerns.

Commissioner Leake thanked all of the staff who “put in the time and energy” into this process. She also thanked the Board’s Ad Hoc Committee.

Commissioner Leake asked how much it would cost the County to operate MeckLINK and it not go to Cardinal Innovations. Assistant County Manager Dena Diorio said in order for the County to set up MeckLINK as a single authority, there would be several infrastructure costs the County would have to incur, mostly in the information technology area. There would be a one-time cost of around $2 million to set up as a single authority; about $800,000 of annual recurring cost in addition to what the County currently pays.

Commissioner Leake asked would this almost “bankrupt” the County. Assistant County Manager Diorio said the concern would be whether the County could pay for this out of the Medicaid dollars it received. She said based on the operations of MeckLINK currently, it runs on a fairly “thin margin.” She said there were not a lot of surplus funds available, therefore, if there was not sufficient Medicaid money to pay for this, the question for the Board would be whether or not to use County dollars and continue to “subsidize” MeckLINK.

Assistant County Manager Diorio said it was already known that currently the County was subsidizing MeckLINK in an amount around $960,000 annually, because those services were being provided in-house.

Commissioner Leake asked if the County would get the $8.7 million it invested in MeckLINK. Assistant County Manager Diorio said once the County had satisfied all of its liabilities, there’s a risk reserve that the County was required to maintain and anything left in the reserve after all liabilities had been taken care of, the County would receive those reserve funds back.

Assistant County Manager Diorio said assuming the risk reserve funds didn’t have to be touched, the County would receive $4.5 million back. She said to the extent that the County’s future partner would be interested in paying the remainder, was subject to negotiation. Assistant County Manager Diorio said it was still not clear whether the County would receive part or any of the $8.4 million back that it had invested.

Commissioner Leake said what the state was doing to the County was “outrageous.” She said the community needed to say to legislators and the Governor how this is perceived to impact persons all over the state and not just Mecklenburg county.

Commissioner Leake said the recommendation made by the Ad Hoc Committee was not one that it wanted to make, because it impacted the “weak of our weakest” in the community.

Commissioner Clarke asked for clarification on the cost to set up MeckLINK as a single authority, which was addressed by Assistant County Manager Diorio.

Commissioner Clarke asked was the current cost of $960,000 to support MeckLINK an allocation of a portion of certain County employees compensation that provide support to MeckLINK. The response was yes. It’s a cost allocation, the value of those employees’ time that provide support to MeckLINK.
Commissioner Clarke asked was it not correct that if MeckLINK went away, the County would still be spending the $960,000. The response was yes.

Commissioner Clarke asked if the County was to set up as a single authority would it cost more dollars. Assistant County Manager Diorio said more dollars would be required. She said the current in-kind service would become real cost.

Commissioner Clarke asked Assistant County Manager Michelle Lancaster about the long term plans of the state to combine managed care organizations into two or three statewide and in light of this wouldn’t it be a risk for the County to set up as a single authority. Assistant County Manager Lancaster said that was correct.

Assistant County Manager Lancaster said all indications from the Secretary’s Office and Representative Dollar was that they were looking for consolidation across the state of managed care organizations into three or four.

Assistant County Manager Lancaster said the County setting up as a single authority would only be a short term solution and not an effective long term solution.

Commissioner Fuller said it was now apparent that the intent of the State was not for Mecklenburg County to operate as a single county authority but instead that Mecklenburg County would be a part of one of the three or four managed care organizations envisioned by the State.

Commissioner Ratliff thanked staff and the Ad Hoc Committee for its work. She also apologized to the employees, consumers, and providers for the unfortunate circumstance the County found itself in with respect to MeckLINK.

Commissioner Bentley asked Assistant County Manager Lancaster to comment on the conversation between Commissioner Fuller and herself with the Secretary and her senior staff relative to their commitment to the transition and the fact that all indications point to the fact that there was a common goal and interest.

Commissioner Bentley noted that she was not happy with the position the County was in as well.

Commissioner Bentley said she wanted to be on the record as saying that “the state was not out to get the County and they were not out to create a situation that was not favorable to constituents and to the providers.”

Assistant County Manager Lancaster said per conversation with Representative Dollar, it was stated that he was looking toward movement towards consolidation and was hopeful that was the direction the County was going in. Further, that Representative Dollar said he didn’t have a preference with respect to who the County partnered with, that was a local decision. Assistant County Manager Lancaster said Representative Dollar reiterated what he believed the General Assembly had displayed by their actions since 2011 with the first legislation that expanded the 1915BC Waiver and further changing the governance structure in 2012, the requirement and in 2013 and that those things from his perspective were the General Assembly displaying their support for public managed care and the behavioral health “space.”

Assistant County Manager Lancaster said per conversation with the Secretary and her staff, they have been consistent in that they want this to be successful. They want local buy-in and will help the County in
any way they can. They don’t want a delay in moving forward and would want to take away as many “obstacles” as possible. Further, that the Secretary was very clear that consolidation of managed care organizations was what the state wanted.

Commissioner Bentley asked Assistant County Manager Lancaster if she felt the driving force beyond the business case and rationale for moving in this direction was to remain “patient focus and to ensure that the delivery of service was consistent and executed in a manner that was seamless from a providers and constituents and consumers perspective” and that they remain at the center of this transition. Assistant County Manager Lancaster’s response was yes. She said the Secretary’s Office had been consistent in their comments and in their practice of publically managed behavior healthcare throughout all of staff’s conversations with them.

Commissioner Fuller said the phone conversation with the Secretary was “encouraging under the circumstances.” Commissioner Fuller said he expressed the County’s concerns about governance and County dollars used to create MeckLINK. Commissioner Fuller said he believed there was a desire to help the County work through those issues.

Commissioner Fuller said Cardinal and the County had both identified what their positions were. He said the County thinks that because of the size and nature of the County’s population, the County deserves a proportional representation on the overall governance board of Cardinal. Further, that the County felt very strongly that County dollars that were used to create MeckLINK and with the expectation that the County would recoup those dollars through the operation of MeckLINK over the years, were important issues for the County.

Commissioner Fuller said he appreciated the Secretary’s commitment to help the parties work through these issues.

Commissioner Fuller said at this point the County would have to just do what it needed to do and get it done the best way possible and to move forward. He said the goal would be to find ways through the negotiations and through continuing involvement afterwards, ways to continue to “protect our citizens, consumers of these services, providers, and the employees.”

The above is not inclusive of every comment but is a summary.

(13-1423) DISTRICT 2 UPDATE (COMMISSIONER LEAKE)

The Board received an update from Commissioner Leake regarding the events that she has attended and her efforts on behalf of her constituents in District 2.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1390) DELEGATION OF SOLID WASTE REGULATORY AUTHORITY
Authorize the Interim County Manager or his designee to enter into a Memorandum of Agreement for Delegated Solid Waste Regulatory Authority with the NC Division of Waste Management.

Memorandum of Understanding recorded in full in Minute Book _____ Document #______.

(13-1396)  LAND DONATION -- POLK DITCH GREENWAY

Accept the donation of Tax Parcel 201-351-87 (±1.975 acres) along Polk Ditch for the County greenway system.

Note: The developer of the Stonebridge Townhome community was required to donate property to the County for future greenway construction along Polk Ditch as part of its development approval. The developer instead conveyed the property to the homeowners association. County staff contacted the Stonebridge Townhome Homeowners Association to have it convey the property to the County, which it has agreed to do.

(13-1397)  LAND DONATION -- BARTON CREEK GREENWAY

Walden Court
1. Accept the donation of two greenway easement areas (±1,254 square feet) and one temporary construction easement (±1,296 square feet) located on tax parcel 047-291-43 from Walden Court, Inc

Walden Station
2. Accept the donation of three greenway easement areas (±6,645 square feet) and two temporary construction easements (±5,348 square feet) located on tax parcel 047-291-42 from Walden Station Properties, LLC

Welwyn
3. Accept the donation of tax parcel 047-261-99 (±1.11 acres) from Welwyn Cluster Homeowners Association, Inc

4. Accept the donation of a temporary construction easement (± 0.1933 acres) and permanent greenway easement (± 0.03 acres) on tax parcel 047-261-01 from Welwyn Cluster Homeowners Association, Inc

5. Accept the donation of a temporary construction easement (± 0.018 acres) on tax parcel 047-261-38 from Thomas Ramsey Lucas and Barbara Bell in the Welwyn neighborhood

6. Accept the donation of a temporary construction easement (±0.04 acres) on tax parcel 047-261-35 from Frank Parker and Barbara Edwards in the Welwyn neighborhood

7. Accept the donation of a temporary construction easement (±0.0088 acres) on tax parcel 047-261-34 from Ivan and Vianne Howitt in the Welwyn neighborhood

8. Accept the donation of a temporary construction easement (±0.0165 acres) on tax parcel 047-261-33 from Nadine Hayes in the Welwyn neighborhood

9. Accept the donation of a temporary construction easement (±0.0343 acres) on tax parcel 047-261-32 from Mace Mangold in the Welwyn neighborhood
10. Accept the donation of a temporary construction easement (±0.0239 acres) on tax parcel 047-261-31 from Pamela Bynum in the Welwyn neighborhood

11. Authorize the Interim County Manager to enter into a Memorandum of Understanding (MOU) with Welwyn Cluster Homeowners Association, Inc., Thomas Ramsey Lucas and Barbara Bell, Frank Parker and Barbara Edwards, Ivan and Vianne Howitt, Nadine Hayes, Mace Mangold, and Pamela Bynum

Glenwater at University Place
12. Accept the donation of greenway property (±0.748 acres) from the Glenwater at University Place Homeowners Association

*Memorandum of Understanding recorded in full in Minute Book _____ Document #______.*

(13-1398) **SET PUBLIC HEARING -- PRELIMINARY STREET LIGHTING ASSESSMENTS**

Adopt resolutions on the Preliminary Assessment Rolls for the operating cost of street lights and set a public hearing at 6:30 p.m. on December 3, 2013 on Street Lighting Preliminary Assessment Rolls for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions.

*Resolutions recorded in full in Minute Book _____ Documents #______ - ______.*

(13-1405) **HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS**

1. Accept the “Offer of Sale of Real Estate” from Mary Lee King, Annie King Butler & husband Albert Butler, Brenda King, Thomas L. King, and Thomas Lee King, III & wife Tina Marie King owners of property at 740 Prince Street (Tax Parcel 069-071-04) for $30,000; and


(13-1410) **LUESA FUND BALANCE APPROPRIATION**

Authorize the appropriation of $104,359 of unreserved, undesignated fund balance from the Storm Water Fund Balance.

(13-1413) **TAX REFUNDS**

1. Approve refunds in the amount of $1,784.43 for registered motor vehicles as statutorily required to be paid as requested by the Assessor resulting from Clerical errors, audits and other amendments.

2. Approve refunds in the amount of $87,425.82 and interest as statutorily required to be paid as requested by the Assessor resulting from Clerical errors, audits and other amendments.
A list of the refund recipients is on file with the Clerk to the Board.

(13-1414) LEASE EXTENSION -- CHILD SUPPORT ENFORCEMENT SPACE AT CHARLOTTE EAST
COMPLEX

Authorize the Interim County Manager to negotiate and execute a lease extension with Charlotte East, LLC for office space for Child Support Enforcement.

(13-1420) MINUTES

Approve minutes of Regular Meeting held October 15, 2013 and Special Meeting held September 24, 2013.

(13-1422) BUDGET AMENDMENT -- FLEET RESERVE (REVENUE/EXPENSE INCREASE)

Recognize and appropriate in the Fleet Reserve Fund $124,856, which are proceeds from the auction of decommissioned County vehicles.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

(13-1323) BUDGET AMENDMENT -- U.S. DEPARTMENT OF JUSTICE 2013 JUSTICE ASSISTANCE
GRANT (JAG)/SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate funds from the U.S. Department of Justice, Justice Assistance Grant, in the amount of $115,112, and recognize, receive and appropriate interest income earned during the term of the grant in accordance with grant requirements.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1386) FY14 RESTRICTED CONTINGENCY FUNDS FOR BETHESDA HEALTH CLINIC

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to release $165,000 from restricted contingency to the Bethesda Health Clinic.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1394) BUDGET AMENDMENT -- DSS (REVENUE INCREASE/DECREASE)
NOVEMBER 5, 2013

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to Amend the Department of Social Services (DSS) FY14 Budget to decrease certain revenues, and recognize, receive and appropriate other revenues to align the FY14 DSS budget with the funding authorizations issued

A. Family Reunification (new funding): Recognize, receive and appropriate $58,449 in federal revenue

B. LINKS: Increase of $550 in federal revenue

C. TANF Child Welfare: Decrease of $98,105 in federal revenue

D. Work First County Block Grant (TANF): Increase of $82,203 in federal revenue

E. Child Welfare State In-Home (new funding): Recognize, receive and appropriate $472,731 in state funds

F. Centralina Council of Governments: Recognize, receive and appropriate $1,000 in state funds

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Bentley returned to the dais.

(13-1402) INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE – UMBRELLA MITIGATION BANK

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the Resolution that Authorizes the Interim County Manager to Execute the Amended and Restated Interlocal Agreement for the Umbrella Mitigation Bank.

Commissioner Leake removed this item from Consent for more public awareness.

Resolution/Agreement recorded in full in Minute Book _____ Document #______.

(13-1406) GRANT APPLICATIONS -- N.C. DIVISION OF EMERGENCY MANAGEMENT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to

1. Authorize the County Manager to submit HMA grant applications in an amount up to $1,944,571 to the North Carolina Division of Emergency Management for the acquisition of flood prone properties; and

2. If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute contracts with the NC Department of Crime Control and Public Safety, Division of Emergency Management; and

3. Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.
Commissioner Leake removed this item from Consent for more public awareness. Interim County Manager Shields addressed this item.

**13-1409** BUDGET AMENDMENT -- GEOSPATIAL INFORMATION SYSTEMS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate $2,900 in revenue from various sponsors for GIS Day.

Commissioner Leake removed this item from Consent for more public awareness.

**13-1411** LEASE TERMINATION -- OLD BILLINGSVILLE SCHOOL

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager to:

1. Execute all documents necessary to terminate the County's lease with Charlotte-Mecklenburg Board of Education for the old Billingsville School located at 3100 Leroy Street (Tax Parcel #157-038-08).

2. Execute all documents necessary to terminate the County's sub-lease to the Grier Heights Economic Foundation, Inc. for the old Billingsville School located at 3100 Leroy Street (Tax Parcel #157-038-08).

3. Decline the County's statutory right of first refusal to lease Tax Parcel #157-038-08 which is owned the Charlotte-Mecklenburg Board of Education to permit a lease of the property to the Grier Heights Community Center, LLC.

Commissioner Leake removed this item from Consent for more public awareness.

**13-1412** BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize a net reduction of $713,187 in appropriations and in revenue to reflect federal, state, and other revenue for the Health Department.

Commissioner Leake removed this item from Consent for more public awareness. Assistant County Manager Lancaster addressed this item.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:50 P.M.
MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Budget Public Policy Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center at 3:00 p.m. on Tuesday, November 12, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Vilma Leake, and Kim Ratliff
Interim County Manager Bobbie Shields
Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James and Matthew Ridenhour

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

(13-1435) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

County Assessor Ken Joyner and Fred Pearson with Pearson’s Appraisal Services addressed revaluation review value changes resulting from recent neighborhood reviews, as well as, the proposed approval of the value changes and any resulting refunds, releases or discoveries.

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

Comments

Commissioner Dunlap asked for clarity regarding why changes were needed to revaluation work previously done by Pearson’s and approved by the Board on October 8, 2013.

Assessor Joyner said it was his understanding the values that Commissioner Dunlap was referring to, were consistent with Pearson’s original expectations, but did not get printed out correctly.

Assessor Joyner said the keying was not done properly. He said it was not a situation where another appraiser went out and was made another recommendation.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, to adopt Mecklenburg County Board of Commissioners Resolution Authorizing Adjustments In Accordance with Session Law 2013-362.
MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
AUTHORIZING ADJUSTMENTS IN ACCORDANCE WITH
SESSION LAW 2013-362

WHEREAS, pursuant to North Carolina General Statute 105-286, Mecklenburg County conducted a Reappraisal of all real property effective January 1, 2011; and

WHEREAS, Mecklenburg County retained Pearson’s Appraisal Service, Inc. to complete a review by neighborhood of the values of all parcels of real property in Mecklenburg County and to report its recommended values to the Board of County Commissioners in accordance with the requirements of Session Law 2013-362; and

WHEREAS, at a meeting on October 8, 2013, the Board accepted Pearson’s Appraisal Service, Inc.’s recommended values for 246 parcels in neighborhood P333 as identified in Exhibits attached to the Board Resolution Changing Abstracts adopted on that date; and

WHEREAS, upon further review Pearson’s has recommended corrections be made to those 4 parcels from neighborhood P333 as set forth on the attachment; now, therefore, be it

RESOLVED by the Board of Commissioners as follows:

1. The values previously recommended by Pearson’s Appraisal Service, Inc. for parcels # 155-022-24, #175-084-09, #175-085-01, and #175-094-07 and approved by the Board on October 8, 2013 are hereby changed. The value for each of these 4 parcels as recommended by Pearson’s Appraisal Service, Inc. in the attached Exhibit 1 (the “Pearson value” therein) is accepted by the Board as the true value for each respective parcel as of January 1 for the tax years identified in Exhibit 1 (hereinafter the “Board Accepted Value”); and

2. The Assessor is directed to change the abstracts and tax records of each parcel set forth on Exhibit 1 to the extent necessary to reflect the Board Accepted Value for each respective year. The 2013 value for each respective parcel applies for each subsequent tax year until the next general reappraisal for real property is performed by the County pursuant to G.S. 105-286, unless the value is changed in accordance with G.S. 105-287; and

3. With respect to these 4 parcels, refunds of taxes plus interest shall be made in accordance with the requirements of Session Law 2013-362 for those parcels that had a previously overstated value and for which there has been an overpayment of taxes; and

4. With respect to these 4 parcels, additional taxes shall be levied on those parcels that had a previously understated value, and the additional taxes shall be treated as taxes on discovered property pursuant to G.S. 105-312, except that the discovery penalties set forth in subsection (b) of G.S. 105-312 shall not apply; and

5. Notwithstanding the above, refunds of taxes or levy of additional taxes shall not be made with respect to any parcel until all appeal rights have been exhausted.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

Comments

Commissioner Dunlap asked about the form of notification being received by the property owner when their property value increased, which was addressed.

County Assessor Joyner said consistent with existing billing procedures, discovery bills amounting to $5 or less, would not be generated because of cost efficiencies.

Commissioner Dunlap asked whether an increase in value would result in that value change being back dated to 2011. The response was yes.
Commissioner Ratliff inquired about the billing cycle. She said someone contacted her and said they had not received a bill. Assessor Joyner asked that they be informed to contact the tax office.

Commissioner Clarke asked for clarification regarding the change column on the summary information with respect to when Pearson’s did its review, which was addressed.

Commissioner Fuller asked was it possible to track the changes in values made before the legislation and those made after the legislation. Assessor Joyner said staff was tracking that information.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, to adopt Mecklenburg County Board of Commissioners Resolution Changing Abstracts In Accordance With Session Law 2013-362.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION CHANGING ABSTRACTS IN ACCORDANCE WITH SESSION LAW 2013-362

WHEREAS, pursuant to North Carolina General Statute 105-286, Mecklenburg County conducted a Reappraisal of all real property effective January 1, 2011; and

WHEREAS, Mecklenburg County retained Pearson’s Appraisal Service, Inc. to complete a review by neighborhood of the values of all parcels of real property in Mecklenburg County and to report its recommended values to the Board of County Commissioners in accordance with the requirements of Session Law 2013-362; and

WHEREAS, Pearson’s Appraisal Service, Inc. has completed its review of those neighborhoods set forth on the attached Exhibits and has recommended to the Board that the respective value set forth for each parcel identified in these Exhibits is the true value of each respective parcel as of January 1 for the year set forth in the Exhibits; now, therefore, be it

RESOLVED by the Board of Commissioners as follows: 1. The value recommended by Pearson’s Appraisal Service, Inc. for each of the respective parcels identified in Exhibit 1 is accepted by the Board as the true value for each respective parcel as of January 1, 2011 (hereinafter the “2011 Board Accepted Value”); and 2. The value recommended by Pearson’s Appraisal Service, Inc. for each of the respective parcels identified in Exhibit 2 is accepted by the Board as the true value for each respective parcel as of January 1, 2012 (hereinafter the “2012 Board Accepted Value”); and 3. The value recommended by Pearson’s Appraisal Service, Inc. for each of the respective parcels identified in Exhibit 3 is accepted by the Board as the true value for each respective parcel as of January 1, 2013 (hereinafter the “2013 Board Accepted Value”); and 4. The Assessor is directed to change the abstracts and tax records of each parcel set forth on these Exhibits to the extent necessary to reflect the values accepted by the Board for each respective year. The 2013 Board Accepted Value applies for each subsequent tax year until the next general reappraisal for real property is performed by the County pursuant to G.S. 105-286, unless the 2013 Board Adjusted Value is changed in accordance with G.S. 105-287; and 5. After the changes to the abstracts and tax records have been made as set forth above, refunds of taxes plus interest shall be made in accordance with the requirements of Session Law 2013-362 for those parcels that had a previously overstated value and for which there has been an overpayment of taxes; and 6. After the changes to the abstracts and tax records have been made as set forth above, additional taxes shall be levied on those parcels that had a previously understated value, and the additional taxes shall be treated as taxes on discovered property pursuant to G.S. 105-312, except that the discovery penalties set forth in subsection (h) of G.S. 105-312 shall not apply; and 7. Notwithstanding the above, refunds of taxes or levy of additional taxes shall not be made with respect to any parcel until all appeal rights have been exhausted.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, to adopt Mecklenburg County Board of Commissioners Resolution Authorizing Refunds and Taxes In Accordance with Session Law 2013-362.
MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
AUTHORIZING REFUNDS AND TAXES IN ACCORDANCE WITH SESSION LAW 2013-362

WHEREAS, pursuant to North Carolina General Statute 105-286, Mecklenburg County conducted a Reappraisal of all real property effective January 1, 2011; and

WHEREAS, Mecklenburg County retained Pearson’s Appraisal Service, Inc. to complete a review by neighborhood of the values of all parcels of real property in Mecklenburg County and to report its recommended values to the Board of County Commissioners in accordance with the requirements of Session Law 2013-362; and

WHEREAS, at a meeting on October 8, 2013, the Board accepted Pearson’s Appraisal Service, Inc.’s recommended values for 246 parcels in neighborhood P333 as identified in Exhibits attached to the Board Resolution Changing Abstracts adopted on that date; now, therefore, be it

RESOLVED by the Board of Commissioners as follows:

1. With respect to the 246 parcels in neighborhood P333, refunds of taxes plus interest shall be made in accordance with the requirements of Session Law 2013-362 for those parcels that had a previously overstatuated value and for which there has been an overpayment of taxes; and

2. With respect to the 246 parcels in neighborhood P333, additional taxes shall be levied on those parcels that had a previously understated value, and the additional taxes shall be treated as taxes on discovered property pursuant to G.S. 105-312, except that the discovery penalties set forth in subsection (h) of G.S. 105-312 shall not apply; and

3. Notwithstanding the above, refunds of taxes or levy of additional taxes shall not be made with respect to any parcel until all appeal rights have been exhausted.

Resolution recorded in full in Minute/Ordinance Book _____ Document # _____.

Mr. Pearson gave an update on the status of their work. He said everything was working well, and that there was a good working relationship with the Tax Office.

Note: The above is not inclusive of every comment but is a summary.

(13-1439) FY14 STRATEGIC AGENDA PLANNING

Budget/Management Director Hyong Yi addressed the FY14 Strategic Agenda Planning process.

The Board was asked to determine what five themes were the most urgent for the next 18 months.

The Board participated in a ranking exercise in order to make that determination.

Below are the results with respect to what five themes were the most urgent for the next 18 months. Note: They are not in rank order.

1. Economic Inequality (Poverty and Unemployment)
   Economic Vitality/Development
2. Quality of Life and Cost of Living
   Remove Government as an Obstacle to Growth
   Reduce Tax Burden
3. Fiscally Responsible
   Manage Public Funds
   Talented and Competent Staff
   Well Run and Efficient Government
4. Collaborative Problem Solving
   Social Safety Net
   Strategic Planning Around Core Service Areas
5. Ensure Service Quality and Accountability

Director Yi informed the Board that staff would seek additional input regarding these themes at a future meeting in December.

This concluded the discussion.

Note: The above is not inclusive of every comment but is a summary.

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and unanimously carried Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:59 p.m.

______________________________  ________________________________
Janice S. Paige, Clerk                  Patricia “Pat” Cotham, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 19, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour 
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Cotham, after which the matters below were addressed.

Note: The meeting was late being called to order because of a prior Special Meeting of the Board.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1428, 13-1437, and 13-1445.

STAFF BRIEFINGS - NONE

(13-1438, 13-1442, 13-1452, 13-1456) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY, TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259.(G.S. 143-318.11(A)(1) AND PERSONNEL MATTER

Prior to going into Closed Session it was noted that the only matter to be discussed in Closed Session was Business Location and Expansion. Note: Item 13-1452 To Prevent Disclosure Of Information That Is Confidential Pursuant To G.S. 105-259. (G.S. 143-318.11(A)(1) was removed from the agenda and there was no Consult with Attorney or Personnel Matter to be discussed.
Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

*The Board went into Closed Session at 5:59 p.m. and came back into Open Session at 6:09 p.m. Commissioner Clarke was present when the Board came back into Open Session. He entered the meeting during Closed Session.*

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

---

**-FORMAL SESSION-**

Chairman Cotham called this portion of the meeting to order which was followed by introductions. She then recognized Commissioner Clarke to give the invocation, which was followed by the Pledge of Allegiance to the Flag, after which, the matters below were addressed.

Prior to the start of the business portion of the meeting, at the request of Chairman Cotham, Vice-Chairman Ratliff introduced the new Director of Youth and Family Services Charles Bradley effective December 2, 2013. Mr. Bradley greeted the Board and was likewise welcomed by the Board.

**AWARDS/RECOGNITION - NONE**

**PUBLIC APPEARANCE**

The following person appeared to speak during the Public Appearance portion of the meeting:

Daniel MacRae spoke in opposition to how Chairman Cotham carried out her role as chairman. He referenced how Chairman Cotham handled the dismissal of former County Manager Harry L. Jones, Sr., and her handling of the Ad Hoc County Manager’s Search Committee.

**APPOINTMENTS**

**NOMINATIONS/APPOINTMENTS**

**CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE**

Commissioner James nominated all applicants for appointment consideration to the Citizen’s Capital Budget Advisory Committee: Leigh Altman and Suresh Vottikonda.

*Note: An appointment will occur on December 3, 2013.*
DOMESTIC VIOLENCE ADVISORY BOARD

Commissioner James nominated all applicants for appointment consideration to the Domestic Violence Advisory Board: Monique Horace, Rosalind Smith and Glenda Spann-Hinnant.

Note: An appointment will occur on December 3, 2013.

INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint David Jones to the Industrial Facilities & Pollution Control Financing Authority for a six-year term expiring October 31, 2019.

He replaces John Sanchez.

County Attorney Bethune addressed vacancies on the Industrial Facilities & Pollution Control Financing Authority. He noted that there were a few persons whose terms expired but that they were still serving until such time a replacement was found. He asked the Board if it would be supportive of reappointing these persons who were willing to continue to serve, again, until such time a replacement was found. It was noted that it’s been difficult getting applicants for this board.

It was the consensus of the Board to do so, in light of these circumstances. County Attorney Bethune said a future agenda item would be presented to the Board regarding those reappointments.

Commissioner Bentley asked about the six year term. County Attorney Bethune explained that the six year term was dictated by statute.

Commissioner Leake asked about County funds associated with this board and whether reports were received from this board. County Attorney Bethune explained the type of issues addressed by the Industrial Facilities & Pollution Control Financing Authority. He said there were no County funds associated with their work. County Attorney Bethune said going forward he would provide an annual report of actions taken by the Industrial Facilities & Pollution Control Financing Authority.

Chairman Cotham asked that the Board be informed of the meetings of the Industrial Facilities & Pollution Control Financing Authority in case any Board member wanted to attend. County Attorney Bethune said he would make the Board aware of those meetings.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Commissioner Clarke nominated all applicants for appointment consideration to the Information Services & Technology Committee: Natalie Donovan, Shelton Ivey, Thomas Kindlick, Bill Lynch and Tony Stone.

Note: An appointment will occur on December 3, 2013.
NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Sharon Morton to the Nursing Home Community Advisory Committee for a three-year term expiring November 30, 2016.

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Lennon Maye to the Nursing Home Community Advisory Committee for a one-year term expiring November 30, 2014.

He replaces Ulrich Bertsch.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Commissioner Leake nominated all applicants for appointment consideration to the Small Business and Entrepreneurship Advisory Board: Mitchell Abdullah, Travis Bucholtz, Dorian Carter, Trymaine Gaither, James Guin, Shelton Ivey, Pamela Lue-Hing, Eleanor McIntire, Michael Minnix, Kristin Prentice, Dana Sidberry and Rico Wagner.

Note: An appointment will occur on December 3, 2013.

WOMEN’S ADVISORY BOARD

Commissioner James nominated all applicants for appointment consideration to the Women’s Advisory Board: Alinda Angerville, Jaclyn Blair, Sarah Byrne, Valerie Dorsett, Sophia Gaither, Devonya Govan-Hunt, Charlene Henderson, Alicia Jones-Muhammad, Shalawn Moore, Cynthia Pride, Alba Sanchez, Wanda Strickland, Jennifer Styczen, Darnell Walker and Marjorie White Molina.

Note: An appointment will occur on December 3, 2013.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-1399) CHARLOTTE-MECKLENBURG LIBRARY REPORT

The Board received a report on the Charlotte-Mecklenburg Library from Library CEO Lee Keesler. The following was covered:

- Library Momentum
- What Community Said – Importance of Services
• What Users Said – Services Used in Past 12 Months
• What Community Said – Needs to Be Done to Ensure Library Meets Future Needs
• Strategic Plan Goals
• Strategic Plan Themes
• Library in 2017
• Charlotte Mecklenburg Library New Brand

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

Comments:

Commissioner Fuller commented that every dollar spent on library resources were “dollars well spent”. He commended Mr. Keesler for the job he was doing.

Commissioner Ratliff spoke in support of libraries as well.

Commissioner Leake addressed activities that were taking place at some of the smaller branches, particularly in District Two. She encouraged Mr. Keesler to inform the Board at budget time about funds needed to expand and renovate smaller libraries.

Commissioner Ridenhour asked Mr. Keesler to comment on the Charlotte Mecklenburg Library Foundation, a separate 501c organization, which he did.

Commissioner Clarke shared feedback he received while attending a recent event. He said it was expressed by many that there was still a need for continued public support of the Library despite private funding raising efforts.

Chairman Cotham asked about fees charged for meeting room space at the Library, the amount of time allotted for computer usage and other fundraising efforts to generate revenue. Mr. Keesler addressed each of these questions.

Chairman Cotham suggested the Library consider asking large companies to donate computers.

This concluded the presentation. The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked Mr. Keesler for his report.

STAFF REPORTS & REQUESTS

(13-1434) MOORESVILLE TO CHARLOTTE TRAIL IN GREENWAY MASTER PLAN

Gwen Cook with Park and Recreation addressed the Mooresville to Charlotte Trail.

Note: On November 20, 2012, the Board approved funding for the County to participate in a Mecklenburg Union Metropolitan Planning Organization (MUMPO) now called Charlotte Regional Transportation Planning Organization (CRTPO), Mecklenburg County, the City of Charlotte and the Towns of Mooresville, Davidson, Cornelius and Huntersville, PL Grant to study a potential bicycle-pedestrian corridor that would provide a north-south spine connecting already greenways, bicycle routes and significant destinations between downtown Mooresville and uptown Charlotte, crossing seven jurisdictions. The study determined that the concept was feasible and that the trail would be a valuable recreation and transportation resource for our region. Its
significance would continue to expand as sections develop, the population grows and links to transit facilities are developed along the Norfolk Southern corridor.

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

Comments:

Commissioner Bentley asked about the connection between the Mooresville to Charlotte Trail to the Carolina Thread Trail Plan, the time frame with respect to the completion of the Mooresville to Charlotte Trail and funding. Ms. Cook addressed these questions.

Commissioner James said he wanted to make sure the approval to include the Mooresville to Charlotte Trail didn’t mean it would become a higher priority than other projects already included in the County’s Greenway Master Plan. Ms. Cook addressed the possible funding of the trail and noted that leveraging opportunities may arise at some point in time.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Ratliff, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the adoption of the Mooresville to Charlotte Trail as a corridor on the Mecklenburg County Greenway Master Plan.

(13-1436) BROOKLYN VILLAGE -- INTERLOCAL AGREEMENTS

Mark Hahn, Director of Asset and Facility Management addressed proposed amendments to the Brooklyn Village Interlocal Agreements.

Note: The County obtained Marshall Park from the City of Charlotte pursuant to the May 14, 2007 Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement (“Interlocal Agreement”) between Mecklenburg County and the City of Charlotte, which required that part of that land be developed for affordable housing. To implement that part of the Interlocal Agreement, the parties executed and recorded the Brooklyn Village Affordable Housing Agreement and Declaration of Restrictive Covenants (“Declaration of Restrictive Covenants”).

The May 14, 2007 Interlocal Agreement, as amended on December 1, 2007, provided that if the County did not sell the Brooklyn Village parcels that were to be subdivided from Marshall Park and the adjacent Board of Education property by December 1, 2012, the City could within 60 days following that date, require that the County convey the Marshall Park property back to the City. The Declaration of Restrictive Covenants, as written, is not effective except for a sale prior to December 1, 2012. On November 20, 2012 the Board of Commissioners approved a Second Amendment to the Agreement to Sell Property to Spectrum Investment Services, Inc. extending the original deadline to purchase the parcels from December 1, 2012 until June 1, 2013. On January 16 the Board of Commissioners approved a Second Amendment to the Interlocal Agreement to reflect the extension to June 1, 2013 granted in the Second Amendment to the sales agreement. Spectrum Investment Services, Inc. did not close on the sale of the Second Ward Property by June 1, 2013, and thereby lost its right to purchase the Second Ward Property. County staff believes it may be easier to sell the property incrementally (one parcel or more at a time, rather than the entire property) and started working on a possible arrangement among the County, the City, the Charlotte-Mecklenburg Board of Education, and the Housing Authority of the City of Charlotte, NC for a possible phased sale approach. To provide the necessary time for all four entities to negotiate a non-binding term sheet on this phased sale approach, and to preserve the right of the City to require re-conveyance of Marshall Park should this phased
sale approach not be acceptable to all parties, the City and the County desired to amend the Interlocal Agreement to change the June 1, 2013 date to October 1, 2013. On July 2, 2013, by approval of Agenda Item 13-0812, the Board of Commissioners approved a Third Amendment to the Interlocal Agreement to reflect an extension to October 1, 2013. Negotiations on the non-binding term sheet among the entities have now been concluded. To provide the necessary time for the four entities to negotiate and execute formal agreements on this phased sale approach, and to preserve the right of the City to require re-conveyance of Marshall Park should formal agreements not be executed among all parties, the City and the County desire to amend the Interlocal Agreement to change the October 1, 2013 date to April 1, 2015, and to provide that the County cannot sell any of the former Marshall Park property until there has been either a further amendment of the Interlocal Agreement or a new Interlocal agreement has been approved and executed.

Director Hahn covered the following in his presentation:

- Second Ward History
- Concept Plan
- Proposed Development Site
- Recent Background
- Term Sheet-Key Points –County, City, Board of Education & Housing Authority
- Next Steps

Comments:

Commissioner James spoke in opposition to the proposed amendment. Commissioner James said he did not think the economy was such that the County could afford to do this. He also expressed opposition to the requirement that the County pay CMS for the property where the former Board of Education Central Office was located.

Commissioner Leake spoke in support of the continuation of the Brooklyn Village Project.

Commissioner Dunlap asked for clarity as to whether any money was received from a potential developer who didn’t meet certain stipulations in the agreement with respect to when they would get started with the project. Interim County Manager Shields said what Commissioner Dunlap recalled was that the developer, at that time, agreed that if they wanted to extend the time they had to make the purchase from a March timeframe to a June timeframe, they would put up an extra $100,000. Interim County Manager Shields said the developer chose not to extend the timeframe, thus, no money was received.

Commissioner Dunlap asked for clarity on a previous commitment to rebuild a high school as part of the Brooklyn Village Project. Commissioner Dunlap said he did not see it on the schematic drawing provided to the Board. Director Hahn said the Second Ward Master Plan and he believed the 2010/2020 Center City Vision Plan also called for that high school. He said the high school would not be located on the development site that was on the schematic drawing but would instead be across Martin Luther King, Jr. Boulevard on another site.

Commissioner Dunlap asked although it’s a different site was the land still available. Director Hahn said he believed so.

Commissioner Dunlap addressed the history with respect to the sale of the former Board of Education Central Office building and CMS’s receipt of payment.

Commissioner Bentley asked about the value that was placed on the former Board of Education Central Office building property and whether or not that value was included in any of the contracts that currently exist. Director
Hahn said the agreements were set up so that CMS would be reimbursed at the appraised value within three months of the sale. He said the current value today was around $16.3 million. He said the County would pay $7 million now and if a sale didn’t occur, for example, in three years from now the property would be reappraised for that portion that hadn’t yet been accounted for and that portion would then be sold at the then appraised value three years from now.

Commissioner Bentley asked for an overview of the relocation of the operations that were operating in the former Board of Education Central Office building. Director Hahn gave that overview.

Commissioner Fuller addressed honoring the commitment of the Brooklyn Village project. He also asked about the order of things to occur with respect to the project. Director Hahn addressed the next steps.

Commissioner Ridenhour acknowledged the history of the project area but said he wasn’t sure if honoring history should be the reason to move forward with this project. Commissioner Ridenhour said the project should be able to move forward on its own merits.

Commissioner Ridenhour referenced the current statute that requires the County to pay CMS for the former Board of Education Central Office building property. He noted that there was legislation proposed to change that statute but the County failed to weigh in on that legislation.

Commissioner Ridenhour said he hoped this would be a successful project, one that would benefit the community.

Commissioner Clarke asked about the prospects for getting a developer and about the future of the former Board of Education Central Office building, which was addressed. Director Hahn said a qualification based process would have to be developed first in order to choose a developer. He also stated that the former Board of Education Central Office building would eventually be demolished.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner James voting no, to adopt the resolution entitled: Resolution Approving The Fourth Amendment To The Brooklyn Village/Knights Baseball Stadium Interlocal Cooperation Agreement Between the County and the City, and Authorizing New Interlocal Agreements Among the County, the City, the Board Of Education, and the Housing Authority.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS

WHEREAS, Mecklenburg County (“County”) and the City of Charlotte (“City”) have previously entered into that certain “Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement” approved by the City on May 14, 2007 (the “Interlocal Agreement”); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of December 7, 2007 (“First Amendment”) to defer the time for closing on the sale of certain real property by the County to Brooklyn Village LLC (the “Second Ward Property”); and
WHEREAS, the County and Brooklyn Village LLC entered into an Agreement of Sale for County Property dated January 17, 2008 (the “Sales Agreement”) under which the County agreed to sell the Second Ward Property to Brooklyn Village LLC; and

WHEREAS, the County and Brooklyn Village LLC amended the Sales Agreement effective September 8, 2010 to defer the time for closing under the Sales Agreement; and

WHEREAS, by agreement dated October 11, 2011, Brooklyn Village LLC assigned its rights as Buyer under the Sales Agreement to Spectrum Investment Services, Inc. (“Spectrum”), as allowed by the Sales Agreement; and

WHEREAS, the County and Spectrum amended the Sales Agreement effective as of November 20, 2012 to extend the time for Spectrum to close on purchase of the Second Ward Property to June 1, 2013 (the “Second Extension to Sales Agreement”); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of January 29, 2013 (“Second Amendment”) to defer the time for closing on the sale of the Second Ward Property by the County to Brooklyn Village LLC (the “Second Ward Property”) until June 1, 2013; and

WHEREAS, Brooklyn Village LLC did not close on the sale of the Second Ward Property by June 1, 2013, and thereby lost its right to purchase the Second Ward Property; and

WHEREAS, the Interlocal Agreement, as amended through the Third Amendment, provides in Section 2.04(b) that should the County not sell the Second Ward Property to Brooklyn Village LLC by October 1, 2013, the City could require the County to re-convey Marshall Park to the City if the City provides notice to the County to do so within sixty (60) days; and

WHEREAS, the County did not sell the Second Ward Property to Brooklyn Village LLC by October 1, 2013; and

WHEREAS, the County believes that it can find a purchaser within the next year for just the apartment parcel (one of three parcels to be sold from the Second Ward Property) even though it believes that it cannot currently find a purchaser for all three of the parcels, and has completed work on a proposed term sheet among the County, the City, the Charlotte-Mecklenburg Board of Education (“CMBE”), and the Housing Authority of the City of Charlotte, NC (“Authority”) for a phased sale approach, with just the apartment parcel to be sold initially; and

WHEREAS, in order to provide the necessary time for the County, the City, CMBE, and the Authority to finalize the terms for the phased sale approach, and to preserve the right of the City to require re-conveyance of Marshall Park should this phased sale approach not be acceptable to all parties, the City and the County desire to amend the Interlocal Agreement to change the October 1, 2013 date to April 1, 2015, and to provide that the County cannot sell any of the former Marshall Park property until there has been either a further amendment of the Interlocal Agreement or a new interlocal agreement dealing with Marshall Park is approved and executed; and

WHEREAS, the provisions of the original 2007 Brooklyn Village/Knights Baseball Stadium Interlocal Agreement are obsolete except for the provision relating to the possible re-conveyance of Marshall Park to the City; and

WHEREAS, new interlocal agreements among the County, the City, CMBE and the Authority consistent with the business terms outlined in Attachment 1 will be necessary; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it
RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to execute the “Fourth Amendment to Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement” in substantially the form presented to the Board of Commissioners with such technical corrections and minor modifications as he may deem necessary consistent with the spirit and intent of the transaction described herein; and that the Board does hereby authorize the County Manager, or his designee, to negotiate and execute interlocal agreements among the County, the City, CMBE and the Authority, consistent with the business terms outlined in Attachment 1.

Resolution recorded in full in Minute Book _____ Document # ______.

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

(13-1446) REGIONAL RADIO SYSTEM

Chuck Robinson, Director, City of Charlotte Shared Services addressed proposed Interlocal agreements relating to the regional radio system, including an agreement to allow Stanly County to join the Regional Radio Network.

Note: The Charlotte-Mecklenburg regional public safety radio network began in December, 2003 as a result of an Interlocal Agreement between the City of Charlotte and Mecklenburg County. As the network coordinating agency, the City of Charlotte established the infrastructure necessary for regional voice communications interoperability, with the support of several Federal grants. Initially, the users of the network were departments and agencies of the City and County, such as the Charlotte-Mecklenburg Police Department, Mecklenburg County Sheriff’s Office, Charlotte Fire Department, the County’s Fire Marshall’s Office and volunteer fire departments, among others. Since 2003, other local government entities including Union County, Cabarrus County, Kannapolis, Concord and Gastonia have entered into service agreements with Charlotte and Mecklenburg to become part of a regional radio system. Stanly County is currently in the process of joining the regional network. Regional participation holds down the cost of Charlotte-Mecklenburg’s network infrastructure and the operating costs for all participating jurisdictions, while increasing public safety interoperability. Establishing a Regional Radio Advisory Council comprising professional staff from the participating entities will provide a formal structure for establishing policies and procedures. The resolution authorizes the County Manager to appoint a "Primary Representative" and an "Alternate Representative" for Mecklenburg County. With approval of the resolution, the County Manager will designate the Charlotte Fire Department Chief and Mecklenburg County Sheriff as representative and alternate on the Regional Radio Advisory Council.

Comments:

Commissioner Dunlap asked was Medic a part of the agreement. The response was yes that Medic was a participant in the radio system.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled, "Resolution of the Mecklenburg County Board of Commissioners Authorizing Execution of an Interlocal Agreement for Regional Radio System Governance by and among the City of Charlotte, Mecklenburg County and other users of the Regional Radio system".

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled,
NOVEMBER 19, 2013

"Resolution of the Mecklenburg County Board of Commissioners Authorizing Execution of an Interlocal Agreement for Access to and Service of Radio System Between the City of Charlotte, Mecklenburg County, and Stanly County".

Resolutions recorded in full in Minute Book _____ Documents #_______ and ______.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1429) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS


2. Accept the “Offer of Sale of Real Estate” from Joyce Lillian Scekeres, owner of property at 3025 Dunlavin Way (Tax Parcel 093-134-05) for $146,000.

3. Accept the “Offer of Sale of Real Estate” from QH Homes, Inc., owner of property at 5401 Dolphin Lane (Tax Parcel 099-116-20) for $59,000.

Note: These acquisitions are due to the County’s Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). These acquisitions represent a continuation of buyouts using FY14 Flood Mitigation Capital Funds of properties identified in the Flood Risk Assessment and Risk Reduction Plan (Plan).

(13-1431) CONSERVATION DECLARATIONS ON COUNTY PROPERTY


Note: Charlotte-Mecklenburg Storm Water Services' Engineering Program is completing a stream restoration project along McAlpine Creek to improve water quality. With the execution of these conservation declarations, this project will qualify for mitigation credits held by the City of Charlotte's mitigation bank. The revenue from credit sales will be returned to the County and used to partially fund the County's 100% Pay-Go Capital Improvement Program that restores streams and wetlands.

(13-1441) MINUTES
Approve minutes of Regular Meeting held November 5, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Dunlap returned to the dais.

(13-1428) GRANT APPLICATION -- SUSAN G. KOMEN FOUNDATION (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve submitting a renewal annual grant application for $130,000 to the Susan G. Komen Foundation to be effective April 1, 2014; and if awarded, recognize, receive, and appropriate awarded funds for the duration of the grant period.

Note: These funds will support: Continuation of the Person-to-Person Program to provide screening mammograms and diagnostic services for low-income women, uninsured/underinsured women; provide access for more eligible minority women residing in Mecklenburg County; and provide outreach and education focused on breast health and access to available resources.

Commissioner Leake removed this item from Consent for more public awareness. She also inquired as to the number of grants received by the Health Department over the last two years. Also, were all of the grant funds spent and if not, how much remained. Assistant County Manager Michelle Lancaster addressed how the grant process worked and the types of grants received by the Health Department. She also noted that a response to Commissioner Leake’s question was provided to her assigned Board Support person.

Interim County Manager Shields said staff was in the process of looking at the County’s overall grant system and developing a process whereby grants would be tracked.

(13-1437) TAX REFUNDS

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve refunds in the amount of $4,306.81 for registered motor vehicles as statutorily required to be paid as requested by the Assessor resulting from clerical errors, value changes, and appeals processed in the new statewide vehicle tax system; and Approve refunds in the amount of $273,503.78 and interest as statutorily required to be paid as requested by the Assessor.

Commissioner Ratliff removed this item from consent for clarity. Assistant County Manager Dena Diorio addressed this matter. It was noted that the refunds referenced in this agenda item were not a part of the revaluation reviews.

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

(13-1445) GRANT APPLICATION -- MOSQUITO CONTROL (LUESA/ENVIRONMENTAL HEALTH)
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve submission of a grant application for state funding for mosquito control for June 1, 2014 through May 31, 2015; and if awarded, recognize, receive and appropriate the award.

Commissioner Leake removed this item for more public awareness. Commissioner Leake also asked where should people go or report a mosquito problem and where should they go to apply for the temporary positions that will be available to assist with mosquito control. Assistant County Manager Lancaster addressed this. It was noted that persons wanting to report a mosquito problem should call 311 and those interested in applying for the temporary positions should apply through County Human Resources.

Commissioner Leake asked how much would be allocated to cover the cost of the temporary positions. Assistant County Manager Lancaster said she would get that information.

Chairman Cotham asked what the temporary employees would be doing. Assistant County Manager Lancaster said she would get that information.

ADJOURNMENT

Motion was made by Commissioner Ratliff, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour 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

__________________________
Patricia “Pat” Cotham, 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 located at 600 East Fourth Street 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 3, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Note: Commissioner Fuller became Chairman during the Formal Session of the meeting as noted below.

Absent: None

- INFORMAL SESSION -

Commissioners Bentley, Dunlap and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

The meeting was called to order by Chairman Cotham after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were items: 13-1433, 13-1450, 13-1453, 13-1462, and 13-1464.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake and Ratliff voting yes, to move Consent Item 13-1462 Purple Heart County Presentation and Proclamation from Consent to Awards/Recognition.

STAFF BRIEFINGS - NONE
Commissioner Bentley entered the meeting.

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake and Ratliff voting yes, to go into Closed Session for the following purposes: Land Acquisition, Business Location and Expansion, To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259 (G.S. 143-318.11(a) (1), CONSULT WITH ATTORNEY AND PERSONNEL MATTER.

The Board went into Closed Session at 5:16 p.m. and came back into Open Session at 6:35 p.m.

Commissioners Dunlap and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

____________________-

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order. Chairman Cotham then recognized Commissioner Dunlap to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Note: Dr. Dwayne A. Walker, Pastor of Little Rock A.M.E. Zion Church gave invocation as well following remarks by Commissioner Dunlap.

(13-1444) ELECTION OF CHAIRMAN

Chairman Cotham passed the gavel to Vice-Chairman Ratliff to conduct the process for the election of Chairman for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Vice-Chairman Ratliff asked for nominations for Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Commissioner James nominated Commissioner Pat Cotham. Commissioner Bentley seconded the nomination.

Commissioner Clarke nominated Commissioner Trevor Fuller. Commissioner Leake seconded the nomination.
Commissioners then addressed the reason for their nominations and/or their view of why additional nominations were made.

Commissioners James, Bentley, Ridenhour, Leake, and Clarke thanked Commissioner Cotham for her leadership for the past year.

In light of the anticipated vote, Commissioner Cotham withdrew her name from consideration.

Commissioner Fuller said his focus was on “getting a job done.” He noted that the Board had dealt with a lot of challenges in the past year and had done so as best it could. Commissioner Fuller said it felt, however, as if the Board was “a drift” and lacked “coherent and clear direction.”

He noted that N.C. law provided the opportunity for Boards of County Commission to change its leadership every December, if they desired to do so.

Commissioner Fuller said his thoughts had been on how could the Board as a whole move forward together. He said his assessment of the past year was that transparency had not been the “order of the day.” Further, that over the past year some Commissioners felt included and some felt excluded. He said in light of the many changes that were coming before the County, that it was “imperative” that the Board “find a way together, to huddle together and chart a new way forward.”

Commissioner Fuller said it brought him “no joy” to bring the issue of the Board’s past leadership up. He said it was a difficult issue for him personally. He said he liked Commissioner Cotham very much and knew that her “heart was in the right place.” Commissioner Fuller said he had to, however, put aside his personal feelings, to consider what was the right path going forward. In light of that, he has presented himself to serve as Chairman for the next year. Commissioner Fuller said many people approached him about serving in that capacity.

Commissioner Fuller said the one thing he hoped the Board wouldn’t do was “fracture” as a result of the proposed change in leadership.

Commissioner Fuller informed Commissioners James, Ridenhour, and Bentley that they should “have no worry” that they would be excluded or that their ideas would not be considered.” Commissioner Fuller said he hoped that their past work together would serve as “evidence” of his intention to continue to seek out their guidance and to discuss issues.

Commissioner Fuller thanked everyone for the “anticipated honor” to serve as chairman of the Board.

The vote was then taken on the remaining nominee, Commissioner Fuller and carried 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake and Ratliff voting yes and Commissioners Cotham, Bentley, James and Ridenhour voting no, to elect Commissioner Trevor Fuller as Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Vice-Chairman Ratliff announced the election of Commissioner Fuller as the Board’s new Chairman.

Vice-Chairman Ratliff passed the gavel to Chairman Fuller.
DECEMBER 3, 2013

(13-1481) ELECTION OF A VICE-CHAIRMAN

Chairman Fuller asked for nominations for Vice-Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Commissioner Bentley nominated Commissioner Cotham.

Commissioner Cotham declined the nomination but thanked Commissioner Bentley for nominating her.

Commissioner Cotham said she would like to afford that opportunity to someone else, since she had already served in a leadership role.

Commissioner Leake nominated Commissioner Clarke.

Commissioner Ridenhour nominated Commissioner Bentley.

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close nominations.

Commissioners then addressed the reason for their nominations.

Commissioner Bentley noted for the record that she had no idea that she would be nominated for Vice-chairman. She said she would be honored to serve if elected.

The vote was then taken on the following nominees as follows:

Commissioner Clarke: Commissioners Dunlap, Clarke, Fuller, Leake and Ratliff

Commissioner Bentley: Commissioners Bentley, James and Ridenhour

Note: Commissioner Cotham did not vote.

Chairman Fuller announced the election of Commissioner Clarke as Vice-Chairman of the Mecklenburg County Board of Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

AWARDS/RECOGNITION

(13-1462) PURPLE HEART COUNTY -- PRESENTATION AND PROCLAMATION

The Board received a presentation from Mike Stubbs, Commander of Chapter 634 of the Military Order of the Purple Heart regarding Mecklenburg County becoming a Purple Heart County. Mr. Stubbs was joined by several Purple Heart Veterans.

Note: The Military Order of the Purple Heart is the second smallest military organization, second only to the Congressional Medal of Honor Society. The Military Order of the Purple Heart is the only organization chartered by Congress for combat wounded veterans. The Purple Heart, an American decoration, is the oldest Military Decoration in the world in present use. The Purple Heart is awarded in the name of the President to members of the
DECEMBER 3, 2013

Armed Forces of the United States who have been wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds in action. The mission of the Military Order of the Purple Heart is to foster an environment of goodwill and camaraderie among combat wounded veterans, promote Patriotism, support necessary legislative initiatives, and most importantly, provide service to all veterans and their families.

The Board welcomed and acknowledged the contributions of those present, other Purple Heart Veterans and all veterans, as well as those currently serving in the U. S. Armed Forces.

A plague was presented to County from Chapter 634 of the Military Order of the Purple Heart.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a Proclamation declaring Mecklenburg County a Purple Heart County.

The proclamation was read by Commissioner Ridenhour.

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

PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting: Pete Heuberger, chair of the Mr. Hare's Nature Walk committee of the NorthEnd Partners addressed the Mr. Hare's Nature Walk at Little Sugar Creek in Hidden Valley.

A copy of Mr. Heuberger remarks is on file with the Clerk to the Board.

APPOINTMENTS

In 1996, the Mecklenburg Board of County Commissioners along with County management staff worked with EMS management and leaders in both the medical and business communities to address the needs of the County's EMS department. The Amended and Restated Joint Undertaking Agreement, approved by the Board of County Commissioners in November 2009, states the affairs of the Agency shall be governed by a seven-member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows:

Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; Three (3) persons shall be Novant Health Southern Piedmont Region (Presbyterian) employees nominated by the Presbyterian Chief Executive Officer; and One (1) person shall be a County employee nominated by the County Manager. Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner's successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.

Assistant County Manager Michelle Lancaster addressed this matter.

Commissioner Leake asked whether persons serving received compensation. The response was no.
Commissioner Leake asked whether there were term limits. The response was no.

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint the following Hospital nominated Commissioners to the EMS Joint Agency Board for a three-year term (12/31/2013 -12/31/2016), Carolinas Healthcare System: Dr. Matthew Hanley, Katie Kaney, and Dennis Phillips, Novant Health: Tanya Blackmon, Paula Vincent, Dr. Thomas Zweng; and that County representative Harry Weatherly be reappointed to continue his term through December, 2014.

(13-1478) APPOINTMENTS

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Suresh Vottikonda to the Citizen’s Capital Budget Advisory Committee to fill an unexpired term expiring July 31, 2014.

He replaced Jason Roach.

Note: Leigh Altman was nominated but asked that her name be removed from consideration.

DOMESTIC VIOLENCE ADVISORY BOARD

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

Monique Horace None
Rosalind Smith Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour
Glenda Spann-Hinnant None

Chairman Fuller announced the appointment of Rosalind Smith to the Domestic Violence Advisory Board to fill an unexpired term expiring April 30, 2015.

She replaced Teresa Smith.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

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

Natalie Donovan Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, and Leake
Shelton Ivey Commissioners Fuller, Dunlap, and Ratliff
Bill Lynch Commissioners Bentley, Clarke, Cotham, Leake, and Ridenhour

Voting Ceased

Tony Stone
Chairman Fuller announced the appointments of Natalie Donovan to the Information Services & Technology Committee to fill an unexpired term expiring February 28, 2015 and Bill Lynch to fill an unexpired term expiring February 28, 2016.

They replaced John Carson and Mike Hill.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Small Business and Entrepreneurship Advisory Board:

Mitchell Abdullah None
Travis Bucholtz None
Dorian Carter Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff and Ridenhour
Trymaine Gaither None
James Guin Commissioners James and Ridenhour
Shelton Ivey None
Pamela Lue-Hing Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ratliff

Voting Ceased

Eleanor McIntire
Michael Minnix
Kristin Prentice
Dana Sidberry
Rico Wagner

Chairman Fuller announced the appointments of Dorian Carter and Pamela Lue-Hing to the Small Business and Entrepreneurship Advisory Board to fill unexpired terms expiring June 30, 2015.

They replaced Jonathan Hassell and Erin Martin.

Note: Commissioner Bentley requested a future report from the Small Business and Entrepreneurship Advisory Board regarding matters they’ve addressed, their goals, and plans for moving forward. There was no objection from the Board for receiving such a report.

WOMEN’S ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Women’s Advisory Board:

Round One

Alinda Angerville None
Jaclyn Blair Commissioner Cotham
Sarah Byrne None
Valerie Dorsett None
Sophia Gaither None
Devonya Govan-Hunt None
Charlene Henderson None
Alicia Jones-Muhammad Commissioners Clarke and Dunlap
Chairman Fuller announced the appointments of Jaclyn Blair to the Women’s Advisory Board to fill an unexpired term expiring April 30, 2015 and Cynthia Pride to fill an unexpired term expiring June 30, 2016.

*They replaced Andrea Arterburn and Li Mia Bowen.*

**PUBLIC HEARINGS**

(13-1461) **PUBLIC HEARING -- STREET LIGHTING FINAL ASSESSMENT**

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County’s participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

No one appeared to speak.
Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close the public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County’s participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions and adopt Final Assessment Resolutions for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

Resolutions recorded in full in Minute Book _____ Documents # ______, ______, _______, _______, __________, _______, __________ and _______.

(Q13-1463) QUEENS UNIVERSITY OF CHARLOTTE TEFRA HEARING

Motion was made by Commissioner Cotham, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open the Queens University of Charlotte TEFRA public hearing and receive comments on the proposed financing.

Note: Queens University of Charlotte, the University is in the process of working out arrangements to refinance several series of existing bonds previously issued on behalf of the University. To accomplish the refunding, the University's financial advisor has arranged for the Public Finance Authority, a public body created under the laws of the State of Wisconsin, to issue bonds on behalf of the University, which will allow the University to obtain favorable financing terms that would not otherwise be available if the bonds were issued by a North Carolina issuer. To comply with federal law, the University has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the bond issue. This approval will not make the County responsible in any way for the bonds or the projects financed or refinanced with bond proceeds. Hosting the public hearing and approving the issuance of the bonds are merely ministerial acts that will enable the University to comply with federal tax law requirements.

At 8:20 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), of its Educational Facilities Revenue Refunding Bonds (Queens University of Charlotte), Series 2013 (the “2013 Bonds”), in an aggregate principal amount not to exceed $56,500,000, the proceeds of which will be loaned to Queens University of Charlotte (the “University”) for the following purposes:

(1) to refund in advance of their maturities the following bonds previously issued by the North Carolina Capital Facilities Finance Agency (the “Agency”):

(a) the Agency’s $12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999A, of which $5,965,000 remains outstanding, and its $12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999B, of which $5,965,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction of University facilities, including Sykes Learning Center, a parking deck and a theater; (ii) renovation of certain dormitories, classroom buildings, office space and dining facilities on the campus of the University; (iii) improvement to the campus of the University, including lighting, internet connections and technology upgrades; (iv) refinancing outstanding indebtedness of the University incurred to construct and renovate certain University facilities; (v) the acquisition of certain real property and...
(vi) other educational improvements related to the University’s mission (collectively, the “1999 Project”); 

(b) the Agency’s $7,765,000 Educational Facilities Revenue Bonds (Queens College), Series 2001, of which $5,190,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction and equipping of a new residence hall on the University’s campus, (ii) construction and equipping of a theater adjacent to the University’s campus at Myers Park Traditional Elementary School (the “2001 Theatre Project”), (iii) construction and equipping of Sykes Learning Center, (iv) re-keying of locks across the University’s campus and (v) other educational improvements related to the University’s mission (collectively, the “2001 Project”); 

(c) the Agency’s $38,400,000 Variable Rate Educational Facilities Revenue Bonds (Queens University of Charlotte), Series 2011, all of which remains outstanding, the proceeds of which were loaned to the University to finance a portion of the costs of acquiring, constructing and equipping of a 3-story, approximately 140,000 square foot wellness and recreation center, a 500-space parking deck, a two-story residence hall with up to 210 beds, and other related improvements on the University’s campus (collectively, the “2011 Project,” and together with the 1999 Project and the 2001 Project, the “Projects”); and 

(2) to pay certain costs incurred in connection with the issuance of the 2013 Bonds.

The 2001 Theater Project is located at 2132 Radcliffe Avenue, Charlotte, North Carolina and is owned by the Mecklenburg County Board of Education and leased to the University. The remaining Projects to be refinanced with proceeds of the 2013 Bonds are owned and operated by the University and are located on the University’s main campus at 1900 Selwyn Avenue, Charlotte, North Carolina, which campus is bounded by Selwyn Avenue to the east, Wellesley Avenue to the south and Radcliffe Avenue to the north.

On November 19, 2013, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the 2013 Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2013 Bonds or who responded in writing to the notice of public hearing are as follows: [None.]

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, (Note: No one appeared to speak). Commissioner Pat Cotham moved that the public hearing be closed. The motion was seconded by Commissioner Dumont Clarke and was unanimously adopted.

Commissioner Pat Cotham introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:
WHEREAS, Queens University of Charlotte, a North Carolina nonprofit corporation (the “University”), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the “Authority”), issue its Educational Facilities Revenue Refunding Bonds (Queens University of Charlotte), Series 2013 (the “2013 Bonds”), in an aggregate principal amount not to exceed $56,500,000 for the following purposes:

(1) to refund in advance of their maturities the following bonds previously issued by the North Carolina Capital Facilities Finance Agency (the “Agency”):

(a) the Agency’s $12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999A, of which $5,965,000 remains outstanding, and its $12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999B, of which $5,965,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction of University facilities, including Sykes Learning Center, a parking deck and a theater; (ii) renovation of certain dormitories, classroom buildings, office space and dining facilities on the campus of the University; (iii) improvement to the campus of the University, including lighting, internet connections and technology upgrades; (iv) refinancing outstanding indebtedness of the University incurred to construct and renovate certain University facilities; (v) the acquisition of certain real property and (vi) other educational improvements related to the University’s mission (collectively, the “1999 Project”);

(b) the Agency’s $7,765,000 Educational Facilities Revenue Bonds (Queens College), Series 2001, of which $5,190,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction and equipping of a new residence hall on the University’s campus, (ii) construction and equipping of a theater adjacent to the University’s campus at Myers Park Traditional Elementary School (the “2001 Theatre Project”), (iii) construction and equipping of Sykes Learning Center, (iv) re-keying of locks across the University’s campus and (v) other educational improvements related to the University’s mission (collectively, the “2001 Project”);

(c) the Agency’s $38,400,000 Variable Rate Educational Facilities Revenue Bonds (Queens University of Charlotte), Series 2011, all of which remains outstanding, the proceeds of which were loaned to the University to finance a portion of the costs of acquiring, constructing and equipping of a 3-story, approximately 140,000 square foot wellness and recreation center, a 500-space parking deck, a two-story residence hall with up to 210 beds, and other related improvements on the University’s campus (collectively, the “2011 Project,” and together with the 1999 Project and the 2001 Project, the “Projects”); and

(2) to pay certain costs incurred in connection with the issuance of the 2013 Bonds;

WHEREAS, with the exception of the 2001 Theatre Project, which is owned by the Mecklenburg County Board of Education and leased to the University, the Projects are owned and operated by the University;
WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2013 Bonds are required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the area in which the Projects are located, after a public hearing held following reasonable public notice;

WHEREAS, the Board of Commissioners (the “Board”) of the County of Mecklenburg, North Carolina (the “County”) is the “applicable elected representative” of the County for the Projects located within the County;

WHEREAS, the University has requested that the Board approve the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the “TEFRA Notice”), held a public hearing today regarding the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects and now desires to approve the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority’s issuance of the 2013 Bonds in an aggregate principal amount not to exceed $56,500,000 and (b) the refinancing of the Projects located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2013 Bonds or for any costs incurred by the University with respect to the 2013 Bonds or the Projects.

Section 3. This resolution is effective immediately on its passage.

On motion of Commissioner Pat Cotham, seconded by Commissioner Dumont Clarke, the foregoing resolution entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS (QUEENS UNIVERSITY OF CHARLOTTE), SERIES 2013 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $56,500,000” was duly adopted by the following vote:

AYES: COMMISSIONERS KAREN BENTLEY, DUMONT CLARKE, PATRICIA “PAT” COTHAM, TREVOR M. FULLER, GEORGE DUNLAP, BILL JAMES, VILMA LEAKE, KIM RATLIFF, AND MATTHEW RIDENHOUR

Extract/Resolution recorded in full in Minute Book Document # _______.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-1489) CONSENT AGENDA PROCESS

Interim County Manager Bobbie Shields addressed the types of agenda items that go under Consent and why. He also shared with the Board, a new process for making the public more aware of Consent items. Interim County Manager Shields informed the Board that beginning with tonight’s meeting, Consent items would be strolled at the end of meeting video.

STAFF REPORTS & REQUESTS
DECEMBER 3, 2013

(13-1430)   BUDGET AMENDMENT -- LUESA/CODE ENFORCEMENT HYBRID COLLABORATIVE DELIVERY TEAM

Motion was made by Commissioner Clarke, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate $1,258,000 in additional permit revenue; and approve adding 16 positions to create a new team to work more efficiently on Building Information Modeling-collaborative projects, as follows:

· 12 code officials (combination plan reviewers/inspectors)
· 2 Building Information Modeling (BIM) navigator code officials (skilled in navigating a building information model)
· 1 project manager/team leader
· 1 plans examiner facilitator

Prior to the above vote, Director of Code Enforcement Jim Bartl addressed the Hybrid Collaborative Delivery Team proposal. He was joined at the podium and assisted by Jonathan Bahr, Chair of the Building Development Commission, member Bernice Cutler, and Virginia Sutton.

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

(13-1471)   NEW CITY/COUNTY EMERGENCY ALERT SYSTEM

The Board received a report on a new emergency management response system, CharMeckAlerts. Jeff Dulin, Deputy Chief, Charlotte Fire Department gave the report.

Note: Mecklenburg County and the City of Charlotte share emergency response responsibilities. One of those functions is supplying information to residents in targeted and wide-scale emergency situations such as floods, severe weather and other threats. Mecklenburg County GIS (Geospatial Information Services), Charlotte-Mecklenburg Emergency Management, the Charlotte Fire Department and the Charlotte-Mecklenburg Police Department are implementing a new and improved notification system. The system, called CharMeckAlerts, includes mobile phone call and text messaging capacity, a social media component, and first responder tools to increase response time and efficiency. The system’s official launch is Wednesday, December 4.

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

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

(13-1472)   NOVEMBER 5, 2013 BOND REFERENDUM RESULTS

RESOLUTION CERTIFYING ELECTION RESULTS

Commissioner Patricia “Pat” Cotham moved the adoption of the following resolution, the motion was seconded by Commissioner Bill James, and the resolution was read by the above title.

WHEREAS, the Board of Commissioners has considered the Certificate of Canvass of the Mecklenburg County Board of Elections canvassing the referendum held for the County of Mecklenburg on November 5, 2013 and certifying the results thereof to the Board of Commissioners and has canvassed the results of that special election;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg that it be and hereby is certified and declared that the number of voters registered and qualified to vote at that special election was 654,462.
DECEMBER 3, 2013

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted “YES” in answer to the question,

“SHALL the order authorizing $290,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?”,

was 83,908. The total number of voters who voted “NO” in answer to such question was 29,231.

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted “YES” in answer to the question,

“SHALL the order authorizing $210,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?”,

was 80,565. The total number of voters who voted “NO” in answer to such question was 31,830.

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted “YES” in answer to the question,

“SHALL the order authorizing $210,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?”,

was 80,565. The total number of voters who voted “NO” in answer to that question was 31,830. The question in the form submitted was approved by the vote of a majority of those who voted thereon at the election.

Any action or proceeding challenging the regularity of validity of this bond referendum must be begun within 30 days after ______________, the date of publication hereof.

Board of Commissioners of the County of Mecklenburg,
The motion was adopted by the following vote:

AYES: Commissioners Karen Bentley, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None

Extract/Resolution recorded in full in Minute Book ______ Document # _______.

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

Commissioner Clarke returned to the dais.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1488) DSS RESPONSIBILITY TO CHILDREN

The Board received a briefing from DSS/Youth and Family Services regarding its responsibility to children from Director of Youth and Family Services Charles Bradley. He was accompanied at the podium by Director of Social Services Peggy Eagan. The briefing was provided at the request of Commissioner Leake. Co-sponsors of the agenda item were Commissioners Bentley, Cotham, and Fuller.

Commissioner Leake requested the briefing, in light of the recent incident in Union County, N.C. involving a Union County Department of Social Services employee/foster parent and their treatment of the children in their care.

Prior to Director Bradley’s presentation, Commissioner Leake said she wanted to make sure that what occurred in Union County could not and would not occur in Mecklenburg County.

Commissioner Leake said she wanted to make sure that Mecklenburg County Department of Social Services/Youth & Family Services employees were persons who truly cared and had the desire to protect children in its care.

Director Bradley gave an overview of policies and practices followed by Youth & Family Services. The overview included responses to questions presented to staff by Commissioner Leake and other sponsors of the agenda item.

Director Bradley said Mecklenburg County Youth and Family Services works to ensure the safety and well-being of all the children in its care by adhering to state and federal policies as it relates to child welfare; applying best practice standards and quality supervisory oversight of all case work activities. He said there was a two-level review process for all placement decisions and stringent licensing requirements for all licensed foster homes. He said in very rare instances, an employee may express a desire to provide care for a child in the custody of the department and if so, that there’s even a more stringent process, including a review by another county to ensure that there is not any conflicts of interest.

The questions, as listed below were responded to in great detail. A copy of the questions and responses is on file with the Clerk to the Board.

1. What role/responsibility does the Department of Social Services (DSS) Director have to ensure that all staff members who work with adoption and foster care of children are following proper policies and to make sure that what happened in Union County does not happen in Mecklenburg County?
2. What policy and process does Mecklenburg County currently practice to guarantee security of children in the County system?

3. What is the policy and procedure for DSS staff members who are the guardians of foster and adopted children?

4. What types of ongoing "quality assurance" business practices are in place to ensure DSS staff members continue to follow policies and procedures when dealing with the adoption and foster care of children?

5. Are background investigations for DSS social workers required after employment?

6. Have Mecklenburg County DSS encountered any similar incident(s) exactly like or similar to the recent Union County DSS case?

Comments

Commissioner Leake asked about training requirements for social workers and verification of their credentials. Director Bradley said a thorough background check was done on all employees. He said the background check included a criminal records check and a child protective services check to ensure they had not abused or neglected any children. He also noted training that was required prior to any contact with families.

Commissioner Leake asked about supervisors and their role with children that they may have adopted or have as foster children. Director Bradley said there was staff licensed through other agencies or from other counties to provide foster care services, as well as, employees that had adopted children.

Commissioner Leake asked were these employees investigated. Director Bradley said yes, the investigation was done as part of their home study. He said the investigation and home study of Mecklenburg County employees was done by an outside agency or another county.

Commissioner Leake said she visited all of the foster care homes in District Two. She said she requested follow-up reports from staff on some and was awaiting receipt of those reports.

Commissioner Leake said her hope was that children all over the country were safe and not being “humiliated” and suffering from what was seen in Union County.

Commissioner Clarke asked to what extent did the state inspect or do compliance examinations to make sure Youth and Family Services employees were “dotting their i’s and crossing their “t”s.” Director Bradley said there were quarterly and annual audits of quality sampling of case work practices as it relates to child protective services. He said the state sends audit teams to different counties. He said because of Mecklenburg County’s size, frequent assessments were done by the state.

Commissioner Clarke asked about the quality assurance team referenced in the responses to the questions. Director Bradley elaborated on that. He said the goal was to improve performance, as well as, outcomes for children.

Commissioner Clarke asked Director Bradley to inform the Board more about the need to increase resources as it relates to the quality assurance team at budget development time. Director Bradley said he would appreciate the Board’s support in this area because it was something that he would like to see an increase in resources for.
Commissioner Cotham asked about the number of foster care children in Mecklenburg County. Director Bradley said between 600 – 650 children on average.

Commissioner Cotham asked were children tracked that age out of foster care. Director Bradley said on average about 30-50 children age out of foster care. He said the state did allow children to remain connected to the Youth and Family Services Department and receive services from 18 – 21. He said all children aging out of foster care have the ability to apply for Medicaid, to have their health insurance continue until the age of 21 and was also offered the opportunity for continued placement. He said some children take advantage of that. He said the state also provided assistance to foster care children that age out to further their education. He said the department was in the process of developing partnerships with higher education institutions, specifically, Johnson C. Smith University through their Ambassadors’ program.

Commissioner Cotham asked if there were any children in Mecklenburg County from other counties. Director Bradley said yes, the program at Johnson C. Smith University accepts foster care children from all over the state. He said those students could access services through Mecklenburg County.

Director Bradley said Mecklenburg County also provided services to children who migrate to Mecklenburg County if the need arises and they voluntarily came in for services.

Commissioner Leake asked about the department’s dealings with children that were homeless, particularly as it related to their safety. Director Bradley said in N. C. all citizens were mandated reporters. He said reports were received from shelters and when received they’re investigated.

Commissioner Leake asked if the department made random visits to sites such as shelters. Director Bradley said no, the department did not have a jurisdiction to investigate shelters. He said if there was a concern regarding a child or family that’s reported, then an investigation would be initiated.

Director Bradley was thanked for his presentation.

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

(13-1465) LAND ACQUISITION

Motion was made by Commissioner Ridenhour, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager to negotiate and execute all documents necessary for acquisition of the following properties: Proposed North Mecklenburg Recreation Center, Tax Parcel #005-021-09 (+/-43.18 acres) in the Town of Cornelius from LoLo Checkers, LLC for $2,500,000; Sugar Creek Greenway, Tax Parcel #143-221-02 (+/-9.81 acres) in southwest Charlotte from William C. Hildreth for $114,000; and appropriate $16,000 for demolition of a single family residence on the property and debris removal after closing from Fiscal Year 2014 Land Acquisition funding; Berryhill Nature Preserve Expansion, a portion of Tax Parcel #113-171—02 (+/-8.969 acres) along Walkers Ferry Road in Charlotte from Jack Barnes for $170,000; and designate that portion of Tax Parcel #113-171-02 referenced above as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (a component of the 2008 Park and Recreation 10-year Master Plan.)

Commissioner Dunlap returned to the dais.

CONSENT ITEMS
Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1425) BUDGET AMENDMENT -- MECKLINK

(A) Recognize, receive and appropriate federal funds from the U.S Department of Housing and Urban Development (HUD) in the amount of $361,127 for the renewal of HUD Access Project Grant.

(B) Recognize, receive and appropriate state funds from the North Carolina Department of Health and Human Services (NC DHHS) for individuals with traumatic brain injuries (TBI) in the amount of $40,000.

(C) Recognize, receive and appropriate funds from the North Carolina Families United in the amount of $41,870 for funding for the Mecklenburg County Training Institute (MCTI).

(D) Reduce state funds in the amount of $4,349,191 on a one-time basis for the support of administrative functions during FY14.

(E) Recognize, receive and appropriate state funds from the North Carolina Department of Health and Human Services in the amount of $818,750.

(f) Reduce single stream funding in the amount of $34,507 per annual state continuation allocation letter.

(G) Recognize, receive and appropriate federal funds from the North Carolina Department of Health and Human Services in the amount of $36,239 per annual state continuation allocation letter.

(13-1455) LAND DONATION -- SLATER ROAD

Accept the donation of Tax Parcel 041-125-12 (±0.52 acres) along Kennedy Branch for flood prevention and future water quality improvement.

(13-1457) BUDGET AMENDMENT -- LUESA/WATER & LAND RESOURCES (REVENUE INCREASE)

1) Recognize and appropriate $28,680 in additional Land Development revenue to expand a Senior Engineering Technician position from part-time to full-time.

2) Recognize and appropriate $99,850 in additional Storm Water revenue to increase position hours allocated for erosion control inspections from current 1.5 full-time equivalents (FTEs) to 2 FTEs.

(13-1459) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITION

Accept the “Offer of Sale of Real Estate” from William C. and Joanne B. Hooper, owners of property at 3125 Dunlavin Way (Tax Parcel 093-134-13) for $114,000.

(13-1480) MINUTES
Approve minutes of Regular meeting held November 19, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1433) BUDGET AMENDMENT -- NCDOT BICYCLE-PEDESTRIAN FUNDS FOR GREENWAYS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate $700,000 additional funds for Toby Creek Greenway, Phase 2; and authorize the County Manager to execute contracts with NCDOT.

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

(13-1450) BUDGET AMENDMENT -- DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY14 Budget to recognize, receive and appropriate $310,002 additional Rural Operating Assistance Program (ROAP) revenue.

Note: Funding provides transportation assistance for the elderly and disabled, employment services and individuals that reside in a rural area of Mecklenburg County.

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

(13-1453) BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate $150,000 from concealed handgun permit fees to the Sheriff's Special Revenue Fund.

Note: The Sheriff's Office's share of all funds resulting from the issuance of concealed carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

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

(13-1464) CONSTRUCTION CONTRACT -- AMERICAN LEGION MEMORIAL STADIUM REPAIRS

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to award a construction contract to JD Goodrum Company in the amount of $2,303,022 for the repair and renovation of American Legion Memorial Stadium, located adjacent to the CPCC campus on Kings Drive.
Note: This contract includes repairs to portions of the existing bleachers and handrails, re-roofing five outbuildings, and repairs to concrete walkways, stairs and retaining walls. New construction includes a press box on the north side of the site and an entry concourse.

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

Prior to adjournment Commissioner Cotham congratulated Chairman Fuller on his election as chairman. She also thanked Commissioners for their support of her chairmanship for the last year.

Chairman Fuller thanked Commissioner Cotham and for her continued service to the community.

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:55 p.m.
The Board of Commissioners of Mecklenburg County, North Carolina, met in a Budget Public Policy Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 3:00 p.m. on Tuesday, December 10, 2013.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Vilma Leake and Kim Ratliff
Interim County Manager Bobbie Shields
Clerk to the Board Janice S. Paige

Absent: Commissioners Karen Bentley, Bill James and Matthew Ridenhour

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

Chairman Fuller called the meeting to order, after which the matters below were addressed.

Commissioner Ratliff entered the meeting immediately following the call to order.

(13-1496) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

Chairman Fuller called on County Tax Assessor Ken Joyner to present the revaluation review matter before the Board.

County Assessor Joyner addressed revaluation review value changes and resulting refunds.

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

Comments

Commissioner Leake asked for clarification of the review process map that was provided to the Board. County Assessor Joyner explained the purpose of the map and the map legend.

Commissioner Dunlap asked for clarification of the pre-review value noted in the information provided to the Board. County Assessor Joyner explained the meaning of pre-review value.

Interim County Manager Shields asked for clarification of the areas on the review process map listed as previously approved. County Assessor Joyner clarified what those areas were, Myers Park and Lake Norman. He also addressed the value changes.

Commissioner Leake noted for the record that the previous Board initiated and began the revaluation review process. She said the current Board just continued that process.

Commissioner Clarke referenced the total amounts listed in the report for the pre-review value, Pearson’s value, and percentage of change for years 2011, 2012, & 2013. He asked for clarification as to why Pearson had to make adjustments in all three years. County Assessor Joyner said it was
in response to the Session Law requirements. He also addressed the reasoning behind the adjustments.

Commissioner Cotham asked for clarification regarding the review of other areas of the county. She said it appeared to be scattered. County Assessor Joyner addressed the plan for reviewing other areas of the county. He said going forward the plan was to work the reviews going north to south.

Motion was made by Commissioner Clarke and seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, to adopt resolution entitled:

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
DECEMBER 2013 RESOLUTION
CHANGING ABSTRACTS AND AUTHORIZING REFUNDS AND TAXES
IN ACCORDANCE WITH
SESSION LAW 2013-362

Resolution recorded in full in Minute Book ______, Document # ________.

County Assessor Joyner shared with the Board a copy of the 2011 Property Revaluation Review Brochure.

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

(13-1503) BOARD STRATEGIC AGENDA

Budget/Management Director Hyong Yi and Rebecca Herbert with Business Support Services addressed the preliminary draft of the Strategic Agenda of the Mecklenburg Board of County Commissioners.

Note: The preliminary draft of the proposed Board Strategic Agenda was developed using input from Board members, the public, County department leaders and other County employees. At its November 12, 2013 workshop, the Board used this input to identify key themes for its strategic agenda. In addition to the proposed goals and objectives, the preliminary draft of the proposed Board Strategic Agenda contained proposed strategies to achieve the goals and objectives, and potential tactics/key elements that could be aligned with the strategies. Also included were pertinent links to the Board’s Community & Corporate Scorecard and the current performance related to 2020 Scorecard goals.

A copy of the presentation is on file with the Clerk to the Board.
Summary of Proposed Goals and Objectives

<table>
<thead>
<tr>
<th>Theme</th>
<th>Economic Development</th>
<th>High-Performing Organization</th>
<th>Quality of Life &amp; Cost of Living</th>
<th>Strategic Planning in Core Service Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Long-Term Goal(s):</td>
<td>Grow jobs in Mecklenburg County to reduce unemployment to pre-recession levels or better</td>
<td>Optimize organizational performance to sustain Mecklenburg County as highly efficient, effective, accountable and inclusive</td>
<td>Sustain and enhance the quality of life throughout the county, reduce disparities and maintain a stable and affordable property tax rate</td>
<td>Improve the health and well-being of Mecklenburg residents, especially people most in need of support and assistance, through optimal human service delivery</td>
</tr>
<tr>
<td>Proposed 18-month Board Objective(s):</td>
<td>Develop an economic development strategic plan for Mecklenburg County</td>
<td>Increase public awareness of Mecklenburg County’s key strategies and performance regarding efficiency and effectiveness of services, stewardship, transparency and accountability</td>
<td>Establish community consensus on the desired quality of life (including quality of life equity across neighborhoods) in the context of a stable and affordable property tax rate</td>
<td>Establish and/or revise strategic plan goals and objectives for the County’s Human Services Agency</td>
</tr>
</tbody>
</table>

Comments

Commissioner Leake asked about the County’s role versus the City’s role with respect to providing services. She said often people weren’t aware of which entity was responsible for what services.

Commissioner Leake also asked about the County’s mission statement. Commissioner Leake said the County’s mission statement should always be shown on materials for the public’s awareness.

Director Yi responded and explained to Commissioner Leake how her questions were tied to the Board’s strategic agenda.

Ms. Herbert made a note of, for follow-up purposes, Commissioner Leake’s interest in making sure the public understood the County’s role and responsibility and that of the City of Charlotte; as well as, public awareness of the County’s mission statement.

Theme: Economic Development

Commissioner Cotham asked about the statement “Grow the property tax base to support the need for County services” under the Economic Development Theme. Commissioner Cotham said she assumed this was just a broad statement. She said people may take it, however, to mean the County was going to raise taxes, when the idea is to help grow businesses to help the tax base. The
response was yes it was a broad statement.

**Theme: Quality of Life & Cost of Living**

Commissioner Dunlap questioned the use of the word ‘consensus’ with respect to the statement “Establish community consensus on the desired quality of life . . . “under the Quality of Life & Cost of Living Theme. Commissioner Dunlap said if the Board was going to set the direction and was in agreement on that direction, he questioned the need for “community consensus” in order to achieve the goal associated with the theme.

Commissioner Dunlap said he supported the idea of seeking public input and informing the community, but he did not think it was necessary to have the “consensus of the community.”

Interim Assistant County Manager Leslie Johnson reminded the Board of the Mecklenburg Livable Communities Project that was on-going.

Interim Assistant County Manager Johnson said the Mecklenburg Livable Communities Project was a two-year process that engaged the public around what they believe should be priorities for the community and to likewise make recommendations to that effect.

**Theme: Economic Development**

Commissioner Cotham again expressed concern for the reference to “growing the property tax base” under the Economic Development Theme. She questioned whether the wording made it clear as to what the intent was.

Commissioner Dunlap said Commissioner Cotham raised a good concern. He said the question was should it be the goal of the County to raise the tax base and should it be listed in this manner; because raising the property tax base happened as a normal course of action via revaluation.

Commissioner Clarke said the reference to “growing the property tax base” under the Economic Development Theme had more to do with bringing companies into the County in order to increase the tax base, which could keep the property tax from increasing. He said it’s a matter of how it’s explained to show that it compliments economic development.

Commissioner Cotham said her concern was whether the average person would understand it based on the way it’s worded.

Commissioner Dunlap said he felt everyone was in agreement with the Economic Development Theme, but it’s the wording that’s used with respect to “growing the property tax base.”

Interim County Manager Shields said with respect to “growing the property tax base “that the desire was for the community to continue to grow and prosper. He said staff might have to work on the wording in order to capture that intent.

Commissioner Leake asked if the wording would be changed so that the general public would have a better understanding of it. The response was yes.

Director Yi said staff would seek public input regarding the Board’s Strategic Agenda between now and the Board’s Planning Retreat in January. He said the Board would be informed of all input received, including feedback on things the public said they did not understand.

**Theme: High Performing Organization**

Commissioner Leake asked what was the measuring tool for determining whether the County was a high-performing organization. Director Yi said there were several ways and used as an example, the County’s Community and Corporate Scorecard, which he elaborated on.
Commissioner Leake talked about the need for more transparency and receiving information in a timelier manner.

Commissioner Leake said she’d like to know who all of the Department Directors were. She said rarely did the Board get an opportunity to see them. Commissioner Leake said directors should be known, so Commissioners would know who to contact or who to refer a constituent to if there was a concern in a particular area. Commissioner Leake said she’d like to know how many department directors there were.

Chairman Fuller asked which two themes were merged together that formed the theme of High Performing Organization. Chairman Fuller said he viewed the purpose of this goal as being the County’s way of seeking to find ways to create efficiencies for the purpose of saving taxpayers’ dollars.

Director Yi said the intent was also to create effectiveness, transparency, and accountability.

Commissioner Cotham expressed concern about the average citizen’s understanding of the wording of the goals and objectives as currently written for High Performing Organization.

Commissioner Clarke asked that staff not only post the Summary of Proposed Goals and Objectives for the four themes, but the accompanying detailed information for each theme that included the summary statement, the long-term goal, 18-month Board objective, strategies, and potential tactics/key elements. He also suggested adding a statement at the bottom of the Summary page directing folks to see the accompanying, more detailed information.

Commissioner Leake suggested staff come up with a way to have the detailed information associated with each theme on the summary page, so that it would be readily available to the public, and not necessary for them to go to another page to view the detail.

**Theme: Quality of Life & Cost of Living**

Commissioner Leake asked about the current poverty level in Mecklenburg County and addressed how economics and education played a big factor in determining the Quality of Life.

Commissioner Dunlap said the only concern he had at this time with respect to Quality of Life & Cost of Living Theme was whether there should be a link to the 10-Year Plan to End Homelessness. He said he noticed that there was a link to the Livable Communities Plan. Director Yi said staff could add that link.

Commissioner Ratliff referenced the term “Establishing community consensus ... “ listed as the proposed 18-month objective under the Quality of Life & Cost of Living Theme. She asked was there a way of knowing whether the public was utilizing the Quality of Life Dash Board. Interim County Manager Shields said there was a way to determine the number of hits to the site and that staff would report back on that.

Commissioner Cotham asked for clarity on the statement “reduce disparities” listed as part of the Proposed Long-Term Goal under the Quality of Life & Cost of Living Theme, which was addressed. Director Yi said the intent was to reduce the gap between those that were living in poverty, so that we’re moving them out of poverty and into a sustainable life style. Thus, the gap between the wealthy and the poor would shrink.

Commissioner Dunlap noted that at a recent workshop he attended, it was stated Charlotte ranked 49th in terms of livable cities where folks could get out of poverty.

Commissioner Dunlap said the goals to achieve the objective of getting people out of poverty to reduce disparities were going to be critical.
Commissioner Clarke suggested staff specify the types of disparities, so that it would clearer, i.e. health, household income and other disparities.

Commissioner Clarke said he had a similar concern for the use of the word “stable” in the statement “maintain a stable and affordable property tax rate listed as part of the Proposed 18-month Board Objective under the Quality of Life & Cost of Living Theme. Commissioner Clarke said “stable” could mean different things to different people. He suggested staff delete the word stable and instead say “maintain an affordable, i.e. one that residents are able to meet the expense of, property tax rate.”

Commissioner Leake said she would like future discussion of how to interject the poverty level in the mix of all of this, as well as the question of how do you deal with corporate welfare.

Chairman Fuller questioned the use of the words “community consensus” under the Quality of Life & Cost of Living Theme. He asked was the goal simply to establish the community consensus or was it to do something about the quality of life, disparities, etc.

Commissioner Cotham said a lot of people in poverty don’t own homes and that for them their quality of life concern may be whether or not there’s a grocery store nearby. She questioned whether the goals for the Quality of Life & Cost of Living Theme addressed the concerns of those in poverty.

Commissioner Dunlap said part of what the goal allowed the County to do was to reduce the number of food deserts and reduce health disparities.

Commissioner Dunlap said perhaps more work was needed on the Quality of Life & Cost of Living Theme.

Ms. Herbert said in light of the Board’s feedback, staff would work on the Quality of Life & Cost of Living Theme and report back at a later date.

Theme: Strategic Planning in Core Service Areas

Commissioner Dunlap referenced a past discussion regarding the Board serving as the board of health in Mecklenburg County and whether the Board wanted to move to a new model.

Commissioner Dunlap said the discussion was held at the time the position of Director of Social Services was vacant, which had since been filled.

Commissioner Dunlap said under the current model, the County Manager served as the Director of the Human Services Agency.

Interim County Manager Shields said he recalled the discussion and staff was going to come back with a comprehensive plan, including something with regards to MeckLINK.

Interim County Manager Shields said in light of what occurred with MeckLINK, staff was waiting until that matter was resolved before coming back to the Board.

Commissioner Dunlap said he raised the issue in light of the Proposed Long-Term Goal listed for the Strategic Planning in Core Services Areas Theme because it stated “Improve the health and well-being of Mecklenburg residents ... “ Commissioner Dunlap said governance was a part of that.

Commissioner Cotham said she recalled asking about the Consolidated Human Services Agency also. She said she hoped that discussion would come back up.
Interim County Manager Shields said the proposed 18-month Board Objective under the Strategic Planning in Core Service Areas Theme talked about the County’s Human Services Agency.

Commissioner Leake expressed concern for the following issues: 1) clarity on who was the board of health in Mecklenburg County, 2) the need for Board committees to address human services issues, 3) the Health Department and how it’s organized (She referenced a young man that was working with a program for male youth on one side of town, but he was moved to another area.) and 4) accessibility of Health Department services.

Chairman Fuller summarized Commissioner Leake’s comments by saying the issues she identified were 1) whether the County’s Human Services Agency was structured the way that it should be and 2) the issue of Board committees.

Chairman Fuller said a discussion of both of these issues was forthcoming.

Commissioner Cotham referenced the last phrase of the Proposed Long-Term Goal under Strategic Planning in Core Service Areas Theme, “through optimal human service delivery” and suggested adding also “through education and intervention.”

Commissioner Leake said more needed to be done on the County’s part to educate the public about the seriousness of HIV/AIDS.

Commissioner Leake said it was important as well to educate the public on the importance of immunizations for school aged children. Commissioner Leake said she requested from CMS a report on the number of students who did not receive their immunizations and weren’t attending school.

This concluded the discussion of the four themes. It was concluded that the Board was okay with moving forward with the themes, however, more work was needed on the Quality of Life & Cost of Living Theme.

Director Yi said per the Board’s feedback, edits would be made to the Strategic Agenda document. He said also that public input would be sought on the Strategic Agenda document and shared with the Board.

Director Yi said staff would report back to the Board regarding the Strategic Agenda at the Board’s Planning Retreat scheduled for January 16, 2014. He said the Board would be asked to adopt the Strategic Agenda at that meeting.

Director Yi said the Board’s adoption of its Strategic Agenda would serve as the launch point of the Board’s FY15 budget process. He said the Board would hold its budget retreat in February.

Commissioner Clarke asked for clarity on what’s meant by Strategic Agenda. Director Yi said it was the entire document presented to the Board at today’s meeting and not just the Summary Document.

Commissioner Clarke asked was it possible for Commissioners to provide additional information to staff regarding strategies and potential tactics/key elements in order to achieve some of the goals.

Director Yi said additional feedback was welcomed and should be sent to him.

Prior to adjourning, Interim County Manager Shields announced that AIG would be coming to Charlotte/Mecklenburg County. He said Commissioners should have received an email from Economic Development Director John Allen regarding the Governor’s announcement of this.
Note: The above is not inclusive of every comment but is a summary.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke and carried 6-0 Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:39 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman
ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Vilma Leake, Kim Ratliff and Matthew Ridenhour  
County Manager Harry L. Jones, Sr.  
Clerk to the Board Janice S. Paige

Absent: Commissioner Bill James

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

The meeting was called to order by Chairman Cotham, after which the matter below was addressed.

2012 QUALITY OF LIFE STUDY UPDATE

The Board received a report on the 2012 Quality of Life Study.

County Manager Jones made opening remarks and then turned the presentation over to Assistant to the County Manager Timothy Tibbs.

Assistant to the County Manager Tibbs was assisted in the presentation by Dr. Owen Furuseth from the University of North Carolina Charlotte and Dashboard Creator Tobin Bradley with the County’s GIS Department. The following was noted:

- Background of how this effort came about
- Quality of Life Project Goals

Commissioner Clarke entered the meeting.

- To build greater collaboration between all local government entities
- To expand the geography of the Quality of Life study countywide
- To create a user-friendly Web-based dashboard
- Quality of Life Local Government Partners
- Project Team
- 2012 Quality of Life Improvements
- How the Study can be used
- Comprehensive Coverage-Finer Grained Neighborhoods
- Expanded Scope of Quality of Life Variables, 2000-2010
  - Social Dimension
  - Physical Dimension
  - Crime Dimension
  - Economic Dimension
DECEMBER 11, 2012

• 2012 Quality of Life Variables/Dimension Framework
  o Community Character
  o Community Engagement
  o Community Economics
  o Education
  o Environment
  o Community Health
  o Housing
  o Community Safety
• New Analytical Framework
• Next Steps

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

Comments

Commissioner Leake asked about the involvement of Johnson C. Smith University in this effort. Assistant Tibbs said going forward there would be an opportunity for other community engagement by entities that weren’t involved originally.

Dr. Furuseth from the University of North Carolina Charlotte said the University had a cooperative agreement with Johnson C. Smith University in terms of the Quality of Life Study for the University.

Commissioner Bentley asked was the Community Cabinet and Project Partners the same. Assistant Tibbs explained that they were two different groups. He said the Community Cabinet was mainly staff representatives from the various partners.

Commissioner Bentley asked about the Community Health variable and was there any way to drill down further to determine specific health issues by zip codes. Dr. Furuseth said it was his understanding that this would be one of the next steps in this process.

Commissioner Bentley asked about the American Community Survey, which was addressed.

Chairman Cotham asked how would this study and data benefit the average citizen, which was addressed.

Assistant Tibbs said the Study was developed for two users, the average citizen who wanted to know about their neighborhood and wanted to work with their neighborhood groups to see how they might be able to effect change in their neighborhood. The other user was decision makers who would be making decisions regarding public policy.

Commissioner Fuller asked how often would the Study be updated. The response was every two years.

Commissioner Bentley asked if it was known whether the Centralina Council of Governments planned to use this data or other possible community partners. Associate General Manager Leslie Johnson said there had been discussion amongst the non-profit agencies that were members of the Community Cabinet, such as the Housing Authority, United Way, The Foundation for the Carolinas and that they were excited about possibly using the data.

This concluded the presentation. No action was taken or required.

The above is not inclusive of every comment but is a summary.
ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 4:20 p.m.

Janice S. Paige, Clerk

Patricia “Pat” Cotham, Chairman
MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

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 located at 600 East Fourth Street 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 17, 2013.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners Karen Bentley, Dumont Clarke, Patricia Cotham, George Dunlap, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

____________________

-INFORMAL SESSION-

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

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 13-1483, 13-1499, 13-1500, and 13-1502.

(13-1514) STAFF BRIEFINGS - INFORMATION PRIVACY AND SECURITY REQUIREMENTS - ITEM REMOVED

(13-1505, 13-1507, 13-1511, 13-1515) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY, LAND ACQUISITION AND PERSONNEL MATTER

Prior to going into Closed Session County Attorney Bethune noted the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel # 047-261-98.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purposes: Business Location and Expansion, Consult with Attorney, Land Acquisition and Personnel Matter.
DECEMBER 17, 2013

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 6:24 p.m.

Commissioners Bentley and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

____________________

-FORMAL SESSION-

Chairman Fuller called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Dunlap and the Pledge of Allegiance to the Flag. The matters below were then addressed.

(13-1515) PERSONNEL MATTER SELECTION OF COUNTY MANAGER

Motion was made by Commissioner Ratliff, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to enter into an Employment Agreement with Dena R. Diorio as the next County Manager with the effective date of her employment as County Manager being January 1, 2014 on the terms and conditions as provided in the proposed Employment Agreement provided to the Board, and that the Chairman be authorized and directed to execute the Employment Agreement on behalf of the County in the form presented to the Board.

Note: County Manager’s Compensation - Base Salary $228,000 Benefits $6,687 Deferred Compensation $15,000 Expense Allowance $13,200 Total Compensation $262,887

Employment Agreement recorded in full in Minute Book _____, Document # ______.

Note: Dena Diorio is the first female County Manager of Mecklenburg County.

Assistant County Manager Diorio thanked the Board for its support and the opportunity to serve Mecklenburg County in this capacity.

Commissioner Fuller informed and assured Assistant County Manager Diorio that her selection received unanimous support of the Board. He said statements in the newspaper were incorrect.

Each Commissioner expressed their gratitude to Assistant County Manager Diorio for accepting the County Manager position and said they looked forward to working with her in this capacity.

AWARDS/RECOGNITION - NONE
PUBLIC APPEARANCE

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

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

APPOINTMENTS

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to appoint Martin Doss to the Waste Management Advisory Board as recommended by Charlotte City Council for a term effective immediately and expiring February 1, 2014 and a full three-year term beginning February 2, 2014 expiring February 1, 2017.

NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to reappoint Evelyn Moses to the Adult Care Home Advisory Committee for a three-year term expiring December 30, 2016. Secondly, to direct the Clerk to continue to advertise for the remaining vacancies.

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to nominate and appoint Joe Sgroi to the Air Quality Commission as the Industrial representative to fill an unexpired term expiring August 31, 2014 and James Watts as the Engineer representative for a three-year term expiring August 31, 2016. Secondly, to direct the Clerk to continue to advertise for the remaining vacancies.

*They replaced Anthony Keene and Kris Knudsen.*

INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to reappoint Robert Griffin, Rick Sanderson and Charles Stewart to the Industrial Facilities & Pollution Control Financing Authority for six-year terms expiring October 31, 2019.

PUBLIC HEARINGS - NONE

*Commissioner Ratliff returned to the dais.*
ADVISORY COMMITTEE REPORTS

(13-1513) CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE – CAPITAL PROJECT STANDARDS

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve recommended capital standards developed by the Citizen’s Capital Budget Advisory Committee (CCBAC) for Charlotte-Mecklenburg Schools (CMS), County Jails and Government Facilities.

The proposed Standards were presented by Cynthia Bush, chairman of the Citizen’s Capital Budget Advisory Committee and member Eric Sieckmann.

Commissioner Clarke asked that the Standards developed by the Citizen’s Capital Budget Advisory Committee to date, be placed in one binder and distributed to the Board.

Chairman Fuller thanked the presenters for their report.

Standards recorded in full in Minute Book ______, Document # ______.

MANAGER’S REPORT

(13-1305) CENTER CITY BRIEFING

The Board received an update on the "State of Center City Charlotte" as it related to office retail and residential growth, strategic initiatives, private development projects and research studies.

President and CEO of Charlotte Center City Partners Michael Smith gave the update.

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

Comments

Commissioner Leake asked about the status of the Brooklyn Village project, which was addressed. Mr. Smith said the key to bringing the project forward was coming up with the right process to bring in the right private developer.

Commissioner Leake asked about affordable housing and a high school with respect to the Brooklyn Village project. Mr. Smith said affordable housing within the project was something that they were “committed” to. He said affordable housing and having a high school in the plan was an important component.

Commissioner Leake commented on the growth of SouthEnd and its impact on Brookhill.

Commissioner Leake said Brookhill needed revitalizing. She asked if there were any plans regarding the Brookhill community. Mr. Smith said he would look into it and follow back up with Commissioner Leake regarding any revitalization plans for Brookhill.

Commissioner Cotham commented on the needs of the poor. She asked Mr. Smith to consider and remember the needs of this population when developing plans and that those efforts be included in their plans.
DECEMBER 17, 2013

Commissioner Ridenhour asked whether the ideas used for Center City ever exported to other areas of the County, which was addressed.

Commissioner Bentley asked about noise walls and how that would impact the vision for Center City, which was addressed.

Commissioner James asked about the status of there being a CAP that would cover some portion of I-277, which was addressed.

Commissioner James commented on the Brooklyn Village project. Commissioner James said he did not think it was likely that a developer would be found to develop the project because of the configuration of the area.

Commissioner James referenced a past plan that involved building a new government center to be used by the County, City, and Charlotte-Mecklenburg Schools. He said he could envision that building being constructed where the old Charlotte-Mecklenburg Schools ED Center Building was and the area expanding over to the Bob Walton Plaza Building. He said both buildings would be torn down to accommodate this plan. He said the area would include a new government center and a new park.

Commissioner James suggested consideration be given to having a CAP and new government building. He said this could be the catalyst to restart the Brooklyn Village project.

Chairman Fuller thanked Mr. Smith for his presentation.

(13-1516) CONTRACT WITH CHIEF OF PROTOCOL

The Board received information regarding the upcoming celebration of the twentieth anniversary of the Partnership between Mecklenburg County, North Carolina and Mecklenburg-Vorpommern, Germany, Sunday, January 19, 2014. The event will be held at the Bechtler Museum Of Modern Art.

Interim County Manager Shields addressed this matter. It was noted that in 1994 Mecklenburg County formed a partnership with Mecklenburg-Vorpommern, Germany.

Interim County Manager Shields shared with the Board that he entered into an agreement with Katherine Hanson to assist with the planning of the event on behalf of the County and to also assist with developing a more extensive plan dealing with the County’s partnership with Mecklenburg-Vorpommern, Germany. The amount of the contract is $7,500.

Interim County Manager Shields said there was also a major event coming up in June in Mecklenburg-Vorpommern, Germany. He said Ms. Hanson was working with representatives in Germany regarding the event and how the County could be involved.

Commissioner Cotham commented on her interactions with Ms. Hanson regarding this matter when she served as Board chairman. Commissioner Cotham said she would encourage the County’s participation in these events.

STAFF REPORTS & REQUESTS

(13-1510) MECKLINK TRANSITION UPDATE
The Board received an update on the MeckLINK transition process.

Assistant County Manager Michelle Lancaster gave the update. The following was noted:

- Negotiations with Cardinal Innovations have not progressed to the point of having an agreement for the transition of MeckLINK to Cardinal Innovations for the Board’s consideration.
- It was communicated to Cardinal that the County would like to have an agreement available by January 7, 2014.
- The key items being worked on through negotiations were Governance, Employees, Loan Repayment, Assumption of Lease Space, Delegation of Credentialing Authority, Financial Obligation in terms of start-up cost, the Consumer and Family Advisory Committee and MeckLINK’s Provider Council (with the expectation that they would remain tack and operate as they do currently).
- A staffing plan was requested of Cardinal, however, they have not provided one.
- Cardinal provided a “conservative” estimate of the number of staff they would need, per the transition. The number is somewhere between 120-130 employees.
- Currently there are 193 MeckLINK employees, previously it was 230. Half of that 14 staff have moved to other positions within the County, and 14-15 have left the County’s employ. It’s anticipated that there will be an increase in the number of MeckLINK employees leaving the County’s employ.
- The County has asked Cardinal for a guarantee that MeckLINK employees would have a job offer if they met all of the minimum job qualifications for a position.
- The County has asked Cardinal for preference for any MeckLINK employee, not just at the time of transition, but up to 365 days post transition
- The County has asked that MeckLINK employees’ salaries be at a minimum the current salary that the employee earns for Mecklenburg County. If their comparable salaries at Cardinal are higher, then that’s the salary the employee should receive.
- The County has asked Cardinal for consideration of a severance payment for employees that are terminated without cause, up to 12 months after their unemployment date.

Comments

Commissioner Dunlap asked whether MeckLINK positions that became vacant between now and the transition, be filled. Assistant County Manager Lancaster said only if it was a position determined to be critical, otherwise, they would continue to use temporary staff and/or move other staff around, in order, to address the need.

Commissioner Dunlap said he would not want to give anyone a false sense of hope, if hired at this point. Assistant County Manager Lancaster said it was and would be made very clear to any new hire on what MeckLINK’s status was.

Commissioner Dunlap asked would it not be better to negotiate with Cardinal around those employees that were in good standing, which could or could not get you closer to the number of employees Cardinal anticipates needing. Assistant County Manager Lancaster said Cardinal has not provided the County with any specifics with regard to the 120-130, so it’s not known how those positions would crosswalk with the County’s positions.

Commissioner Dunlap asked what would happen if there was no contract on January 7, 2014. County Attorney Bethune said staff would continue to work out something with Cardinal. He said the "real" question was what would happen if there’s no agreement by the end of March. County Attorney Bethune said at that point, it would become a state problem because by statute the County couldn’t continue to operate even if it wanted to.
Commissioner Bentley asked about non Medicaid services for agencies that receive funding from the state and County and how those services would be impacted through the transition. Assistant County Manager Lancaster said staff was gathering information around this issue and would be reporting back to the Board on its findings.

Commissioner Leake asked Assistant County Manager Lancaster to comment on where things stood, so that the average citizen would know and understand. Assistant County Manager Lancaster said a lot of meetings were taking place between Cardinal and County staff, but there was not a lot of movement towards the transition.

Commissioner Leake asked why things weren’t progressing. Assistant County Manager Lancaster said Cardinal believed there were things they needed from the state in order to move forward, in particular, a contract amendment. She said Cardinal was not comfortable moving forward without the contract amendment from the state.

Commissioner Leake requested a check off sheet that could be used by Board members when discussing MeckLINK with constituents with respect to what had occurred and what’s to occur.

Commissioner Leake asked for clarity on Item 13-1499 Budget Amendment-Fund Transfer (MeckLINK Forensic Evaluation Unit to Criminal Justice Services) which Assistant County Manager Lancaster addressed.

Commissioner Cotham asked if staff was having any dialogue with the state. Assistant County Manager Lancaster said yes.

Commissioner Dunlap asked about services provided by the County but not by Cardinal, such as Hinds Feet Farm and Lifespan, which was addressed by Assistant County Manager Lancaster.

Chairman Fuller encouraged Cardinal to move forward with negotiations. He said the County’s intent was to negotiate in the best interest of those it served.

The following persons spoke in support of MeckLINK and it being a single county authority: Laura Berryhill and Beverly Corpening, mothers who have children that are consumers of MeckLINK services. A video was also shared regarding MeckLINK’s value to the community as attested by providers.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1512) AUDIT REVIEW COMMITTEE REPORT -- COMMISSIONER CLARKE

The Board received a verbal report from Vice-Chairman Clarke on behalf of the Audit Review Committee. The following Commissioners are also members of the County’s Audit Review Committee: Commissioners James, Bentley, and Dunlap. There is also a citizen representative Richard Harris.

Vice-Chairman Clarke noted the following:

- The County’s fiscal year ends June 30 of each year and at the end of each fiscal year an independent audit is done of the County’s financial statements for that fiscal year end.
- The Fiscal Year 13-14 audit was performed by Cherry Bekaert & Holland.
- The County received a “clean and unmodified opinion,” meaning the County’s financial statements “fairly” present the County’s financial position and the results of operations. Further, there were no “significant” deficiencies or material “weaknesses” in the internal control over financial reporting and no instances of statutory non-compliance.
With respect to the single audit, state and federal, regarding the County’s management and use of state and federal dollars received, the County received an “unmodified” opinion. There were some deficiencies noted in both single audits, five in the federal and five in the state audit with respect to compliance. It was concluded that even though there were some deficiencies, they did not “constitute” a material “weakness” in the controls that were in place.

The full report is included in the Annual Comprehensive Financial Report and is available on the County’s website.

Commissioner Clarke said in summary the Auditors gave the County “good news” on all of its audits.

(13-1511)  CLOSED SESSION LAND ACQUISITION

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager or County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel 047-261-98 (±1.01 acre) from the University Place Owners Association in the amount of $19,800.

Note: The acquisition of tax parcel 047-261-98 in its entirety from the University Place Owners Association would allow the County to construct Barton Creek Greenway trail. Barton Creek Greenway trail, identified on the Park and Recreation Master Plan, will connect existing Mallard Creek Greenway trail to JW Clay Boulevard in northeastern Mecklenburg County. Money for property acquisition will come from the Land Funds Account.

CONSENT ITEMS

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1473)  CAPITAL PROJECT ORDINANCE -- PARK AND RECREATION


2. Authorize the Interim County Manager to execute contracts with NCDOT.

3. Authorize the Interim County Manager to negotiate and execute an agreement with the Hampton Place Property Owners Association.

Note: These actions will provide budgetary authority for additional greenway projects and are needed to address unanticipated challenges and opportunities now to ensure greenway system connectivity (avoid permanently severing the trail in some places). The action also addresses project partnerships for which a significant citizen donation or grant has been unexpectedly committed.

Ordinance recorded in full in Minute Book _____ Document # ______.
LAND DONATION -- WALKERS BRANCH GREENWAY

Accept the donation of Tax Parcel 201-431-11 (±11.705 acres) along Walkers Branch for future greenway construction.

Note: The developer of the Huntington Forest community was required to dedicate property to the County for future greenway construction along Walkers Branch as part of their development approval. The property will serve as an important link between Steele Creek Road and South Tryon Street.

BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE) – ITEM REMOVED

BUDGET AMENDMENT -- DONATION TO PARALYMPIC SPORTS CLUB (PARK AND RECREATION)

Recognize, receive and appropriate a $20,000 donation from Park Oil as part of BP Oil’s Fueling Communities initiative to Mecklenburg County Park and Recreation for the Paralympic Sports Club - Metrolina, a program of Mecklenburg County Park and Recreation / Therapeutic Recreation.

Note: The $20,000 donation is earmarked to enhance the ability of the Paralympic Sports Club to provide programs to community members.

HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS

1. Accept the “Offer of Sale of Real Estate” from Louise J. Hart, owner of property at 4023 Whitehurst Road (Tax Parcel 145-212-04) for $45,000.

2. Accept the “Offer of Sale of Real Estate” from Florence Geer, owner of property at 4035 Whitehurst Road (Tax Parcel 145-212-06) for $45,000.

Note: The goal of the Charlotte-Mecklenburg Storm Water Services Flood Mitigation Program is to minimize the risk of potential loss of life and property damage from flooding, while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). This action represents a continuation of buyouts using FY14 Flood Mitigation Capital Funds. The properties were identified in the Orphan Parcel Floodplain Acquisition Plan adopted by the Board on May 1, 2012. The requested actions will consist of acquiring and demolishing the existing homes.

TAX REFUNDS

Approve refunds in the amount of $5,814.13 for registered motor vehicles as statutorily required to be paid as requested by the Assessor resulting from clerical errors, value changes, and appeals processed in the new statewide vehicle tax system.

A list of the refund recipients is on file with the Clerk to the Board.
Approve minutes of Regular meeting held December 3, 2013

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1483) BUDGET AMENDMENT -- DSS (REVENUE/EXPENDITURE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate funds in the amount of $76,193 from the North Carolina Department of Transportation (NCDOT) Community Transportation Grant.

Commissioner Leake removed this item from Consent for clarity purposes. Interim County Manager Bobbie Shields addressed this matter.

Note: NCDOT provides grants to help improve public transportation by providing transportation service to people with disabilities, work first participants and the general public. These funds will be used to purchase an additional vehicle. A local match of 10% is required, which is already included in the FY14 operating budget.

(13-1499) BUDGET AMENDMENT -- FUND TRANSFER (MECKLINK FORENSIC EVALUATION UNIT TO CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the transfer of FY14 County funds totaling approximately $603,000 from the MeckLINK Fund to the General Fund for the Criminal Justice Services Department's operation of the Forensic Evaluation Unit.

Note: The County-funded Forensic Evaluation Unit is responsible for conducting comprehensive clinical assessments of juveniles and adults involved in the court system. Due to the pending change in governance structure of MeckLINK this County funded program will be transferred to the Criminal Justice Services (CJS) Department. This transfer will ensure the uninterrupted operation of the Forensic Evaluation Unit for the court system and the residents of Mecklenburg County.

Commissioner Leake removed this item from Consent for more public awareness.

(13-1500) BUDGET AMENDMENT -- SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:
1. Recognize and appropriate $110,869 from Inmate Commissary revenue to the Sheriff’s Special Revenue Fund.

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate $55,078 from the Vocational Facility telephone revenue to the Sheriff’s Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more public awareness.

Commissioner Cotham asked about the cost of phone calls for inmates. Interim County Manager Shields said he would find out.

(13-1502) CAPITAL RESERVE REQUEST -- GOLF COURSES

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appropriate the expenditure of $10,000 from the Consolidated Golf Capital Reserve Fund for additional repairs and paving cart paths at the Charles T. Myers Golf Course.

Commissioner Leake removed this item from Consent for more public awareness.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:57 p.m.