

MARCH 3, 2009

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, March 3, 2009.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners
Karen Bentley, Dumont Clarke, Harold Cogdell, Jr.
Neil Cooksey, George Dunlap, Bill James
Vilma Leake and Daniel Murrey
County Manager Harry L. Jones, Sr.
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None.

-INFORMAL SESSION-

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

(1A) STAFF BRIEFINGS – NONE

(2A, B, C) CLOSED SESSION – A) TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A) (1), B) BUSINESS LOCATION AND EXPANSION AND C) CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney matter to be discussed in Closed Session: The lawsuit of Mark David Gay vs. Mecklenburg County, Thoa Paris and Jody Cunningham.

Commissioners Cooksey, Dunlap, and James left the meeting and were away until noted in the minutes.

Motion was made by Commissioner Murrey, seconded by Commissioner Leake and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Leake, Murrey and Roberts voting yes, to go into Closed Session for the following purposes: A) To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a) (1), B) Business Location and Expansion and C) Consult with Attorney.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 6.00 p.m.

Commissioners Cooksey, Dunlap, and James were present when the Board came back into Open Session. They returned to the meeting during Closed Session.

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(3) REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 9,13,15,19, and 20.

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

-FORMAL SESSION-

Invocation was given by Commissioner Clarke, 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) MECKLENBURG COUNTY HOMELESS VETERANS STAND
DOWN/HOMELESS VETERANS DAY**

Motion was made by Commissioner Murrey, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a proclamation proclaiming March 13, 2009 as “Mecklenburg County Homeless Veterans Day.”

The proclamation was read by Commissioner Murrey and received by Bob Weeks, Director of Veterans Services.

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

(1B) GANG AWARENESS AND PREVENTION DAY

Motion was made by Commissioner Cogdell, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a joint proclamation proclaiming March 7, 2009 as “Gang Awareness and Prevention Day.”

The proclamation was read by Commissioner Cogdell and received by Antoinette Cody, President of the Charlotte Alumnae Chapter of Delta Sigma Theta Sorority, Inc. and other members of the sorority.

Note: On March 7, 2009 the Charlotte Alumnae Chapter of Delta Sigma Theta Sorority, Inc., in collaboration with The Gang Prevention Coalition, the Gang of One, and Mecklenburg County Park and Recreation, will host a Gang Awareness program aimed at informing middle school and high school students and their parents about the dangers of gang association and ways to avoid it.

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

(1C) YOUTH HOMELESSNESS AWARENESS WEEK

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey

and Roberts voting yes, to adopt a proclamation proclaiming March 15 - 21, 2009 as "Youth Homelessness Awareness Week."

The proclamation was read by Commissioner Dunlap and received by Brennon Graham on behalf of The Relatives.

Note: The Relatives provides temporary shelter to youth ages 7-17 who are homeless or have run away. The Relatives has existed in Mecklenburg County since 1974, and continues to be the only county shelter for homeless and runaway youth unaccompanied by a parent. The mission of The Relatives is to keep youth safe, off the streets and help provide solutions to help them return home.

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:

Cherry Ann Reaves addressed the taking of her children by Youth and Family Services.

Chairman Roberts informed Ms. Reaves that County Manager Jones would follow up with her.

Gene Gibson, accompanied by Junie Davis, spoke in opposition to the closing of the Gatling Juvenile Detention Center. They both volunteer at Gatling. Mr. Gibson said it would cost the County more to move these youth, as well as future youth, to a facility outside of Mecklenburg County.

Chairman Roberts thanked Mr. Gibson for his advocacy. She noted that this was a tough decision for the Sheriff. Also, that this matter will get discussed during the budget process.

Commissioner Cogdell noted that the housing of these youth is a state responsibility, even though the Sheriff has operated Gatling for years. He encouraged Mr. Gibson to contact local state legislators regarding this issue.

Commissioner Clarke left the dais during the next speaker's remarks and was away until noted in the minutes.

Price Crutchfield expressed discontentment with the Charlotte/Mecklenburg Police Dept. (CMPD) Mr. Crutchfield said the CMPD was an organized gang. He also talked about his civil rights being violated on several occasions.

Commissioner Clarke returned to the dais.

(3A) APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment to the Charlotte-Mecklenburg Community Relations Committee:

Lori Fletcher	Commissioners Cogdell, Dunlap and Leake
Earl Foxworth, Jr.	None
Stephen Grey	Commissioners Bentley, Clarke, Cogdell, Cooksey, James, Murrey

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	and Roberts
Azania Herron	None
Sharon Ingram	None
Catherine Kennedy	None
Barry Kirby	None
Hope McKinney	Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James,
	Murrey and Roberts

Voting Ceased

Holly Neil
Patrick Rivenbark
Amad Shakur
Tami Snipe
Rebecca Vincent

Chairman Roberts announced the appointments of Stephen Grey and Hope McKinney to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 2, 2011.

They are replacing Donna Dawson and Donna North.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Helen Alexander	None
Ericka Ellis-Stewart	None
Hubert Helms	None
Charles McRee	None
Norman Mitchell, Sr.	Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts

Voting Ceased

Rodney Moore	None
Paul Richardson	None
Sheryl Smith	None

Chairman Roberts announced the appointment of Norman Mitchell, Sr. to the Park and Recreation Commission to fill an unexpired at-large term expiring June 30, 2009.

He is replacing Mary Wilson.

Note: Commissioner James informed the Board of a letter received from Mayor Lee Myers, Town of Matthews recommending the appointment of Paul Bailey for the southern town vacancy on the Park and Recreation Commission. The letter was turned over to the Clerk. It will be included in the Board's appointment information when this matter comes before the Board.

PUBLIC HEARINGS

(4A) REAL ESTATE EXCISE TAX REFUND REQUEST

Motion was made by Commissioner Cogdell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to hold a hearing on request by Leslie M. Webb, PLLC for reimbursement of North Carolina excise tax in the amount of \$304.

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Note: North Carolina General Statute 105-228.37 requires that the Board of Commissioners conduct a hearing on a request for refund of excise taxes collected on a deed that was either incorrectly submitted or for overpayment of recording in Mecklenburg County. This deed was incorrectly recorded in Mecklenburg County. It should have been and now has been recorded in Union County.

No one appeared to speak.

Motion was made by Commissioner Murrey, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to close the hearing on request by Leslie M. Webb, PLLC

for reimbursement of North Carolina excise tax in the amount of \$304 and approve the reimbursement.

(5) ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(6A) 2009 (FFY 2010) FEDERAL LEGISLATIVE AGENDA

Motion was made by Commissioner Murrey, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve including in Mecklenburg County's Federal Legislative Agenda for FFY2009 a request for the Homeless to Homes Initiative. The request: \$1,300,315 in the fiscal year 2010 HUD Appropriations bill, Community Planning and Development.

Note: In accordance with Charlotte-Mecklenburg's Ten Year Plan To End Homelessness, the Urban Ministry Center (UMC) is implementing a two-year pilot project for providing permanent supportive housing to the chronically homeless population. The UMC is committed to leading the community from a shelter-based homeless services model to a housing-based model by developing the County's first Permanent Supportive Housing complex with 80-100 efficiency apartments for the chronically homeless.

Motion was made by Commissioner James, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve including in Mecklenburg County's Federal Legislative Agenda for FFY2009 a request for the Surface Water Improvement and Management (SWIM) Initiative. The request: \$200,000 in the fiscal year 2010 Interior Appropriations bill, Environmental Protection Agency.

Note: Mecklenburg County is seeking federal funding to address biologically impaired streams through the Surface Water Improvement and Management (SWIM) initiative. Fiscal Year 2010 funds will be combined with state and local resources to restore, retrofit and/or preserve land that has already been acquired and is in public ownership. These projects may include, but are not limited to, the construction of wetlands, restoration of streams, establishment of vegetative buffers, etc.

Prior to the above votes, these matters were addressed by Assistant to the County Manager Nyki Hardy, General Manager Janice Allen Jackson, Dale Mullennix and Kathy IZard with the Urban Ministry Center and Michael Smith with Center City Partners (the Homeless to Homes Initiative) and Water Program Manager Rusty Rozzelle (the Surface Water Improvement and Management (SWIM) Initiative).

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Note: Commissioner Murrey noted for the record that his wife is a volunteer at the Urban Ministry Center.

A copy of a report presented by General Manager Janice Allen Jackson and others is on file with the Clerk to the Board.

Commissioner Cooksey left the dais.

(6B) OFFICE DEPOT - REQUEST FOR ABATEMENT OF TAXES

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to accept the Tax Assessor's recommendation to deny the request by Office Depot for the abatement of the taxes and penalties.

Note: Office Depot asked that the Board excuse \$734,137.21 in taxes due as a result of a discovery of unreported property subject to taxation in Mecklenburg County.

NCGS 105-381 sets for the provision for refunds and releases of property tax. The Statute calls for taxpayers to provide a Statement of Defense for taxes imposed as a result of a clerical error, an illegal tax or a tax for an illegal purpose, and for the Board of County Commissioners to review and take action on the request. The Tax Assessor discovered that Office Depot failed to report property valued at \$228,652,947 in accordance with their requirement to annually file property subject to property taxation, and has assessed the property, imposing a tax of \$819,606.96. Office Depot contends that the tax is illegal and the property is excluded from taxation under NCGS 105-275(40). The Tax Assessor finds that the software does not meet the test of NCGS 105-275(40) as internally developed software and is therefore taxable as externally acquired software. This matter is under appeal locally and is expected to continue to the North Carolina Property Tax Commission. Attorney Hamlin Wade is representing the County. It was recommended that this matter be allowed to move through the appropriate authorities prior to any consideration for an abatement of tax. Both the Tax Assessor and County Attorney recommended the Board of Commissioners deny the request.

The above matter was addressed by Tax Assessor Garrett Alexander.

Commissioner Cooksey returned to the dais after the vote.

(6C) CMS FUNDING REDUCTION

Motion was made by Commissioner Leake, seconded by Commissioner Murrey to amend the 2008-2009 budget ordinance by reducing the allocated appropriation for The Charlotte-Mecklenburg Board of Education under North Carolina General Statute 159-13 (b)(9) by \$5 million because a general reduction in county expenditures is required because of prevailing economic conditions.

Commissioner James suggested the Board "cut" CMS by the original amount requested by the County Manager, 5% (\$17.5 million) and place \$12.5 million of that in restricted contingency and allow the County Manager to decide if he wants to take the remaining \$12.5 million.

Substitute motion was made by Commissioner Cooksey, seconded by Commissioner James, to amend the 2008-2009 budget ordinance by reducing the allocated appropriation for The Charlotte-Mecklenburg Board of Education under North Carolina General Statute 159-13 (b)(9) by \$7.5 million because a general reduction in county expenditures is required because of prevailing economic conditions.

Chairman Roberts left the meeting because of a family emergency and was absent for the remainder of the meeting.

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Vice-Chairman Cogdell chaired the remainder of the meeting.

Commissioner Bentley offered a friendly amendment to the substitute motion, that was accepted by the makers of the substitute motion, to place \$2.5 million of the \$7.5 million in restricted contingency.

The vote was taken on the substitute motion as amended and failed 5-3 with Commissioners Clarke, Cogdell, Dunlap, Murrey, and Leake voting no and Commissioners Bentley, Cooksey, and James voting yes, to amend the 2008-2009 budget ordinance by reducing the allocated appropriation for The Charlotte-Mecklenburg Board of Education under North Carolina General Statute 159-13 (b) (9) by \$7.5 million, and place \$2.5 million of the \$7.5 million in restricted contingency because a general reduction in county expenditures is required because of prevailing economic conditions.

The vote was then taken on the original motion made by Commissioner Leake, seconded by Commissioner Murrey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to amend the 2008-2009 budget ordinance by reducing the allocated appropriation for The Charlotte-Mecklenburg Board of Education under North Carolina General Statute 159-13 (b)(9) by \$5 million because a general reduction in county expenditures is required because of prevailing economic conditions.

Note: Due to the economic recession, Mecklenburg County is cutting expenditures to balance its FY2009 budget. As part of these actions, the County Manager recommended reducing the County's FY2009 appropriation to Charlotte-Mecklenburg Schools by \$5 million. Approval of this reduction would bring the County's FY2009 appropriation for CMS operations total to \$346,366,785, which includes \$4 million in fines and forfeitures.

General Statute 159-13, section nine (9), requires specific steps be taken to reduce school funding. First, the Board of County Commissioners must hold a public meeting where the Board of Education is provided an opportunity to present information on the impact of the proposed reduction. Second, the Board of County Commissioners must take a public vote on the decision to reduce appropriations.

Prior to the above votes:

County Manager Jones said he was informed by School Superintendent Dr. Peter Gorman that no one would be present to address this issue. Also, that Dr. Gorman appears to be "okay" with this request.

County Manager Jones said this was not something he "cherish" doing but that the School System does represent a large part of the County's budget. County Manager Jones said he's doing this because he's trying to minimize the "pain" or provide the County with a "cushion" in going into next fiscal year.

Commissioner Bentley said she would like to know what Charlotte-Mecklenburg Schools (CMS) is doing with respect to the Stimulus funding and are they aggressively seeking those funds.

Joni S. Trobich, on behalf of the Mecklenburg PTA Council addressed the decrease in Charlotte-Mecklenburg Schools' budget. She said she understands the difficulty the County and CMS is faced with, but asked that whatever is done, that it be an action that impacts the children in the least way possible. She said teachers are needed and should not be cut.

County Manager Jones noted that the \$5 million would not be all taken at one time. He said County Finance will check with CMS about their cash flow needs.

Commissioner James said he would like to know when the next payments are due to CMS.

CONSENT ITEMS

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to approve the following item(s) with the exception of Items: 9, 13, 19, 15, 20 to be voted on separately.

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held February 17, 2009; Budget/Public Policy Meetings held January 13, 2009 and February 10, 2009; and Closed Session minutes of February 17, 2009.

(8) STATE BOARD OF ELECTIONS GRANT FUNDS

Recognize, receive and appropriate \$32,178 in grant funds from the State Board of Elections to reimburse the County Board of Elections for the purchase of Emergency Paper Ballots.

(10) FREEDOM FAMILY RESTAURANT LEASE

Adopt the resolution entitled, "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to MSF, Inc., Owner of Freedom Family Restaurant."

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

(11) AREA MENTAL HEALTH AUTHORITY MONTHLY FINANCIAL REPORTS

Recognize and receive Area Mental Health Authority Monthly Financial Report.

Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Service, the program director of the county program 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.

**AREA MENTAL HEALTH AUTHORITY
Statement of Revenues and Expenses
FY 2009, for the period ending January 31, 2009**

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Revenue Source			
Medicaid & CAP	13,786,864	6,619,896	48.02%
State and Federal	34,064,644	17,063,338	50.09%
Third Party/Other	97,293	48,131	49.47%
Grants	3,845,759	1,751,991	45.56%
County	47,351,099	21,428,263	45.25%
Total Revenues	\$99,145,659	\$46,911,619	47.32%

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Service Continuum			
Children's Developmental Services	6,973,034	3,878,532	55.62%
Child & Adolescent Services	14,804,509	5,063,548	34.20%
Adult Mental Health	14,131,038	2,923,170	20.69%
Adult Substance Abuse	13,417,880	9,390,745	69.99%

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Local Management Entity	11,929,373	5,173,500	43.37%
BHC Randolph	20,020,073	11,462,574	57.26%
<u>Developmental Disabilities</u>	<u>17,869,752</u>	<u>9,019,550</u>	<u>50.47%</u>
<u>Total Expenditures</u>	<u>\$99,145,659</u>	<u>\$46,911,619</u>	<u>47.32%</u>

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

(12) INSURANCE REIMBURSEMENTS

Approve, recognize and appropriate insurance reimbursement funds in the amount of \$9,117 for General Services and \$16,855 for Park & Recreation.

Note: All reimbursements are for stolen and damaged items.

(14) 2009 CONGESTION MITIGATION AND AIR QUALITY FUNDING

1) Approve submission of application by Mecklenburg County Air Quality to North Carolina Department of Transportation for \$200,000 in grant funds.

2) Recognize, receive and appropriate any amounts awarded, and authorize the carry-forward of unspent funds until expended.

(16) GRANT APPLICATION - NORTH CAROLINA DIVISION OF POLLUTION PREVENTION AND ENVIRONMENTAL ASSISTANCE (DPPEA)

Authorize a grant application to the NC Division of Pollution Prevention and Environmental Assistance for a \$25,000 - 2009 Community Waste Reduction and Recycling Grant, and upon award of grant, recognize, receive and appropriate the grant award.

(17) HAZARD MITIGATION PROGRAM - FLOODPLAIN ACQUISITION

1. Accept the "Offer of Sale of Land" from Joyce Williams of 835 Norwood Road for \$55,833.

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This action will purchase and remove the above property from the floodplain.

(18) HAZARD MITIGATION PROGRAM - FLOODPLAIN ACQUISITION, QUICK BUY

1. Accept the "Offer of Sale of Land" from Timothy A. Foskey owner of 3817 Country Club Drive for \$166,286.

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: This action will purchase and remove the above property from the floodplain.

(23) FOOD SERVICE EQUIPMENT FOR JAIL NORTH ANNEX

Approve the purchase of food service equipment from Thompson & Little, Inc. based on low bid received in the amount of \$108,792.66 for the Jail North Annex Facility.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(9) DONATIONS - VETERANS SERVICE OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to recognize, receive and appropriate contributions in the amount of \$3,050 to the Mecklenburg County Community Support Services Veterans Service Office.

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

Note: Community Support Services is the lead agency in conducting the 2009 Homeless Veterans Stand Down. It will be a one-day event on March 13, 2009, designed to provide aid and comfort to homeless veterans in the area. Donations collected to help defray the cost of providing the services were received from the following: Amvets Post 895, Inc. \$200, James T. Williams, Jr. \$250, Law Office of Paul Goodson \$2,500 and Quentin Sanders \$100.

Other agencies that will participate include the Veterans Administration, Social Security Administration, Employment Security Administration, Charlotte Housing Authority, Area Mental Health, Crisis Assistance Ministries, Salvation Army, Health Department and Community Link. Specific services that will be provided are dental screenings, health screenings, employment assistance, baths, haircuts, two (2) hot meals, clothing issues and entertainment.

(13) THERAPEUTIC RECREATION SUMMER DAY CAMP DONATION FROM COMMUNITY CROSSROADS, INC.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to recognize, receive and appropriate funds in the amount of \$7,000 for Mecklenburg County Park and Recreation, Therapeutic Recreation Summer Day Camp programs from Community Crossroads, Inc.

Commissioner Cogdell removed this item from Consent for more public awareness and to thank Community Crossroads, Inc.

(15) PURCHASE OF ROLL OFF TRUCK AND LUBE TRUCK

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to approve unit price Contracts with Volvo/GMC Truck Center of Charlotte, NC for a Roll Off Truck and Omaha Standard of Charlotte, NC for a Lube Truck.

2) Authorize the County Manager to execute contracts with Volvo/GMC Truck Center of Charlotte, N C for the purchase of a Roll Off Truck at a unit price of \$129,852 and with Omaha Standard of Charlotte, NC for the purchase of a Lube Truck at a unit price of \$112,173.

Commissioner Dunlap removed this item from Consent because of a question he had, which he

said was answered by staff after he'd asked that it be pulled.

(19) PUBLIC AREAS AND FACILITIES NAMING AND RENAMING POLICY

Motion was made by Commissioner Leake, seconded by Commissioner Cooksey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to approve waiving section III. F. of the Public Areas and Facilities Naming

and Renaming Policy in order to receive a renaming request from the Seversville Neighborhood Organization for the Phillip O. Berry Recreation Center.

Commissioner Leake removed this item from Consent for more public awareness. This matter was also addressed by Park and Recreation Director Jim Garges.

Commissioner James left the meeting.

(20) PLANNING LIAISON COMMITTEE STRUCTURAL CHANGE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to approve a Joint Resolution of the City of Charlotte, Mecklenburg County, Charlotte-Mecklenburg Board of Education and the six Mecklenburg towns with regards to the Planning Liaison Committee.

Note: The Planning Liaison Committee (PLC) was organized in the late 1970's for the BOCC, Charlotte City Council, and the Board of Education to have a vehicle to facilitate cooperation and communication on common planning issues. In 1998, PLC membership was expanded to the Boards of the six Mecklenburg Towns. The PLC is chaired by the Chair of the Planning Commission, with Planning Department staff serving as resource.

At its October 10, 2008 meeting the PLC reached consensus on several recommended organizational changes to maintain its relevance into the future, and include the following:

- *Increase membership to include the Planning Directors and Planning Commission chairs of the member entities*
- *Change the name from "Planning Liaison Committee" to "Planning Coordinating Committee"*
- *Revise meeting schedule to twice yearly (in spring and fall) with one meeting consisting of a "joint luncheon" format inviting all elected officials from member entities, and the other devoted to updating members on planning activities, receiving other planning-related information, and identifying potential strategies and priorities for the upcoming year.*

A JOINT RESOLUTION OF THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, CHARLOTTE-MECKLENBURG BOARD OF EDUCATION AND THE SIX MECKLENBURG TOWNS WITH REGARD TO THE PLANNING LIAISON COMMITTEE.

WHEREAS, the membership of the Planning Liaison Committee (hereinafter "Committee") is currently composed of three members of the Charlotte City Council, three members of the Mecklenburg County Board of Commissioners, three members of the Charlotte-Mecklenburg Board of Education, one member from each of the Commissions from the six Mecklenburg Towns, and two members of the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the Goal of the Committee (as established by the Committee Organizational Structure process in 2002) is: *"to provide a vehicle to facilitate communication, collaboration, and cooperation between participating governments with an emphasis on planning in the broadest sense"*, and

WHEREAS, the purposes/objectives of the Committee (as established by the Committee Organizational Structure process in 2002) are to:

- Provide a forum for discussion on planning matters of mutual concern
- Facilitate building consensus on common planning initiatives
- Promote communication among elected officials concerning planning interests

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- Educate and inform members by providing overviews of planning activities
- Provide a forum for cross-communication of capital needs and bond coordination
- Communicate discussion/actions to the respective bodies, and

WHEREAS, the 2002 Organizational Structure establishing the above-described Goal and Purposes/Objectives was adopted by Charlotte City Council, Mecklenburg County Board of Commissioners and the Charlotte-Mecklenburg Board of Education, and

WHEREAS, at their October 10, 2008 meeting the Committee agreed to retain the Goal and Purposes/Objectives established by the 2002 Organizational Structure process, and

WHEREAS, the Mission of the Committee is to:

- Promote communication among elected officials concerning planning interests within Mecklenburg County and the region,
- Facilitate building consensus on planning initiatives that respond to issues of common interests, and
- Provide review and comment on planning issues together with reports on same to parent bodies.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte, the Board of Commissioners of Mecklenburg County, the Charlotte-Mecklenburg Board of Education and the Commissioners of each of the six Mecklenburg County Towns mutually agree to expand the membership of the Committee by including the Planning Directors of the City of Charlotte, the six Mecklenburg Towns, and Charlotte-Mecklenburg Schools, as well as by including the chairpersons of the planning committees or boards of the six Mecklenburg Towns.

BE IT FURTHER RESOLVED that the name of the organization shall be changed from "Planning Liaison Committee" to "Planning Coordinating Committee".

BE IT FURTHER RESOLVED that the Committee shall meet twice yearly (once each in the spring and the fall) with one of two meetings held as a "joint luncheon" format with all elected officials from Mecklenburg County, the City of Charlotte, Charlotte-Mecklenburg Schools, and the six Mecklenburg Towns invited, and with

the other yearly meeting serving to update Committee members on planning activities, receive as information other relevant planning information, and identify potential strategies and priorities for the upcoming year.

BE IT FURTHER RESOLVED that each member of the Committee shall have one vote for the purpose of confirming actions by the Committee and that the Committee's actions are for the sole purpose of recommending action to the governing bodies who reserve the right of final decisions.

This Joint Resolution shall not become effective unless and until adopted by the Charlotte City Council, the Mecklenburg County Board of Commissioners, the Charlotte-Mecklenburg Board of Education, and the Commissioners of the six Mecklenburg Towns..

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

STAFF REPORTS AND REQUESTS

(21) GANG PREVENTION COALITION STRATEGIC PLAN

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to recognize, receive, and support the Gang Prevention Coalition Strategic Plan.

The report was presented by Area Mental Health Director Grayce Crockett, Willie Rathford, Director of Charlotte/Mecklenburg Community Relations, and Fran Cook with the Charlotte/Mecklenburg Police Department/Gang of One program.

Note: Since 2003, gangs, gang membership and activities of gangs in Charlotte-Mecklenburg have increased at an alarming rate. The Gang Prevention Coalition was created in May 2007 to partner with the community to eliminate gangs through collaboration, training, and technical assistance.

The Gang Prevention Coalition, in partnership with CMPD/Gang of One, is seeking proposals

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from community organizations to implement strategic initiatives in the targeted communities. The targeted communities, Idlewild South and Starmount Forest, were selected utilizing data from the 2008 Neighborhood Quality of Life Index and GangNet.

Prior to the above vote, Commissioner Dunlap asked that Stop the Killing be approached about becoming a partner in this effort.

A copy of the Overview and Strategic Plan as presented is on file with the Clerk to the Board.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(22) PAPERLESS AGENDAS FOR REGULAR MEETINGS

Motion was made by Commissioner Cooksey, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to defer discussion of going to a paperless agenda for Regular meetings and instead review the agenda on-line while at the meeting, until the next meeting, when Chairman Roberts is present.

Note: This item was placed on the agenda by Chairman Roberts.

COMMISSION COMMENTS – No general comments were made at this time by various Commissioners regarding upcoming events and/or events they attended, as well as, other matters which they deemed note worthy.

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Murrey and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:46 pm

Janice S. Paige, Clerk

Jennifer Roberts, Chairman

Harold Cogdell, Jr., Vice-Chairman