

MARCH 17, 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 17, 2009.

ATTENDANCE

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

**Absent:** Commissioner Daniel Murrey

---

**-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, D) CLOSED SESSION A) BUSINESS LOCATION AND EXPANSION, B) LAND ACQUISITION, C) CONSULT WITH ATTORNEY AND D) PERSONNEL MATTER**

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, Thao Paris and Jody Cuningham and Land Acquisition matter: 3001 Dunlavin Way.

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to go into Closed Session for the following purposes: A) Business Location and Expansion, B) Land Acquisition, C) Consult with Attorney and D) Personnel Matter.

*The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:24 p.m.*

**(3) REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from Consent and voted upon separately. The

**MARCH 17, 2009**

items identified were Items 9, 14, 17, and 25.

*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) RECOGNITION OF WEST CHARLOTTE HIGH SCHOOL GIRLS BASKETBALL TEAM**

The Board recognized the West Charlotte High School Girls Basketball Team for winning the North Carolina 4A Championship.

Commissioner Leake read the Certificate of Recognition.

Coach Reggie Mobley thanked the Board for recognizing the team.

**(1B) WOMEN'S HISTORY MONTH**

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to adopt a proclamation designating March, 2009 as Women's History Month in Mecklenburg County.

The proclamation was read by Chairman Roberts and received by Nancy Klein and Maxine Eaves on behalf of the Women's Advisory Board.

*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:

Elsie Garner & Beverly Dorn-Steele addressed WTVI's receipt of the Community Impact Award for GED Connection, which is a study course broadcast on WTVI. The award was presented to WTVI by the Corporation for Public Broadcasting in Washington, D.C. Ms. Garner, WTVI President and CEO, presented to the award to Beverly Dorn-Steele, WTVI's Director of Education and Outreach on behalf of WTVI's Board of Directors and staff. Ms. Dorn-Steele thanked Ms. Garner for the award. She said the award was also a tribute to the participants in GED Connection.

Dr. Wesley Carter addressed Working Charlotte, a magazine and web presence created to "introduce Charlotte's displaced professionals to potential employers." It was "created specifically to facilitate job opportunities for displaced employees that are active volunteers in the community." Dr. Carter is the Editor-in-Chief, Founder, and President of Working Charlotte.

**MARCH 17, 2009**

Rev. Brenda Stevenson thanked individual Board members and those in the community for helping New Outreach Ministries feed the needy. She encouraged Board members and the public to continue to support such efforts.

Bridgett Anne Hampden, a consultant, spoke in support of Director of Social Services Mary Wilson, in light of recent news articles regarding Ms. Wilson. Ms. Hampden said it's not uncommon when organizational change occurs that you will have "disgruntled" employees. She asked the Board to continue to give Ms. Wilson encouragement and support.

Tammy Broadway and Julisa Walker from West Charlotte High School addressed Students Against Violence Everywhere and upcoming activities associated with the recognition of "National Youth Violence Prevention Week" March 23 - March 27, 2009. Students Against Violence Everywhere (SAVE) was established by students at West Charlotte Senior High School after the death of fellow classmate Alex Orange. Since 1989, the organization has grown to a national program with students in grades kindergarten through high school, college and in community youth serving organizations.

Myra Clark on behalf of the Mecklenburg Opportunities for Re-Entry Network addressed the work of the Network whose focus is re-entry into the community by those that have been incarcerated.

Rev. Yvonne McJeters with Healing Hope Hands & Heart Outreach Ministries, Inc. addressed Yvonne's Place: The Center of Hope Homeless Veterans Transitional Housing Program and the work that they are doing for female veterans with children.

*A copy of a handout from Rev. McJeters is on file with the Clerk to the Board.*

Cherry Reaves addressed the taking of her children by Youth and Family Services. She asked the Board to assist her in getting her children back. Ms. Reaves said no one is willing to talk to her. Ms. Reaves said she's homeless and unemployed.

County Manager Jones attempted to inform the Board of his conversation with Ms. Reaves, per her last appearance before the Board, but was unable to do so as he desired after being interrupted continuously by Ms. Reaves. Ms. Reaves disputed County Manager Jones' comments and left the Meeting Chamber.

County Manager Jones was able to note the following: 1) that Ms. Reaves was unwilling to accept his findings, with respect to her concerns, at that time and 2) that staff, in efforts to help Ms. Reaves, was having difficulty finding ways to communicate with Ms. Reaves effectively.

### **(3A) NOMINATIONS/APPOINTMENTS**

#### **AUDIT REVIEW COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to reappoint Mercer Ward Simmons to the Audit Review Committee for a three-year term expiring April 30, 2012.

#### **BOARD OF EQUALIZATION AND REVIEW**

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to reappoint JoAnne Allen, Russell Allen, William Hawkins, Unithia McGruder, Jack Morgan, Alan Turner and James Barnett (including his reappointment as

**MARCH 17, 2009**

chairman for the duration of his term) to the Board of Equalization and Review for a one-year term expiring April 7, 2010.

Commissioner Dunlap nominated Zanthia Hastings for appointment consideration to the Board of Equalization and Review.

Commissioner Cooksey nominated John Newitt for appointment consideration to the Board of Equalization and Review.

Commissioner Cogdell nominated the remaining applicants for appointment consideration to the Board of Equalization and Review. They were: Neiland Cohen, Thomas Derham, Guy McBride, Christopher Olds, Christopher Shelvin, John Stroup, Gerald Williams, and Pamela Williams.

*Note: Appointments will occur on April 7, 2009.*

### **DOMESTIC VIOLENCE ADVISORY BOARD**

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to reappoint Marage Blakeney to the Domestic Violence Advisory Board for a three-year term expiring April 30, 2012.

Commissioner Leake nominated Charlotte Brown-Williams for appointment consideration to the Domestic Violence Advisory Board.

Commissioner Cogdell nominated the remaining applicants for appointment consideration to the Domestic Violence Advisory Board. They were: Margaret Austin, Dana Battle, Sherry Brower, Patrick Burris, Cynthia Cain, Victoria Chopra, Zaria Davis-Humphries, Jackie Dienemann, Carolyn Dubose, Marsha Fox, Beverly Foster, Jessica Hardin, Danielle Lombard, Na'Shota Lytle, Kate Maynard, Katie McVeety, Shalawn Moore, Ed Mulheren, Brooke Nance, Angela Permenter, Andrea Pettit, Stacey Rose, Nazanin Rostam-Abadi, Andreal Shelton, Edward Smith II, Deborah Snowdon, Penny Spangler-Lambert, Nicola Staudinger, Monica Stevenson, Melba Streeter, Helen Strong, Elizabeth Trosch, Anne Ward, Catherine Wargo, and Karen Worrell.

*Note: Appointments will occur on April 7, 2009.*

### **PARK AND RECREATION COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to appoint Paul Bailey to the Park and Recreation Commission as the Southern Town Representative to fill an unexpired term expiring June 30, 2011.

*He is replacing Joseph Pata.*

### **PERSONNEL COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to appoint Phillip Plot to the Personnel Commission to fill an unexpired term expiring February 4, 2010.

*He is replacing Linda Lancaster.*

**MARCH 17, 2009**

**WOMEN'S ADVISORY BOARD**

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to reappoint Pamela Hemphill and Natheley McElrath to the Women's Advisory Board for a three-year term expiring April 30, 2012.

Commissioner Leake nominated Dr. Angelia Fryer for appointment consideration to the Women's Advisory Board.

Commissioner Cogdell nominated the remaining applicants for appointment consideration to the Women's Advisory Board. They were: Margaret Austin, Natalie Bingham, Deborah Bosley, Monica Burruss, Chia-Li Chien, Victoria Chopra, Jessica Copeland, Jenifer Daniels, Sue Ann Davis, Zaria Davis-Humphries, Crystal Dempsey, Jacqueline Dienemann, Jill Dinwiddie, Andrea Ferguson, Beverly Foster, Bliss Green, Laurel Grier, Deirdira Henderson, Shanna Hoover, Donna Hughes, Beverly Hunt, Alice Jackson, Kathryn Johnson, Sandra Johnson-Walker, Angela Joyner, Sharon Lachow-Blumberg, Brook Maybach, Kate Maynard, Sally McMillen, Shalawn Moore, Mary Murphy, Mariana Nunez, Felicia Parker-Rodgers, Nancy Plummer, Constance Purcell, Stacey Rose, Bellverie Ross, Deborah Snowdon, Najeedah Stover, Melba Streeter, Heather Swindells, Marjorie Tate, Libby Vagnoni, Catherine Ann Wargo, and Mimi Zelman.

*Appointments will occur on April 7, 2009.*

**PUBLIC HEARINGS**

**(4A) NCDOT COMMUNITY TRANSPORTATION GRANT APPLICATION – DSS**

Motion was made by Commissioner Cogdell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to open a public hearing on submission of a grant application by the Mecklenburg County Department of Social Services to the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2009-2010.

Chairman Roberts read the following statement:

**Voluntary Title VI Public Involvement**

Title VI of the Civil Right's Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency's federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project.

The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document.

The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at [slipscomb@ncdot.gov](mailto:slipscomb@ncdot.gov).

**No one appeared to speak.**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to 1) close the public hearing on submission of a grant application

MARCH 17, 2009

by the Mecklenburg County Department of Social Services to the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2009-2010; 2) to adopt a resolution to authorize submission of a grant application for Mecklenburg County Department of Social Services to the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2009-2010; and 3) to recognize, receive and appropriate grant funds when awarded.

**Community Transportation Program Resolution  
Section 5311  
FY 2009-F&2010 Resolution**

Applicant seeking permission to apply for Community Transportation Program funding, enter into agreement with the North Carolina Department of Transportation and to provide the necessary assurances.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

WHEREAS, Mecklenburg County hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the County Manager of Mecklenburg Board of County Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

***Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.***

**(4B1) REAL ESTATE EXCISE TAX REFUND REQUEST**

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to hold a hearing on request by Oxford-Matthews/Rock Hill, LLC for reimbursement of North Carolina excise tax in the amount of \$8,429.04.

*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 request is being made because of an overpayment.*

No one appeared to speak.

Motion was made by Commissioner Cogdell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to close the hearing on request by Oxford-Matthews/Rock Hill, LLC for reimbursement of North Carolina excise tax in the amount of \$8,429.04 and approve reimbursement.

**MARCH 17, 2009**

**(4B2) REAL ESTATE EXCISE TAX REFUND REQUEST**

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to hold a hearing on request by Oxford-Matthews/Rock Hill, LLC for reimbursement of North Carolina excise taxes paid on the dates and in the amounts below:

- \$769.70 paid on March 20, 2008 (Note: The deadline for submitting this request was September 20, 2008.)
- \$4,506.83 paid on March 27, 2008 (Note: The deadline for submitting this request was September 27, 2008.)
- \$2,982.07 paid on April 30, 2008 (Note: The deadline for submitting this request was October 30, 2008.)
- \$2,526.73 paid on May 29, 2008 (Note: The deadline for submitting this request was November 29, 2008.)

No one appeared to speak.

*Note: The request for reimbursement was received on January 6, 2009.*

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to close the hearing on request by Oxford-Matthews/Rock Hill, LLC for reimbursement of North Carolina excise taxes paid on the dates and in the amounts below. Secondly, to deny the request for reimbursement for the amounts below, on the grounds

that the request was not received within six months after the date the tax was paid as required by NC G.S. 105-228.37 Refund of Overpayment of Tax; thus the request is not eligible for a refund having been paid more than six months prior to the date of the application for a refund.

- \$769.70 paid on March 20, 2008 (Note: The deadline for submitting this request was September 20, 2008.)
- \$4,506.83 paid on March 27, 2008 (Note: The deadline for submitting this request was September 27, 2008.)
- \$2,982.07 paid on April 30, 2008 (Note: The deadline for submitting this request was October 30, 2008.)
- \$2,526.73 paid on May 29, 2008 (Note: The deadline for submitting this request was November 29, 2008.)

**(5) ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER'S REPORT**

**(6A) EDUCATION LOTTERY AND ADM FUNDS – ITEM WAS REMOVED FROM THE AGENDA**

*Note: County Manager Jones said the Governor in the release of her budget has indicated there will be no redirection of lottery proceeds or ADM funds, thus this matter was removed from the agenda. Staff will continue to monitor this matter.*

*Chairman Roberts echoed County Manager Jones' comment and noted a statement from the Governor's website indicating what County Manager Jones said.*

**(6B) BUDGET UPDATE SALES TAX REVENUES**

**MARCH 17, 2009**

Management/Budget Director Hyong Yi gave an update with respect to sales tax revenue. The following was noted:

- It's not necessary at this time to make any additional changes or reductions in order to balance the current fiscal year budget based on staff's review of the revenues.
- The County received \$18.64 million in sales tax revenue, per the report received in March, which is good news.
- The sales tax distribution received in March relate to sales incurred for the month of December and was 60% higher than the amount received in February for November sales.
- Although property tax collection is slightly off from last year, staff believes we will still meet budget.
- The tax office is scheduled to do their advertisement in April with respect to delinquent taxes, which usually brings in "significant" dollars.
- Staff anticipates at this time that we will maintain the property tax projections for this fiscal year and is not intending to make any changes downward.
- The fund balance draw down at this time is about \$33.1 million, which is a little higher than the data previously shared with the Board, but staff believes it can make this up.
- Keep in mind that the "situation is still fluid" and subject to change.
- Thanks was expressed to all departments for their reduction efforts.

#### **CONSENT ITEMS**

**Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to approve the following item(s) with the exception of Items 9, 14, 17, and 25 to be voted upon separately:**

#### **(7) APPROVAL OF MINUTES**

Approve minutes of Regular Meeting held March 3, 2009 and Closed Session minutes of March 3, 2009.

#### **(8) TAX REFUNDS**

Approve refunds in the amount of \$318,308.11 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) DESTRUCTION OF DOCUMENTS – LUESA**

Approve the disposal of LUESA (Code Enforcement Department) records and plans in accordance with North Carolina records retention policies.

*Note: These records are comprised of:*

- 355 commercial plans permitted February 2007
- Eight (8) boxes of permitting and inspections records. These records have been imaged, stored and migrated to an online system for secure retrieval over the Internet.
- Journeyman: 10/07-Renewal Letters = 2255
- Dead Bonds: 6/27/07 – 03/13/08 = 252
- Credit/Refunds: 1/31/07 – 4/25/08 = 1476



**MARCH 17, 2009**

**(11) DRIVEWAY EASEMENT AND FENCE ENCROACHMENT EASEMENT**

1) Authorize the County Manager to negotiate and grant a permanent easement to Melissa B. Sherrill, Waverlyn Ramsey Reid, and the Town of Huntersville.

2) Authorize the County Manager to negotiate and grant a permanent easement to the United House of Prayer for all People of the Church on the Rock of the Apostolic Faith and the Town of Huntersville.

*Note: The County is granting a permanent driveway easement (+/- 0.29 acre) across parcels 019-093-04 and 019-093-05 located on Central Avenue, Huntersville, NC. This easement will allow driveway access to parcels owned by Melissa B. Sherrill and Waverlyn Ramsey.*

*The County is granting a Fence Encroachment easement (+/- 0.035 acre) across parcel 019-093-04 and 019-093-05 located on Central Avenue, Huntersville, NC. This easement will allow the existing cemetery fence enclosure and graves to remain in their current location.*

*These easements are required to facilitate the transfer of the Old Torrance Lytle School (Parcel 019-093-04) to the Historic Landmarks Commission for adaptive reuse. The transfer of the Torrance Lytle School and land parcel was approved by the Board of County Commissioners on December 20, 2007.*

**(12) CLEAN WATER MANAGEMENT TRUST FUND/CAROLINA THREAD TRAIL GRANT APPLICATION – LITTLE SUGAR CREEK**

(1) Authorize County staff to submit an application to the Clean Water Management Trust Fund for reimbursement of +/- \$85,300 associated with the acquisition of property designated as part of the Little Sugar Creek Greenway and the Carolina Thread Trail.

(2) Authorize the County Manager to negotiate, execute and convey a conservation easement to the State of North Carolina on +/- 10.3 acres of floodplain of Tax Parcel 207-081-13.

(3) Upon award of grant, recognize, receive and appropriate grant funds for additional greenway land acquisition associated with the Carolina Thread Trail corridors.

**(13) CLEAN WATER MANAGEMENT TRUST FUND/CAROLINA THREAD TRAIL GRANT APPLICATION – LONG CREEK**

(1) Authorize County staff to submit an application to the Clean Water Management Trust Fund for reimbursement of +/- \$46,600 associated with the acquisition of property designated as part of the Long Creek Greenway and the Carolina Thread Trail.

(2) Authorize the County Manager to negotiate, execute and convey a conservation easement to the State of North Carolina on +/- 11.5 acres of floodplain of Tax Parcel 033-221-06.

(3) Upon award of grant, recognize, receive and appropriate grant funds for additional greenway land acquisition within the Carolina Thread Trail corridors.

**(15) ACHIEVE GRANT – HEALTH DEPARTMENT**

Recognize, receive and appropriate grant funding of \$75,000 from the National Association of Chronic Disease Directors (NACDD) to support the Fit City Challenge program within the Health Department.

*Note: This three-year funding from the ACHIEVE grant allows the Fit City Challenge coalition*

**MARCH 17, 2009**

*to expand reaching more diverse community partners to identify best practices for addressing the top health issues found in the Health Disparity Plan challenging Mecklenburg County such as obesity. Ultimately, the coalition will develop a comprehensive plan of action to address these issues.*

**(16) FUNDING ADJUSTMENTS – AREA MENTAL HEALTH**

A) Approve, recognize, receive and appropriate Federal funds in the amount of \$25,000 for Strategic Prevention Framework/State incentive Grant initiative.

B) Approve, recognize, receive and appropriate Federal funds in the amount of \$55,000 for Mental Health homeless population funding.

C) Reduce State funding in the amount of \$257,272 due to a decrease in Local Management Entity Systems Management funds.

D) Reduce State funding in the amount of \$17,881 due to a decrease in Cross Area Service Program Community service funds.

**(18) DSS REVENUE ADJUSTMENTS – CHARLOTTE AREA TRANSIT SYSTEMS (CATS)**

Amend the Department of Social Services' FY09 budget to recognize, receive, and appropriate additional CATS revenues of \$342,787.

*Note: The County received \$342,787 resulting from the annual settlement with the Charlotte Area Transit System (CATS) for the fiscal year ending June 30, 2008. Pursuant to an interlocal contract between Mecklenburg County, the City of Charlotte and other North Carolina municipalities, the Mecklenburg Transportation System (MTS) receives \$1.8 million annually for CATS to provide transportation services for Elderly General Purpose and Comprehensive Community Program participants.*

**(19) HOME AND COMMUNITY CARE GRANT ADVISORY COMMITTEE**

Appoint the persons below as the Advisory Committee for the Home and Community Care Block Grant for Older Adults.

**HOME AND COMMUNITY CARE BLOCK GRANT COMMITTEE – 2009-2010**

1. Rodney Adams# (GS, CC, Committee Co-Chair) Division Director, Services for Adults DSS
2. Dawn A. Blobaum, AIA (GS, CC) Assistant Town Manager Town of Davidson
3. Maryann Gilmore (OA, CC)
4. Jacqueline Glenn (GS, CC) Meck. County Health Department
5. Kim S. Graham (GS, CC) Public Policy Manager Community Planning United Way of the Central Carolinas
6. Sue Hancharik# (GS, CC) Deputy Division Director, Services for Adults Department of Social Services
7. Dr. Cynthia Riffie Hancock (CC) UNC Charlotte
8. John Highfill# (GS, OA, CC) Department of Social Services
9. Joyce D. Freeman (PS, CC) Executive Director Loving Touch Adult Day Health Care Center, Inc.
10. Millard McCluney (CC) The Realty Corner
11. Aaron McKeithan, Jr. (OA, CC)
12. Dan Murrey, MD, MPP (EO, CC) Board of County Commissioners, At Large
13. Ms. Evelyn Newman (OA, CC)

**MARCH 17, 2009**

14. Trena K. Palmer, MSW/MPA (GS, CC) Executive Director Charlotte Mecklenburg Senior Centers

15. Debora Sparks# (GS, CC, Committee Co-Chair) Executive Director Council of Aging

16. Ms. Anja Workman (PS, CC)

17. Ms. Gayla Woody \* (GS, HCCBG Admin. Agency)

Centralina Area Agency on Aging

Legend

OA=Older Adult

GS=Public Services Provider

PS=Private Services Provider

EO=Elected Official

CC=Concerned Citizen

#=Core

\*=Ex Officio, Non-Voting

*Note: The Home and Community Care Block Grant requires that the Advisory Committee represent a range of aging interest in the County. The individuals that have been recommended for the Advisory Committee in this Board Action are from a broad spectrum of the Charlotte-Mecklenburg community who have been actively engaged in senior issues and have worked with the Department of Social Services staff to promote the awareness of senior issues throughout the community through the Council on Aging and Status of Seniors Initiatives.*

**(20) NCDOT COMMUNITY TRANSPORTATION GRANT – TRANSPORTATION ADVISORY BOARD (TAB)**

Appoint the persons below to the Advisory Board for the NC Department of Transportation Community Transportation Grant.

*Note: The Community Transportation Grant requires that members of the Transportation Advisory Board be members of the community who are actively engaged in human services transportation planning. The Grant also requires that Transportation Advisory Board members represent the following categories: Public Human Service Agencies, Transportation Providers, Public Business Sectors and Government and Governmental Affiliates. The individuals that have been recommended for the Transportation Advisory Board in this Board Action have been actively engaged in transportation planning for the aged and disabled community and have worked along with DSS staff through the Council on Aging Transportation Task Team and the United Way Transportation Task Team.*

- I. Public Human Service Agency (Senior Services, DSS, Vocational Rehabilitation, Head Start, Shelter Workshop, Health Department, Veterans Admin, Smart Start, Mental Health, Housing Authority, HS Transit Users: 3-5)
  - Robert Weeks, Mecklenburg County Veterans Services (*Ex-Officio non-voting member*)
  - Christopher White, LifeSpan Employment/Enrichment Services
  - Angela Schlottman, Centralina Council of Governments Area Agency on Aging
  - Becky Williams, Disability Rights & Resources
  - Myra Green, Director Char-Meck Senior Center @ Shamrock
  - Myrna Brown, Mecklenburg County DSS (*Ex-Officio non-voting member*)
  
- II. Transportation Providers (Private transportation providers, Intercity bus providers, Ambulance Service, Regional Authority, Urban System, Faith based services, Volunteers: 1-2)
  - Vincent Brown, Assistant General Manager

MARCH 17, 2009

Special Transportation Services (STS)  
Charlotte Area Transit System (CATS)

- Laura Lynn Ceasar, CMG Express

III. Public and Business Sectors (Chamber of Commerce, Major employers, DBE Businesses, Hospital/Dialysis Ctr. staff, Non-profit organizations, Employment Transit Users, General Public Transit Users, Public Citizens: 4-5)

- Kim Graham, United Way of Central Carolinas
- Evelyn Newman, Community Activist
- Jen Algire, Community Health Services
- Stacy Wright, Community Care Services  
Presbyterian/Novant Health
- Sandra Peake, American Red Cross
- Bettye Mills, PALS Adult Day Care

IV. Government and Governmental Affiliates (MPO, RPO, Economic Development, Employment Security Commission, Job Link and/or Career Centers, Elected Officials, County Government staff, Community College: 3-5)

- Bob Cook, Metropolitan Planning
- Nate Huggins, Matthews Town Representative
- Susie Parrott (*Ex-Officio non-voting member*)

**(21) NCDOT APPLICATION – SECTION 5310 GRANT APPLICATION**

Authorize Mecklenburg County Department of Social Services to submit an application for the North Carolina Department of Transportation Elderly Individuals and Individuals with Disabilities Program; and recognize, receive, and appropriate the grant funds, if awarded.

*Note: For nine years, the Mecklenburg County Department of Social Services in partnership with Mecklenburg County Veterans Services Office has provided transportation for Veterans determined to have specific transportation needs to VA hospitals throughout North Carolina. Receipt of this grant will allow for the provision of additional trips for elderly and/or disabled Veterans residing in Mecklenburg County. The grant amount is \$30,000; a required County match of \$30,000 will be included in DSS FY 2010 operating budget request.*

**(22) JUVENILE JUSTICE AND CHILD WELFARE INTEGRATION GRANT APPLICATION - ITEM WAS REMOVED FROM THE AGENDA**

**(23) REQUEST FOR PARTIAL RELEASE OF TAXES – HOMESTEAD EXCLUSION**

To accept the Tax Assessor's recommendation to approve the request by Mrs. Sheryl Beck for the abatement of the excess taxes and interest on behalf of her mother Rosalind B. Chinnis (now deceased) to re-instate the Homestead Exclusion for the property at 4817 Oberwald Place for Tax Year 2008 and release the portion of the tax bill for that year in excess of the amount that would have assessed had the property been in the Homestead Exclusion program.

**(24) REALLOCATION OF DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FY09 FUNDING**

**MARCH 17, 2009**

Recognize and approve the increase and reallocation of the Department of Juvenile Justice and Delinquency Prevention (DJJDP) funds of \$1,490,192 for fiscal year 2009 as recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

---

**(9) ARTS AND SCIENCE COUNCIL CULTURAL ACCESS GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to approve submission of application for an Arts and Science Council Cultural Access Grant for up to \$15,000. Secondly, to recognize, receive and appropriate funds if grant is awarded by the Arts and Science Council.

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

*Note: This grant will be utilized to offer cultural arts programming. The program will focus on increasing the awareness and participation of all age groups in cultural arts activities. If the grant is awarded, funds up to \$15,000 will be received next fiscal year 2010.*

**(14) RYAN WHITE TREATMENT MODERNIZATION ACT OF 2006, PART A, YEAR THREE FUNDING**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to recognize, receive and appropriate the Year Three grant funds of \$1,763,064 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White Treatment Modernization Act of 2006. Secondly, to approve the allocation process involving regional participation in accordance with HRSA of the US Department of Health and Human Services guidelines.

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

**(17) AMENDMENT TO EASEMENT AND RIGHTS OF WAY POLICY**

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to amend and expand current Board policy titled: "Authorization of the County Manager to Grant Easements and Rights of Way" to include the authority for the County Manager to grant temporary and permanent easements and rights of way for roads, sidewalks, storm drainage improvements and conservation purposes.

Commissioner Bentley removed this item from Consent because of a question she had, which she said was answered by staff after she'd asked that it be pulled.

*Policy recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**MARCH 17, 2009**

**(25) PALISADES AREA ELEMENTARY SCHOOL AND NEIGHBORHOOD PARK**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to approve First Amendment to Agreement for Acquisition of Land and authorize execution by the County Manager.

*Note: The action which is requested is for the Board to authorize the County Manager to enter into the First Amendment to Agreement for Acquisition of Land to extend the date by which CMS must commence construction of the elementary school and the County must commence construction of the park until July 1, 2010.*

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

*Agreement recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**STAFF REPORTS AND REQUESTS**

**(26) BUSINESS INVESTMENT GRANT: TIME WARNER CABLE, PHASE 2**

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to approve the County's participation in a Business Investment Grant to Time Warner Cable for Phase 2 expansion and that the total estimated amount of the County's grant is \$1,950,000 over seven years. (Total City/County Phase 2 grant is estimated at \$3,000,000).

*Economic Development Director John Allan addressed this matter.*

**(27) FIRST WARD PARK**

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to receive information regarding a revised framework associated with

the First Ward Park development. Secondly, to approve adding an item to the County's legislative package to request a local act to give the County the authority to enter into a park and infrastructure reimbursement agreement with a private party.

*Economic Development Director John Allan addressed this matter.*

**(2B) CLOSED SESSION – LAND ACQUISITION**

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, to adopt a Resolution of Intent to Purchase and Lease Back 3001 Dunlavin Way.

*Note: This action is necessary for the purchase of a floodplain property under the Hazard Mitigation Program.*

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**COUNTY COMMISSIONERS REPORTS AND REQUESTS**

**(28) PAPERLESS AGENDAS FOR REGULAR MEETINGS – CHAIRMAN ROBERTS**

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and carried 7-1 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, and Roberts voting yes and Commissioner Leake voting no, to direct staff to come back with a proposed process for going to a paperless agenda for Regular meetings.

*Note: Chairman Roberts presented this proposal to the Board in light of current economic conditions and in an effort to cut costs. The costs associated with distribution of the agenda include printing, courier overtime and other staff time. The idea is that the Board, using laptops, would view the agenda on-line during meetings. Chairman Roberts asked that staff look at other paper routines as well in the Commissioners/Manager's office.*

Comments prior to the above vote:

Chairman Roberts said that she has already begun doing what is being proposed. Chairman Roberts noted there have been previous discussions regarding getting the dais up-fitted to accommodate viewing the agenda electronically, as well as, voting electronically. She said this is still being looked into by staff.

Commissioner Dunlap said those that don't wish to go paperless should have the option to continue to receive a hard copy. (*Note: Commissioner Dunlap, like Chairman Roberts, is accessing his agenda on-line. So is Commissioner Murrey.*)

Commissioner Cooksey said he would like it on CD-Rom, rather than relying solely on the internet; or place the items in a pdf file, where the items can just follow each other, rather than having to move from one item to the next. Commissioner Cooksey said he's concerned about possible technical difficulty that may come up during a meeting.

Commissioner James said he supports the idea but noted he doesn't have a laptop, so one would need to be provided to him. Commissioner James noted also that at one time there were funds set aside for up-fitting the dais. He asked staff to check on whether those funds were still available.

Commissioner Leake noted that some Board members are more computer "savvy" than others and that those who are not should be provided the information in hard copy, if that's their desire.

Commissioner Clarke said the idea has merit and suggested consideration be given to changing the current font on-line to something that's easier to read, such as Arial or Verdana.

Commissioner Clarke said it will be an adjustment and he hopes members will be as prepared as they're accustomed to being, noting that it's easier to just go through your hard copy right in front of you versus viewing it on-line.

Commissioner Cogdell volunteered to begin this process also, thus, staff will not have to print him out an agenda packet.

**COMMISSION COMMENTS** – 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.

**MARCH 17, 2009**

**ADJOURNMENT**

Motion was made by Commissioner James, seconded by Commissioner Cooksey and unanimously carried Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:36 p.m.

---

Janice S. Paige, Clerk

---

Jennifer Roberts, Chairman