

AUGUST 5, 2008

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

**NORTH CAROLINA
MECKLENBURG COUNTY**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center 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, August 5, 2008.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners
Karen Bentley, J. Daniel Bishop, Dumont Clarke
H. Parks Helms, Bill James, Norman A. Mitchell, Sr.
Dan Ramirez and Valerie C. Woodard
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None

-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 Roberts, after which the matters below were addressed.

(1) STAFF BRIEFINGS - NONE

(2A, B, C) CLOSED SESSION – A) CONSULT WITH ATTORNEY, B) LAND ACQUISITION AND C) BUSINESS LOCATION AND EXPANSION

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 parcel # 013-042-13 at 13024 Allison Ferry Road
- Tax Parcel 019-371-04, Tax Parcels 019-052-12, 019-461-84, 019-391-08, 019-271-05, 019-051-96 and 019-392-25 off Holbrooks Road
- Property in Third Ward belonging to R.B.C. Corporation
- Jerry Alan Reese vs. Mecklenburg County, Mecklenburg County Public Facilities Corporation, 300 South Church Street, LLC, and R.B.C. Corporation
- Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC
- Jerry Alan Reese vs. Mecklenburg County and the Charlotte-Mecklenburg Board of Education
- Jerry Alan Reese vs. Mecklenburg County and City of Charlotte
- Lynn Becker and Brenda Jackson vs. Mecklenburg County

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Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Bentley, Bishop, Clarke, Helms, Mitchell, Ramirez, Roberts, and Woodard voting yes, to go into Closed Session for the following purposes: A) Consult with Attorney, B) Land Acquisition and C) Business Location and Expansion.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 6:07 p.m.

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

(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified items they wanted removed from Consent and voted upon separately. The items identified were Items 22, 39, & 44.

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

-FORMAL SESSION-

Invocation was given by Commissioner Ramirez which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

CITIZEN PARTICIPATION

PROCLAMATIONS AND AWARDS

(1A) 2008 NACO ACHIEVEMENT AWARDS

The Board recognized the Park and Recreation Department for receiving 2008 NACo Achievement Awards for the programs below.

Note: The National Association of Counties' Achievement Award Program is a non-competitive program that recognizes counties for improving the management of and services provided by county government. Since the program's inception in 1970, the Achievement Award Program has honored hundreds of county government initiatives that have improved service delivery, achieved greater cost efficiency, provided finer customer service and helped to develop a better-trained work force.

VIP Travel Club VIP Travel Club provides opportunities for adults and seniors with visual impairments to travel throughout their community with a group of persons with similar challenges and interests. These monthly day trips were developed after many requests by members of existing programs offered by Mecklenburg County Park and Recreation's Therapeutic Recreation Division and partnering agencies.

"With These Hands Mix" DJ Academy "With These Hands Mix" DJ Academy, a two week camp for teens, ages 13 to 17, which teaches how to be a disc jockey.

TR Spirit Squad TR Spirit Squad is a community cheerleading group for girls, ages 8 and older, with developmental disabilities. The squad also was formed as a result of Park and Recreation's partnership with the Carolina Panthers NFL team.

2007 U.S. Kayak Polo Nationals Mecklenburg Park and Recreation partnered with the Carolina Kayak Polo Club to provide places to play, organize regular matches, and eventually to host a national tournament with teams from all over the country.

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Canada Geese Program Big flocks of Canada geese were causing problems at one of Mecklenburg County's most intensely used parks, Freedom Park in Charlotte. A multifaceted plan was put into place that included a publicity campaign, educational signage, the creation of a no-feeding ordinance, landscaping, chemical deterrents, and frightening strategies. No geese were harmed, but the combination of tactics led to a successful outcome. Monthly censuses revealed the goose population was reduced approximately 60% in a year.

Battle Slam Jam "Battle Slam Jam" was developed to bring different urban cultures together for a day of peace and an opportunity to show off their skills in wholesome competition.

Imagination Station Imagination Station a summer day camp for children, ages 2-6, with disabilities. Children participate in sports, exercise, art, music, dance, and games. They also attend field trips, all centered around the theme of a "Discovery Train" traveling to a different destination each week.

Park and Recreation director Jim Garges addressed the winning programs and introduced employees associated with each program.

(1B) MEN TAKING CHILDREN TO SCHOOL ON THEIR FIRST DAY

Motion was made by Commissioner Woodard, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to adopt a proclamation designating August 25, 2008 as "Men Taking Children to School on Their First Day."

The proclamation was read by Commissioner Woodard and received by Blanche Penn with Winners Plus and Jim Williams, a participating parent.

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

(2) PUBLIC APPEARANCE

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

Martin Davis addressed public debt and the need to reduce that debt rather than increase it.

Barry Dodd, on behalf of Physically Disabled Adults, asked the Board for financial assistance for its annual picnic in the amount of \$600 up to \$1000.00.

Commissioner Helms asked that this matter be placed on the Board's next agenda for consideration.

Commissioner James asked Mr. Dodd to provide staff with documentation regarding his organization and his request.

(3A) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to reappoint Delvenia Crowell, Donna Dunn, Joan Dunn, Stephen Flaherty, Ethel Goodwin, Jim Howard, and Anita Steele to the Adult Care Home Advisory Committee for a three-year term expiring August 30, 2011.

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AIR QUALITY COMMISSION

Motion was made by Commissioner Helms, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to reappoint Mark Casper to the Air Quality Commission as the Industrial representative and as Chairman of the Air Quality Commission for a three-year term expiring August 31, 2011.

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to reappoint Mary Barker to the Air Quality Commission as the Town of Cornelius and Transportation representative and Randolph Perkins as the General Public representative for a three-year term expiring August 31, 2011.

Motion was made by Commissioner Helms, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to appoint Gee Barker to the Air Quality Commission as the Health Professional representative to fill an unexpired term expiring August 31, 2010.

She is replacing Mark Brown.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to reappoint Nathaniel Anderson, Jr. and Demario Baker to the Charlotte-Mecklenburg Community Relations Committee for a three-year term expiring September 30, 2011.

Commissioner James nominated all applicants for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee:

Shannon Burns
John Davis
Robin Edgar
Earl Foxworth, Jr.
Juli Ghazi
Stephen Grey
Catherine Kennedy
Barry Kirby
Clara Mayfield
Hope McKinney
Shannon McKnight
Holly Neil
Doretta Owens
Sara Roselli
Tami Snipe
Michelle Sterling
Ruth Stevenson
Carolyn Swiger
Rhonda Taylor
Gerald Williams

Appointments will occur on September 3, 2008.

CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE

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Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to reappoint Cynthia Bush, Thomas Fitch, Norm Gundel, William Rakatansky and Barney Stewart to the Citizen's Capital Budget Advisory Committee for a two-year term expiring July 31, 2010.

Commissioner James nominated all applicants for appointment consideration to the Citizen's Capital Budget Advisory Committee:

Martin Davis
Sarah Funkhouser
Stephen Grey
Larry Huelsman
Richard Kingsberry
Chad Lacy
Ira Slomka
DeShea Spurgeon
Stephanie Carter-Tyson
Gerald Williams

An appointment will occur on September 3, 2008.

PARK AND RECREATION COMMISSION

Commissioner James nominated all East Park District applicants for appointment consideration to the Park and Recreation Commission for the East Park District (EPD) slot:

Helen Alexander
Robert Brisley
Stephanie Carter-Tyson
Hubert Helms

An appointment will occur on September 3, 2008.

PERSONNEL COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to appoint Sherryl Baker to the Personnel Commission for a three-year term expiring August 30, 2011.

She is replacing Eumelia Bautista.

(3B) CITIZENS' REVALUATION ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to appoint Linda Cunningham and Bernard Felder to the 2009 Citizens' Revaluation Advisory Committee as recommended.

(3C) PUBLIC ART COMMISSION

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Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to re-appoint Dawn Blobaum to the Public Art Commission for a three-year term ending June 30, 2011 as recommended by the Arts & Science Council.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to appoint Katrina Streiner to the Public Art Commission to fill the 1 year unexpired term of Pam Lawton as recommended by the Arts & Science Council.

PUBLIC HEARINGS

(4A) ROAD ABANDONMENT AND CLOSING – 502 SQUARE FEET PORTION OF OLD STEELE CREEK ROAD (OLD NC 160)

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to hold a public hearing to hear citizen's comments on the proposed abandonment and closing of a 502 square feet portion of roadway and right-of-way of Old Steele Creek Road (Old NC 160) located off NC 49 that was left out in prior abandonment and closure request.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to close the public hearing on the proposed abandonment and closing of a 502 square feet portion of roadway and right-of-way of Old Steele Creek Road (Old NC 160) located off NC 49 that was left out in prior abandonment and closure request; and approve the order for closing this portion of roadway and its right-of-way.

Order recorded in full in Minute Book 44-A, Document # 168.

(4B) STREET LIGHTING FINAL ASSESSMENTS

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard 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 Brantley Oaks, Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, Highland Park, McGinnis Village, Mountain Point, Mountain Point Estates, Ridgewood, Royal Oaks, Spicewood, Stewarts Crossing and Wilson Glen Subdivisions.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to open a public hearing on Street Lighting Preliminary Assessment Resolution for Mecklenburg County's participation in the Street Lighting Assessment project for the Brantley Oaks, Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, Highland Park, McGinnis Village, Mountain Point, Mountain Point Estates, Ridgewood, Royal Oaks, Spicewood, Stewarts Crossing and Wilson Glen

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No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to close the public hearing on Street Lighting Preliminary Assessment Resolution for Mecklenburg County's participation in the Street Lighting Assessment project for the Brantley Oaks, Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, Highland Park, McGinnis Village, Mountain Point, Mountain Point Estates, Ridgewood, Royal Oaks, Spicewood, Stewarts Crossing and Wilson Glen Subdivisions; and adopt Final Assessment Resolution for Brantley Oaks, Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, Highland Park, McGinnis Village, Mountain Point, Mountain Point Estates, Ridgewood, Royal Oaks, Spicewood, Stewarts Crossing and Wilson Glen Subdivisions.

Resolutions recorded in full in Minute Book 44-A, Documents #169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, & 182.

**(4C) CARLTON WATKINS CENTER PARKING EXPANSION AND RENOVATION
– BID WITHDRAWAL**

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to hold a hearing on Little Mountain Builders' request to withdraw their bid on the Carlton Watkins Center Parking Expansion and Renovation.

Note: On July 17, 2008, the Real Estate Services Department held a bid opening for the Construction of the Carlton Watkins Center Parking Expansion and Renovation. The apparent low bidder was Little Mountain Builders with a bid of \$542,216.40. Subsequently, Little Mountain Builders requested their bid be withdrawn on July 18, 2008. The withdrawal of bids is covered by GS 143-129.1. The statute specifies that a substantial error must exist in the bid and that it be clerical in nature as opposed to a judgment error. Little Mountain Builders request stated that the line item for the electrical subcontractor in the amount of \$72,500, 13% of their bid was not added to the total bid. They have satisfactorily demonstrated such to County Real Estate Services staff.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Bishop and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to close the hearing on Little Mountain Builders' request to withdraw their bid on the Carlton Watkins Center Parking Expansion and Renovation and allow the withdrawal and release of their bid deposit.

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

(4D) REAL ESTATE EXCISE TAX REFUND REQUEST

Motion was made by Commissioner James, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Bentley, Bishop, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to hold a hearing on request by Sybil Barrett, PLLC for reimbursement of North Carolina excise tax in the amount of \$580.00.

Note: This deed should have been recorded in Iredell County, North Carolina.

No one appeared to speak.

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Motion was made by Commissioner James, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Bentley, Bishop, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to close the hearing on request by Sybil Barrett, PLLC for reimbursement of North Carolina excise tax in the amount of \$580.00 and approve reimbursement.

ADVISORY COMMITTEE REPORTS

(5A) PUBLIC ART COMMISSION- PUBLIC ART PROGRAM – OPERATING CONTRACT AND ANNUAL WORK PLAN

Commissioner Clarke returned to the dais.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to authorize the County Manager to negotiate and execute an Agreement for the administration of the Public Art Program for Mecklenburg County.

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to receive and approve the Arts & Science Council (ASC) Public Art Work Plan-FY2009 for Mecklenburg County.

Prior to the above votes, Dawn Blobaum, Chair of the Public Arts Commission and Jean Greer, Vice-President of Public Art at the ASC, addressed this matter with the Board.

Note: Chairman Roberts asked for a breakdown of the artist selected for the 09 Work Plan by gender, race, and locality.

Note: Also, Commissioner Bishop questioned the need for public art inside the Jail North Youthful Offender Vocational Training Facility.

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

(5B) SPIRIT SQUARE COMMUNITY TASK FORCE

The Board received an update presentation on the work of the Spirit Square Community Task Force from Cyndee Patterson, Co-chair of the Spirit Square Community Task Force and an update from Charles Brown, Director of the Public Library of Charlotte & Mecklenburg County with respect to the future of the Main Branch Library.

The update covered:

- Task Force Process
- Task Force Discussion Themes
- Spirit Square Functional Priorities
- Main Branch – Public Library (Study Elements & Process)
- Main Branch – Public Library (Findings)
- Main Library & Spirit Square (Conceptual) Redevelopment without Library
- Main Library & Spirit Square (Conceptual) Redevelopment with Library
- Parking
- Development Opportunities
- Recommended Spirit Square Tenants
- Preliminary Site Rendering

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

In closing, Director Brown asked the Board to consider:

- Allowing the Spirit Square Community Task Force and the Public Library of Charlotte & Mecklenburg County to continue its work with respect to a redevelopment plan for a combined site to determine its economic feasibility as well as possible financing approaches; and permit the two groups to report back to the Board in early 2009;
- Continuing the leases of the current Spirit Square tenants through June 2010; and
- Ask the Spirit Square Task Force to report back to the community on its work and to discuss next steps with the community.

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to extend the leases of the current Spirit Square tenants through June 2010.

Motion was made by Commissioner Helms, seconded by Commissioner Bishop and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to support the continuation of the work of the Spirit Square Community Task Force and the Public Library of Charlotte & Mecklenburg County with respect to a redevelopment plan for a combined site to determine its economic feasibility as well as possible financing approaches; that the two groups report back to the Board in early 2009 and that the community be updated on its work and next steps.

(2B2) CLOSED SESSION – LAND ACQUISITION

Commissioner Helms asked to be excused from voting on Item 2B2 Closed Session - consideration to purchase +/- 7.43 acres out of Tax Parcel 013-042-13 from the Estate of W. S. Allison for \$204,000.

Motion was made by Commissioner James, seconded by Commissioner Mitchell and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to excuse Commissioner Helms from voting on Item 2B2 Closed Session consideration to purchase +/- 7.43 acres out of Tax Parcel 013-042-13 from the Estate of W. S. Allison for \$204,000.

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

Motion was made by Commissioner James, seconded by Commissioner Ramirez and carried 8-0 with Commissioners Bentley, Bishop, Clarke, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to approve the purchase of +/- 7.43 acres out of Tax Parcel 013-042-13 from the Estate of W. S. Allison for \$204,000.

Note: The subject property will add to the watershed protection land preserved on Mountain Island Lake, which is the primary source for drinking water for the County.

Commissioner Helms returned to the dais.

(2B3) CLOSED SESSION - LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to adopt a resolution of intent to exchange +/- 15

acres of County Tax Parcel 019-371-04 off Holbrooks Road for +/- 24 acres owned by Bowman Development Group/New Vermillion, LLC including all or portions of Tax Parcels 019-052-12, 019-461-84, 019-391-08, 019-271-05, 019-051-96 and 019-392-25 adjoining the Vermillion

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neighborhood in Huntersville.

Note: The land to be conveyed to the County in this exchange will provide a greenway along a South Prong of Clarke Creek tributary from the edge of Vermillion at Huntersville-Concord Road to a point beyond Old Vermillion Drive.

Resolution recorded in full in Minute Book 44-A, Document #183.

MANAGER'S REPORT

(6) MANAGER'S REPORT – CRIMINAL JUSTICE & SAFETY TASK FORCE

County Manager Jones updated the Board on the status of the Criminal Justice & Safety Task Force. He noted that the Task Force was meeting and well on the way with accomplishing its task. He complimented the task force on their commitment to this effort.

County Manager Jones informed the Board that weekly updates of the Task Force's work is on-line at the County's website. Also, that public feedback is encouraged via the website.

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

CONSENT ITEMS

Motion was made by Commissioner Bentley, seconded by Commissioner Ramirez and carried 8-0, with Commissioners Bentley, Bishop, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to approve the following item(s) with the exception of items(s) 22, 27, 39, & 44 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held July 1, 2008 and Special Meetings held June 24, 2008 and February 8, 2008; and Closed Session held July 1, 2008 & June 17, 2008.

(8) ENVIRONMENTAL POLICY COORDINATING COUNCIL CHARTER

Amend Environmental Policy Coordinating Council Charter to include the Groundwater Advisory Committee Chair as a member.

(9) TAX REFUNDS

Approve refunds in the amount of \$14,369.26 to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

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

(10) EMERGENCY TELEPHONE SYSTEM SPECIAL REVENUE FUND

Recognize and appropriate to MEDIC \$643,500 which is the estimated County share of 911 service charge revenue to be received in FY09.

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(11) 700 EAST 4TH STREET RENOVATIONS – CONSTRUCTION CONTRACT

Award a construction contract in the amount of \$7,134,000 to Edison Foard, Inc for renovation of the former Criminal Courts Building, located at 700 E. 4th Street.

(12) REVISION TO THE BUILDING-DEVELOPMENT ORDINANCE (SECOND READING)

Amend the Building-Development Ordinance to add language describing the provision for Homeowner Mechanical, Electrical, or Plumbing Examinations. (Second Reading)

Ordinance recorded in full in Minute Book 44-A, Document #184.

(13) PROTECTION, DEVELOPMENT AND IMPROVEMENT OF FOREST LAND IN MECKLENBURG COUNTY – AGREEMENT

Adopt “Agreement for the Protection, Development and Improvement of Forest Land in Mecklenburg County.”

Agreement recorded in full in Minute Book 44-A, Document #185.

(14) STREAM AND WETLAND MITIGATION BANK

Authorize the County Manager to execute an interlocal agreement between Mecklenburg County and the City of Charlotte allowing County participation in the City’s Umbrella Stream and Wetland Mitigation Bank.

Agreement recorded in full in Minute Book 44-A, Document #186.

(15) REGISTER OF DEEDS ENHANCEMENT/PRESERVATION SPECIAL REVENUE FUND

Recognize \$987,000 of fee revenue in the Register of Deeds Enhancement/Preservation Special Revenue Fund and appropriate the amount for automation and preservation enhancements.

(16) AREA MENTAL HEALTH QUALITY AND PERFORMANCE EVALUATIONS AND PLANS

Recognize and receive Area Mental Health Performance Improvement Report CY 2007 and Plan for 2008.

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

(17) AREA MENTAL HEALTH FOURTH QUARTER FY 2008 REPORT

Recognize and receive the Fourth Quarter 2008 Area Mental Health Report.

Financial Management

Revenues

Revenue Source	Budget Revenues	Actual Revenues	% Received
Medicaid & CAP	\$ 12,533,503	\$ 13,301,408	106%
State and Federal	36,336,787	34,719,443	96%
Third Party/Other	181,293	114,079	63%
Grants	5,076,335	3,295,134	65%
County	43,422,330	29,898,763	69%
Total Revenues	97,550,248	81,328,827	83%

Expenditures

Service Continuum	Budget Expenses	Actual Expenses	% Spent
Children's Developmental Services	7,113,474	6,267,611	88%
Child & Adolescent Services	15,089,254	10,355,496	69%
Adult Mental Health*	12,069,846	6,699,053	56%
Adult Substance Abuse	14,653,317	13,584,635	93%
Local Management Entity	11,701,489	9,646,071	82%
BHC Randolph	18,946,633	18,756,554	99%
Developmental Disabilities	17,976,235	16,019,407	89%
Total Expenditures	97,550,248	81,328,827	83%

*Carry-over of \$2,276,553 for state mental health trust fund, crisis services and Recovery Solutions

Note: The financial section of the report is required in the minutes.

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

(18) ORDER OF COLLECTION

Approve the Order of Collection empowering the Tax Collector to bill and collect 2008 taxes.

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.

Witness my hand official seal, this 5th day of August, 2008.

_____(SEAL)
Chairman, Board of County Commissioners

Order recorded in full in Minute Book 44-A, Document #187.

(19) MCDOWELL CREEK GREENWAY - CORNELIUS - CONSTRUCTION

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CONTRACT

- 1) Award a construction contract to Eagle Wood Inc. for a total amount of \$725,122.82 for the construction of the McDowell Creek Greenway – Cornelius (Westmoreland Rd. to Sam Furr Rd.).
- 2) Approve a resolution related to the NCDOT Enhancement Grant that is partially funding this construction contract.

Resolution recorded in full in Minute Book 44-A, Document #188.

**(20) LITTLE SUGAR CREEK GREENWAY –KINGS DRIVE SECTION –
PEDESTRIAN BRIDGE - CONSTRUCTION CONTRACT**

Award a construction contract to Lee Construction of the Carolinas for a total amount of \$604,900 for the construction of the Little Sugar Creek Greenway - Kings Drive Section – Pedestrian Bridge.

(21) SHERIFF’S SPECIAL REVENUE FUND

- 1) Recognize and appropriate for the Sheriff’s Special Revenue Fund, \$151,000 from Inmate Commissary.
- 2) Recognize and appropriate for Sheriff’s Special Revenue Fund, \$57,567 from Seized Assets.

(23) OUTDOOR RECREATION CAPITAL RESERVE FUND

- 1) Adopt Outdoor Recreation Programs Capital Reserve Ordinance for designated Segway Program revenue.
- 2) Reduce Park and Recreation revenue and expenditures general fund budget by \$11,520.

Ordinance recorded in full in Minute Book 44-A, Document #189.

(24) TEENS OUTSIDE GRANT

Recognize, receive and appropriate \$1,500 from the National Recreation and Park Association and the Outdoor Foundation grant program for the continued development of outdoor recreation programs.

(25) RAMSEY CREEK PARK CAPITAL RESERVE REQUEST

Authorize an expenditure of \$13,159 from Park and Recreation Capital Reserve Funds for stabilization and erosion control measures along the shoreline of Ramsey Creek Park.

**(26) FIRST AMENDMENT TO LAND SWAP & LEASE/OPERATING AGREEMENT
(RECREATION CENTER-HICKORY GROVE)**

Approve first amendment to joint use funding agreement with Charlotte-Mecklenburg Schools (First Amendment To Land Swap & Lease/Operating Agreement (Recreation Center – Hickory Grove)).

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Note: The purpose of the amendment is so the Charlotte-Mecklenburg Board of Education (CMBE) and the County can confirm that CMBE will be permitted to continue to use the Old School Building until June 30, 2014 and that CMBE will retain the obligation to demolish the Old School Building if that remains the County's desire. Since the Old School Building and the land in the immediate area were intended to be used for Public Library of Charlotte & Mecklenburg County (PLCMC) purposes, CMBE and County have agreed that Two Hundred Twenty Thousand Dollars (\$220,000) of 1999 land bond dollars previously allocated to CMBE shall be reallocated to PLCMC.

Agreement recorded in full in Minute Book 44-A, Document #190.

(28) AREA MENTAL HEALTH MONTHLY FINANCIAL REPORTS

Recognize and receive Area Mental Health Monthly Financial Report for the month of May 2008.

AREA MENTAL HEALTH

Statement of Revenues and Expenses

FY 2008, For the period ending May 31, 2008

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Revenue Source			
Medicaid & CAP	\$12,533,503	\$ 11,412,124	91.05%
State and Federal	35,891,787	28,388,810	79.10%
Third Party/Other	181,293	107,842	59.48%
Grants	4,518,732	2,724,500	60.29%
County	43,422,330	27,103,356	62.42%
Total Revenues	96,547,645	69,736,633	72.23%

	<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>
Service Continuum			
Children's Developmental Services	7,113,474	5,494,974	77.25%
Child & Adolescent Services	14,949,254	8,574,266	57.36%
Adult Mental Health	11,512,243	5,524,028	47.98%
Adult Substance Abuse	14,348,317	11,542,666	80.45%
Local Management Entity	11,701,489	8,516,850	72.78%
BHC Randolph	18,946,633	17,159,252	90.57%
Developmental Disabilities	17,976,235	12,924,597	71.90%
Total Expenditures	96,547,645	69,736,633	72.23%

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

Note: It's required that this information be included in the minutes.

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

(29) FUNDING ADJUSTMENT – AREA MENTAL HEALTH

A) Approve, recognize, receive and appropriate Medicaid funds in the amount of \$75,000 to directly provide Community Support services to adult consumers who are in DSS custody and

have mental health diagnoses.

B) Approve the establishment of 1 Case Coordinator position and 1 Social Services Assistant position to provide adult Community Support services.

C) Approve, recognize, receive and appropriate Federal funds in the amount of \$26,050 for Deaf and Hard of Hearing funding.

(30) GREENWAY EASEMENT – DUKE ENERGY CORPORATION

Authorize the County Manager to negotiate and receive a permanent easement from Duke Energy Corporation on Tax Parcel 080-131-11 for the Little Sugar Creek Greenway.

(31) SUGAW CREEK PARK EXPANSION

Approve purchase of Tax Parcel 087-041-09 (+/- 12.85 acres) off Amble Drive in Charlotte for \$42,000 per acre from Martha Knight Thomas, Robert W. McRee Jr. and Donald L. McRee.

Note: Acquisition of this parcel will provide for future expansion of Sugaw Creek Park.

(32) MCDOWELL NATURE PRESERVE EXPANSION

(1) Approve purchase of Tax Parcel 199-041-25 (+/- 7.03 acres) off Shopton Road West for \$30,000 per acre from Patrick J. Turner, III.

(2) Approve designating Tax Parcel 199-041-25 as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan Update (component of the 2008 Park & Recreation 10-Year Master Plan).

Note: This parcel is immediately adjacent to the 150-acre grassland/prairie restoration site in the nature preserve which is being actively managed for the preservation of numerous rare plant and wildlife species. Acquisition of this property will provide an opportunity to buffer this critical habitat from encroachment and future development.

(33) ORDINANCE PROHIBITING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON COUNTY PROPERTY

Amend Ordinance Prohibiting the Consumption of Alcoholic Beverages on County Property.

Note: A second reading will be required, since all Commissioners were not present at the time of the vote.

(34) RADIO SYSTEM CAPITAL PROJECT

Approve Radio System Capital Project Phase 3 to purchase and implement a new regional master site and a digital radio system consisting of 20 digital channels and 8 sites, and approve the resulting fee increases as identified in the memorandum provided to the Board.

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

(35) CARLTON WATKINS CENTER PARKING EXPANSION AND RENOVATION

AUGUST 5, 2008

Award a contract to Jones Grading and Building, Inc for construction of an approximate 100 space new surface parking lot and rehabilitation of the existing parking lots at the Carlton Watkins Center.

(36) ROOM OCCUPANCY, PREPARED FOOD & BEVERAGE, VEHICLE RENTAL AND U-DRIVE-IT TAXES – SET PUBLIC HEARING

Approve a public hearing to be conducted at the September 3, 2008 Board of County Commissioners meeting for the purpose of receiving comments on the proposed amendment to the Room Occupancy, Prepared Food & Beverage, Vehicle Rental, and U-Drive-It taxes.

(37) GRANT APPLICATION – GOVERNOR’S CRIME COMMISSION

Approve the submission of a grant application for funding in the amount of \$30,000 from the Governor’s Crime Commission to Community Support Services for the Project Safe Neighborhoods Program and when received, recognize, receive and appropriate amount awarded.

(38) GOVERNOR’S CRIME COMMISSION GRANT AWARD

Recognize, receive and appropriate the Governor’s Crime Commission grant award in the amount of \$50,226 for the Assistance League of Charlotte’s Mecklenburg County Teen Court program.

(40) GREENWAY DONATION AT POLK DITCH

Accept donation of Tax Parcel 201-351-84 in fee simple (+/- 2.185 acres) and a greenway easement (+/- .197 acre) over a portion of Tax Parcel 201-351-87 on Polk Ditch in the Stonebridge subdivision off NC Highway 49/S. Tryon Street from NVR, Inc.

(41) LAND DONATION AT RAMBLEWOOD PARK

Accept donation of .47-acre Tax Parcel 203-195-02 at 801 Echo Cove Lane from the Charlotte Housing Authority.

Note: The lot will serve as additional open space enlarging Ramblewood Park to +/-94 acres.

(42) LAND ACQUISITION FOR MCMULLEN CREEK GREENWAY

Approve the purchase of .42-acre Tax Parcel 185-103-36 at 5126 Addison Drive from Chad Mauldin for \$270,000 for McMullen Creek Greenway.

(43) LAND DONATION IN PINE VALLEY NEIGHBORHOOD

Approve acceptance of a land donation of +/- 6.4 acres out of Tax Parcel 207-121-22 from the Pine Valley Neighborhood Association.

Note: The property will be developed as a neighborhood park to serve this pocket neighborhood.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Clarke returned to the dais.

(22) NAMING REQUEST FOR OAKLAWN RECREATION CENTER TO “IVORY BAKER RECREATION CENTER”

Motion was made by Commissioner Mitchell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to approve naming request for Oaklawn Recreation Center to “Ivory Baker Recreation Center” in honor of Carlenia Ivory and the late Don Baker.

Note: Carlenia Ivory is the Executive Director of the Double Oaks Family Resource Center and has been described as the “mother” of Double Oaks. She has worked tirelessly in the community and has been identified by the many partners of this facility as one of the driving forces that made it happen. Ms. Ivory has served in numerous volunteer roles and has received special recognitions and awards for her service.

Don Baker, died in January of 2003, was identified as bringing all parties to the table years ago to plan the development of this recreation center to improve the quality of life for the community members. He demonstrated devotion, hard work and vision to the community that was inspirational. Mr. Baker was a 2003 Dr. Martin Luther King Medallion Award recipient and served on the Board of Directors of the Afro American Cultural Center.

Commissioners Mitchell and Woodard removed this item from Consent for more public awareness.

(27) CHECK DONATION FROM CHARLOTTE CENTER CITY PARTNERS

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to recognize, receive, and appropriate a donation of \$15,000 from Charlotte Center City Partners towards the creation of a Center City Park and
Open
Space System Vision Plan.

Commissioner Bishop removed this item from Consent for clarification purposes.

Director of Park and Recreation Jim Garges addressed this matter.

Commissioner Bishop requested information in the form of a matrix on the relative investment per capita or square mile in park properties, including those things that have been committed to but not in place yet, for example, Third Ward Park, Second Ward, etc.

Commissioner Bishop said he was curious if there was any type of matrix comparing those investments and the number of residents they serve versus those in other parts of the County.

*Commissioner James asked when doing the comparison as requested by Commissioner Bishop, to also provide a comparison of the previous Uptown Vision Plan for Parks, which was incorporated into the 2010 Vision Plan with the new plan being considered, so that
he
can see where the changes are.*

(39) CAPITAL PROJECT ORDINANCES

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 8-1

AUGUST 5, 2008

with Commissioners Bentley, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes and Commissioner Bishop voting no, to:

- 1) Adopt the *Government Facilities – 2008* capital project ordinance.
- 2) Amend the *Library Facilities – 2006* capital project ordinance.
- 3) Adopt the *Jail Facilities – 2008* capital project ordinance.
- 4) Amend the *Pay-As-You-Go Capital Project Fund* ordinance.

Note: This action will provide budgetary authority for projects approved by the Board in the 2009 Capital Improvements Program. The new projects will be funded with Certificates of Participation, a portion of which is expected to be issued in January 2009.

Commissioner Bishop removed this item from Consent to express his opposition.

Ordinances recorded in full in Minute Book 44-A, Documents #191, 192, 193, & 194.

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

(44) RYAN WHITE MINORITY AIDS INITIATIVE FUNDING (MAI)

Motion was made by Commissioner Woodard, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to recognize, receive and appropriate year two Minority AIDS Initiative funding of \$390,449 from the U.S. Department of Health and Human Services, Health Resources and Services Administration under the Ryan White Treatment Modernization Act of 2006.

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

Commissioner Bishop returned to the dais.

STAFF REPORTS AND REQUESTS

(45) REFUND LAW ENFORCEMENT SERVICE DISTRICT TAXES

Motion was made by Commissioner James, seconded by Commissioner Ramirez and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to:

- 1) Receive information on legislation that authorizes the County to refund Law Enforcement Service District (LESD) taxes to taxpayers who have been annexed by a municipality.
- 2) Authorize the County Manager to enter into a contract with the City of Charlotte for the City to reimburse the County \$22,402.12 for payments made for Charlotte-Mecklenburg Police Department policing in unincorporated areas on the agreement by the County to use the funds to compensate affected homeowners of the Shannamara Subdivision for double payment of taxes for law enforcement.
- 3) Recognize, receive, and appropriate reimbursement funds from the City.
- 4) Approve refunds in the amount of \$22,402.12 to be made by the Finance Department as requested by the Tax Assessor.

(46) FIRST WARD PARKING AND PARK CONCEPTUAL FRAMEWORK

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez and carried 8-1 with Commissioners Bentley, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes and Commissioner Bishop voting no, to:

- 1) Approve the Conceptual Framework - Public/Private Partnership for First Ward Parking Decks and Park as presented.
- 2) Direct staff, in collaboration with the City of Charlotte, UNC-Charlotte and Levine Properties to develop a First Ward Park Plan, taking into account the City of Charlotte's preference that Eighth Street would remain open to vehicular traffic except for certain times and circumstances.

General Manager Bobbie Shields presented this matter.

Prior to the above vote, the following persons appeared to speak in support of the above actions: Michael Smith with Charlotte Center City Partners, Elizabeth Hardin with UNC-Charlotte, Chris Ions with LS3P Associates Ltd. and Jeff Brown with King & Spalding LLP

(47) WESTMORELAND ATHLETIC COMPLEX

Motion was made by Commissioner Helms, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes, to authorize and approve a lease between the Town of Cornelius and Mecklenburg County for the Westmoreland Athletic Complex.

Lee Jones with Park and Recreation presented this matter. Paul Herbert, Park and Recreation Director for the Town of Cornelius addressed this matter also.

(48) NOVEMBER 4, 2008 BOND REFERENDUM

EXTRACTS FROM MINUTES OF BOARD OF COMMISSIONERS

A meeting of the Board of Commissioners of the County of Mecklenburg, North Carolina, was held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at 6:00 P.M. on August 5, 2008.

Present: Chairman Jennifer Roberts presiding, Commissioners Karen Bentley, J. Daniel Bishop, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, and Valerie C. Woodard

Absent: None

Also present: County Manager Harry L. Jones, Sr., Finance Director Dena Diorio, County Attorney Marvin A. Bethune, and Clerk to the Board Janice S. Paige

* * *

RESOLUTION MAKING REQUIRED FINDINGS

Commissioner Bill James introduced the following resolution and moved that it be adopted,

AUGUST 5, 2008

Commissioner H. Parks Helms 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 project: Bonds in the maximum principal amount of \$250,000,000 are proposed to be issued for the following project: park and recreation facilities.

2. Facts regarding necessity of proposed projects: This proposed project is 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.

Adopted by the following vote:

AYES: Commissioners Karen Bentley, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, Jennifer Roberts, and Valerie C. Woodard

NAYS: Commissioner J. Daniel Bishop

* * *

RESOLUTION TO INTRODUCE BOND ORDER

Commissioner Bill James moved adoption of a resolution to introduce the following bond order, that motion was seconded by Commissioner Norman A. Mitchell, Sr., and the resolution was read by the above title.

AUGUST 5, 2008

* * *

BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION 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 park and recreation facilities, including the acquisition and construction of new park and recreation facilities, the improvement and expansion of existing park and recreation 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 \$250,000,000.

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 Karen Bentley, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, Jennifer Roberts, and Valerie C. Woodard

AUGUST 5, 2008

NAYS: Commissioner J. Daniel Bishop

* * *

RESOLUTION AUTHORIZING PUBLIC HEARING ON BOND ORDER

Commissioner Bill James moved the adoption of the following resolution, the motion was seconded by Commissioner Dan Ramirez and the resolution was read by the above title.

WHEREAS, the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF \$250,000,000 PARK AND RECREATION BONDS OF THE COUNTY OF MECKLENBURG” has been introduced at the meeting of the Board of Commissioners of the County of Mecklenburg held on August 5, 2008, 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 that bond order shall be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at a meeting that begins at 6:00 P.M., September 3, 2008.

The Clerk to the Board of Commissioners is hereby directed to cause a copy of the bond 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 order with the notice 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 Karen Bentley, Dumont Clarke, H. Parks Helms, Bill James, Norman A. Mitchell, Sr., Dan Ramirez, Jennifer Roberts, and Valerie C. Woodard

NAYS: Commissioner J. Daniel Bishop

AUGUST 5, 2008

Note:

- Finance Director Dena Diorio presented this matter.
- Park and Recreation Director Jim Garges and Park and Recreation Commission Chairman Scott McClure
- The following persons, on behalf of the Charlotte Tennis Association, addressed this agenda item and asked the Board to include in the \$250 million bond funding for additional tennis facilities (Community Tennis Center with 20+ courts and a County tennis director: Carla O'Connor, Joel Turner, and Kelly Gaines.
- Commissioner James acknowledge receipt of a letter from the three southern town mayors, Mayor R. Lee Myers of Matthews, Mayor Ted H. Biggers of Mint Hill, and Mayor George Fowler of Pineville, expressing their collective support of a \$250 million Park and Recreation Bond.
- Commissioner James asked that this letter be incorporated in the minutes.

August 1, 2008

Mecklenburg County Board of County Commissioners
Charlotte-Mecklenburg Government Center
600 East 4th Street
Charlotte, NC 28202

Madam Chairperson and Commissioners,

Please accept this letter as an indicator of our collective support of the proposed 250 million dollar bond package for Mecklenburg County parks and recreation projects. We appreciate the County's commitment to enhancing quality of life affairs while understanding the positive economic impact these ventures bring to our community as a whole.

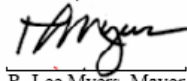
We realize all projects listed on the list to fall under this bond package are worthwhile and needed projects that will be advantageous for all citizens of Mecklenburg County. We are especially pleased with the inclusion of several projects that will benefit our immediate communities. These projects include:

- Stevens Creek Nature Preserve - \$7,200,000
- Irvins Creek Greenway - \$2,535,000
- McAlpine Creek Greenway - \$1,267,000
- Pineville Community Park - \$3,600,000
- Ezeli Farms Community Park - \$3,600,000
- Mecklenburg County Sportsplex - \$25,000,000

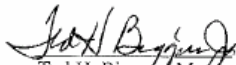
We are grateful to all that have been involved with this process from the start from Parks and Recreation staff, County Parks and Recreation Commissioners and you the Commissioners. The administration and implementation of these projects will be crucial for those living in our County for years to come. Land acquisition, park renovation and development, Greenways and nature preserves along with the development of regional parks and sportsplexes that bring people to Mecklenburg County will have a profound benefit now and in the future.

Finally, we stand ready to work with you to inform citizens of the benefits of these projects and, ultimately, have this bond pass in November. We look forward to seeing these projects come to fruition in the years to come.

Sincerely,



R. Lee Myers, Mayor
Town of Matthews



Ted H. Biggers, Mayor
Town of Mint Hill



George Fowler, Mayor
Town of Pineville

Motion was made by Commissioner James, seconded by Commissioner Helms and carried 8-1 with Commissioners Bentley, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard voting yes and Commissioner Bishop voting no, to acknowledge publication of Notice of Intent to apply to the Local Government Commission for a November 4, 2008 Referendum, acknowledge filing of Application with the Local Government Commission, authorize the Clerk to publish the necessary notices, and authorize the Director of Finance to file with the Clerk the statutorily required debt statement.

Extracts & Resolutions recorded in full in Minute Book 44-A, Document #195.

AUGUST 5, 2008

(49) BUSINESS INVESTMENT GRANT - CEFLA AMERICA (“CEFLA”)

Motion was made by Commissioner Helms, seconded by Commissioner Mitchell and carried 7-2 with Commissioners Bentley, Clarke, Helms, Mitchell, Ramirez, Roberts, and Woodard voting yes and Commissioners Bishop and James voting no, to approve Mecklenburg County’s share of a Business Investment Grant (50%) to Cefla over five years for a total estimated amount of \$274,884.

Note: Cefla Finishing Group, the parent company for Cefla is headquartered in Imola, Italy. The company is a manufacturer of store fixtures and fittings, finishing systems for wood based products, civil and industrial plants, and dental equipment.

Cefla is looking for a single location for its North American Headquarters. The project contemplates consolidation of one of its manufacturing and two of its distribution operations into a single location. The company has two sites under consideration for this project: the North

Mecklenburg Industrial Park and a site located within the Park, Huntersville.

Company leaders have indicated that a new North American Headquarters building will be constructed with an estimated investment of approximately \$12,000,000.00. Additionally, the building will house approximately \$1,500,000.00 worth of state of the art machinery and equipment.

Cefla intends to bring approximately 66 new jobs to Mecklenburg County paying an average annual salary of \$73,500. The company will also retain an additional 24 jobs resulting from a merger with another local firm.

General Manager Bobbie Shields presented this matter. Justin Hunt with the Charlotte Chamber addressed this also.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(50) ORDINANCE PROHIBITING SEX OFFENDERS FROM ENTERING COUNTY PARKS (COMMISSIONER JAMES)

Motion was made by Commissioner James, seconded by Commissioner Bishop and carried 8-1 with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, and Roberts voting yes and Commissioner Woodard voting no, to adopt Ordinance Prohibiting Sex Offenders from Entering County Parks.

Ordinance recorded in full in Minute Book 44-A. Document #196.

(51) WORK SCHEDULE FOR COUNTY EMPLOYEES (COMMISSIONER RAMIREZ)

Motion was made by Commissioner Ramirez, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts and Woodard voting yes, to direct the County Manager to research the feasibility and implications of offering a 10 hours a day 4 days a week work schedule as an

option for County employees that would like to work in this manner and to the extent the Manager deems appropriate.

COMMISSION COMMENTS – NONE

AUGUST 5, 2008

ADJOURNMENT

Motion was made by Commissioner Helms, seconded by Commissioner Ramirez, and unanimously carried, with Commissioners Bentley, Bishop, Clarke, Helms, James, Mitchell, Ramirez, Roberts, and Woodard 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

Jennifer Roberts, Chairman