

MAY 5, 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, May 5, 2009.

ATTENDANCE

Present: Vice-Chairman Harold Cogdell, Jr. and Commissioners
Karen Bentley, Dumont Clarke, 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: Chairman Jennifer Roberts

-INFORMAL SESSION-

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

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

(1A) STAFF BRIEFINGS – NONE

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

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: property located at 5200 Spector Drive.

It was noted there was no Consult with Attorney matter to be discussed.

Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:50 p.m.

Commissioner Clarke was present when the Board came back into Open Session. He entered 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 14 and 18.

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

-FORMAL SESSION-

Invocation was given by Commissioner Cooksey, 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) WORLD ASTHMA DAY AND ASTHMA AWARENESS MONTH

Motion was made by Commissioner Murrey, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to adopt a proclamation designating May 5, 2009 as World Asthma Day and May 2009 as Asthma Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Murrey and received by Dr. Wynn Mabry, Mecklenburg County Health Director. Dr. Mabry was joined at the podium by Cynthia Conner, President of the Mecklenburg County Asthma Coalition and Clayton Kraft, an asthma sufferer and Charlotte-Mecklenburg School student from South Mecklenburg High School.

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

(1B) DRUG COURT MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to adopt a proclamation designating May 2009 as Drug Court Month in Mecklenburg County.

The proclamation was read by Vice-Chairman Cogdell and received by the Honorable Lisa C. Bell, Chief District Court Judge. Judge Bell was joined at the podium by Honorable Judges Hugh B. Lewis, Thomas F. Moore, Yvonne Mims-Evans, and Theo X. Nixon, the director of the Drug Court Treatment Program Janeanne Tourtellott and a staff member.

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

(1C) LAW ENFORCEMENT WEEK

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to adopt a proclamation designating May 10-16, 2009 as Law Enforcement Week in Mecklenburg County.

The proclamation was read by Commissioner Dunlap and received by local Chiefs or their designee for CMPD, Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill & Pineville, Mecklenburg Sheriff's Office, ABC Board Law Enforcement, CMS Law Enforcement,

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and the FBI Charlotte Field Office.

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

(1D) NATIONAL COUNTY GOVERNMENT WEEK

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to adopt a proclamation designating May 3-9, 2009 as National County Government Week in Mecklenburg County.

The proclamation was read by Commissioner Bentley and received by General Manager Bobbie Shields.

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

(1E) MENTAL HEALTH MONTH AND NATIONAL CHILDREN'S MENTAL HEALTH AWARENESS DAY

Motion was made by Commissioner Cooksey, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to adopt a proclamation designating May 2009 as Mental Health Month and May 7, 2009 as National Children's Mental Health Awareness Day.

The proclamation was read by Commissioner Cooksey and received by Grayce Crockett, Mecklenburg County Director of Area Mental Health. She was joined at the podium by Libby Safrit with Teen Connection.

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:

Dr. Bill McCoy and Deborah Sparks, Executive Director of the Council on Aging addressed the Council on Aging's support of Aging in Place and a project they've been working on, which involves housing for older adults. They addressed the work of the task force formed to study this issue. A handout was distributed to the Board, a copy of which is on file with the Clerk to the Board.

APPOINTMENTS

(3A) CRIMINAL JUSTICE CITIZEN'S ADVISORY COMMITTEE

The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

District 1

Alan Adler
Janet Bennett
Jonathan Davis
Hank Grady
Willie Arlene Hagans

Lawrence Johnson

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Ralph McCormick
Gregg Orth
Reid Sartin
Keith Shannon
John Stroup
Kenneth White
Sam Wilson

Motion was made by Commissioner Bentley, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Alan Adler to the Criminal Justice Citizen's Advisory Committee as the District 1 representative for a three-year term expiring April 30, 2012.

District 2

The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Christine Brooks
Delores Henderson
James Henry
Doreen Palmer
Scott Yamanashi

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint James Henry to the Criminal Justice Citizen's Advisory Committee as the District 2 representative for a three-year term expiring April 30, 2012.

District 3

The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Dennis Brown
Michael Hailey
Vivian Lord
Sona Oliver
Allen Scott
Peyton Stephens
Najeedah Stover

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Dennis Brown to the Criminal Justice Citizen's Advisory Committee as the District 3 representative for a three-year term expiring April 30, 2012.

District 4

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The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Renee Barfield
Ezekiel Burns
Shaune Peterson

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Shaune Peterson to the Criminal Justice Citizen's Advisory Committee as the District 4 representative for a three-year term expiring April 30, 2012.

District 5

The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Gerard Carroll
Thomas Derham
John Fortson
Gloria Johnson
Jeffrey Johnson
Michale Knowles
Janet Lama
Kevin Leonard
James Mathis III
Sean Mulhall
Bill Munson
Charles Payne
Lloyd Scher
Wells Van Pelt

Motion was made by Commissioner Cooksey, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Bill Munson to the Criminal Justice Citizen's Advisory Committee as the District 5 representative for a three-year term expiring April 30, 2012..

District 6

The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

E. Thomas Bowers
Larry Bumgarner
Faye Carter
Scott Crytser
Greg Hagler
Sonia Howe
George Lisi
Richard Martin
Susan Oleson
Robert Raffety
Thomas Strini

John Vaughan

Henry Webb III

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Robert Raffety to the Criminal Justice Citizen’s Advisory Committee as the District 6 representative for a three-year term expiring April 30, 2012.

Law Enforcement

The vote was taken on the following nominees for appointment to the Criminal Justice Citizen’s Advisory Committee:

Round 1

Donna Armstrong	None
Thomas Faulkner	None
Golphin Hankinson	Commissioner Murrey
Charles Hitsman	None
Gary Hollen	Commissioners Bentley and Clarke
Elizabeth Kincaid	Commissioner Cooksey
Carolyn Logan	Commissioners Cogdell, Dunlap and Leake
Ulysses McDowell	None
Larry Parker	None
Gen. Thomas Sadler	Commissioner James

Round 2

Golphin Hankinson	Commissioner Murrey <i>(Note: Commissioner Murrey asked that his vote be changed to support Carolyn Logan, which is noted below.)</i>
Gary Hollen	None
Elizabeth Kincaid	None
Carolyn Logan	Commissioners Clarke, Cogdell, Dunlap, Leake and Murrey
Gen. Thomas Sadler	Commissioner Bentley, Cooksey and James

Vice-Chairman Cogdell announced the appointment of Carolyn Logan to the Criminal Justice Citizen’s Advisory Committee as the Law Enforcement Representative for a two-year term expiring April 30, 2011.

Charlotte Mecklenburg Schools

The following were nominees for appointment to the Criminal Justice Citizen’s Advisory Committee:

Vincent Esposito
Rayfus Wilson

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Rayfus Wilson to the Criminal Justice Citizen’s Advisory Committee as the Charlotte Mecklenburg Schools Representative for a two-year term expiring April 30, 2011.

Substance Abuse Professional

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The following were nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Jefforey Best
Karen Worrell

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Karen Worrell to the Criminal Justice Citizen's Advisory Committee as the Substance Abuse Professional Representative for a two-year term expiring April 30, 2011.

Faith Community

The vote was taken on the following nominees for appointment to the Criminal Justice Citizen's Advisory Committee:

Round 1

Douglas Allen	Commissioners Clarke, Cogdell, Leake and Murrey
Kevin Belk	None
Courtney Morrison	None
Jerry Mudge	Commissioners Bentley, Cooksey, Dunlap and James
Julie Transou	None

Round 2

Douglas Allen	Commissioners Clarke, Cogdell, James, Leake and Murrey <i>Voting Ceased</i>
Jerry Mudge	

Vice-Chairman Cogdell announced the appointment of Douglas Allen to the Criminal Justice Citizen's Advisory Committee as the Faith Community Representative for a two-year term expiring April 30, 2011.

Rehabilitation

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Myra Byarm to the Criminal Justice Citizen's Advisory Committee as the Rehabilitation Representative for a two year term expiring April 30, 2011.

(3B) TOWN OF CORNELIUS PLANNING BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Hardison McConnell to the Cornelius Planning Board as an Extraterritorial Jurisdiction (ETJ) representative as recommended by the Town of Cornelius Board of Commissioners for a three-year term expiring July 1, 2012.

(3C) TOWN OF MINT HILL BOARD OF ADJUSTMENT

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Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake and Murrey voting yes, to appoint Mr. Ashley Jerman to the Mint Hill Board of Adjustment as the Extraterritorial Jurisdiction (ETJ) Alternate representative as recommended by the Town of Mint Hill Board of Commissioners for a term to expire June 30, 2010.

(4) PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

(5A) MECKLENBURG COUNTY COMMUNITY CHILD FATALITY PREVENTION AND PROTECTION TEAM 2008 ANNUAL REPORT

The Board received the Mecklenburg County Community Child Fatality Prevention and Protection Team 2008 Annual Report.

The report was presented by Child Fatality Team Chair Libby Safrit and member Sara Zimmerman, who is with the Health Department.

The Community Child Fatality Team presents this report each year to inform the Board of County Commissioners about causes of death for Mecklenburg County children and to provide suggestions on ways to prevent child deaths.

Commissioner Murrey left the dais during the question and answers period and was away until noted in the minutes.

Commissioner Leake expressed concern for “bullying” students encounter at school, which she said leads to other problems for students. Commissioner Leake suggested this matter be looked into by the Committee and somehow incorporated into the Committee’s work. *It was noted that the Committee is a strong proponent of violence prevention. Further, the Committee knows that even beyond the policies, with respect to “bullying,” young people have to be given outlets for their emotions and energy, not only for the person being bullied but the person doing the bullying as well. The reason being, is because it’s usually much more than what’s on the surface or the act of “bullying.”*

Vice-Chairman Cogdell thanked the Committee for its work.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, and Leake voting yes, to receive the Community Child Fatality Team Annual report as mandated by North Carolina State statute 7B-1406.

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

MANAGER’S REPORT

(6B) COMMITTEE OF 21 FINAL REPORT

The Board received the Final Report of the Committee of 21.

The report was given by Ned Curran and Claire Fallon.

Commissioner Murrey returned to the dais.

The following was covered:

The Committee's Charge, which included:

- Prioritize Roads – Governance
- Identify Dedicated and Reliable Funding Sources
- Advocate for our Recommendations

Funding Considerations

It was noted there's a \$12 billion shortfall, which is the difference between known funding sources and identified road needs for Mecklenburg County over the next 25 years.

Final Funding Recommendations

- Vehicle Registration Fee Increase
- ½ Cent Sales Tax Increase
- Toll Roads

Governance Recommendations

The Economy (It was noted the Committee was not recommending action be taken with respect to the funding recommendations at this, in light of the current economy, but the Committee feels the discussion of these recommendations should take place.)

Area Development

Vehicle Travel in the Area

Comments

Commissioner Clarke asked was there any precedent in the State of N. C. for what the Committee is proposing, particularly as it relates to the ½ cent sales tax to build roads and a county doing it on its own. *The response was no.*

Commissioner Clarke said he's concerned with respect to how would you force or require the state to be responsible for the maintenance and to continue to provide what they normally would to the county. He asked that the Committee give consideration to this.

Commissioner Clarke said in light of other county needs, he can't see using any additional sales tax authority on roads.

Commissioner Dunlap asked about the ½ cent sales tax recommendation and if that were to happen, how would you prevent the state from giving funding to another county, that otherwise would have been coming to Mecklenburg County. *The response was there are no guarantees, but it would be the responsibility of the County's State Legislative Delegation to make sure Mecklenburg County continued to get its share.*

Commissioner Dunlap asked about the funding recommendations all being requested at one time. *The response was that unfortunately all three recommendations combined do not solve the shortfall.*

Commissioner Dunlap said he's concerned about how this would be viewed upon in Raleigh, if Mecklenburg County were to have all of these additional revenue sources. *It was noted that some of the other urban counties may join Mecklenburg County in this and implement some of these recommendations in their county because they understand the need.*

Commissioner Bentley asked about the "Pennies for Progress Program" in S.C., specifically with respect to the sunset clause and the re-approval of it, which was addressed.

Commissioner Bentley asked about the Committee's discussion as it relates to having a sunset provision on the recommended ½ cent sales tax, which was addressed.

Commissioner Bentley asked about toll roads, which was addressed.

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Commissioner Bentley asked what the next steps were for the Committee with respect to the recommendations. *The response was to engage in the dialogue that they have and to be there to try and work with the Local Delegation, the County Commission, to hopefully endorse the recommendations to move forward; perhaps in the short session next year to seek the legislative authority to seek all of the recommended funding sources, but not necessarily to “pull the trigger.”*

Commissioner Cooksey suggested perhaps when the economic status of the County gets better, rather than putting money back into programs that may have been previously cut, that those funds be placed in a pay-go account for roads that would go to the governance authority as called for in the report. Commissioner Cooksey said this would require a determination by the Board that roads are a priority. Further, that it wants to move forward and not depend on the state taking care of roads in the County.

Commissioner Cooksey asked about public/private participation, which was addressed.

Commissioner Murrey said he would like to see the report forwarded to one of the Board’s committees for further review.

Commissioner James left the meeting prior to the above vote and was away for the remainder of the meeting.

Commissioner Murrey said he was a little troubled by the formulation used and presented, which was an “either, or” formulation, roads versus transit. Commissioner Murrey said he thinks that’s a “troubling” way to view the County’s future.

Commissioner Murrey said he doesn’t view it as an “either, or” because both were needed.

Commissioner Murrey said he’d like more information with respect to the types of roads being talked about.

Commissioner Murrey asked about the Committee’s discussion with respect to congestion, other than building more roads, which was addressed.

Commissioner Murrey said he would like to see the Board’s Natural Resources committee discuss how all of this integrates with the County’s responsibility when it comes to maintaining air quality.

Commissioner Leake asked about the involvement of the Planning/Zoning Commission in this process, which was addressed. *It was noted that they were involved.*

Commissioner Leake expressed concern for how persons living outside of Mecklenburg County but work in Mecklenburg County would contribute their fair share of the cost.

Commissioner Leake asked if the Committee prioritized its recommendations. *The response was no because each recommendation has a specific purpose associated with it, such as maintenance, local roads, and interstates and they all have significant needs.*

Vice-Chairman Cogdell said he would encourage a regional discussion regarding transportation needs.

Vice-Chairman Cogdell thanked the Committee for its work.

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

Motion was made by Commissioner Murrey, seconded by Commissioner Leake and carried 7-0

with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, and Murrey voting yes, to receive the Committee of 21 Final Report with gratefulness and refer the report to the Board’s Natural Resources Committee for further review and to bring it back to the Board at a later date.

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

(6A) FY2010 BUDGET UPDATE

The Board received an update on the FY2010 Budget from County Manager Jones and Budget/Management Director Hyong Yi.

The following was covered:

- FY10 Revenue Projection
- WTVI/Public Square
- Law Enforcement Service District (LESD) Tax Rate
- CMS Stimulus Funds
- Budget Schedule

Comments

Commissioner Bentley asked about the phase out of WTVI/Public Square, which was addressed.

Commissioner Bentley asked about the Law Enforcement Service District and the possibility of town law enforcement agencies providing this service and the fiscal impact of this on the applicable residents, which was addressed.

Attorney Bethune noted that additional legislative authority would be needed in order for the towns to be able to levy this tax. The towns would also have to be willing to do this and the City of Charlotte would have to be agreeable to the change as well.

Commissioner Dunlap noted that the recommendation to terminate the agreement with WTVI for Public Square brought to mind the agreement with the Whitewater Center and whether the County can, if it wanted to, terminate that agreement.

Attorney Bethune explained the agreement with the Whitewater Center and noted that there's no termination clause except for default on the part of Whitewater.

Commissioner Dunlap asked for clarification with respect to the Law Enforcement Service District, which was addressed. County Manager Jones noted that there would be a slight tax rate increase for the Law Enforcement Service District for last year.

Commissioner Clarke asked about revenue projections, which was addressed.

Commissioner Clarke requested information on the amount of sales tax collected to date. Also, what is it expected to be for the remainder of this fiscal year (thru June 30) based on the most recent available data and how does that compare to the FY09 adopted budget. Commissioner Clarke said he's concerned as to whether the estimates being presented need to be changed.

Commissioner Murrey also addressed sales tax revenue. He, too, would like to see the trend analysis.

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

STAFF REPORTS AND REQUESTS

(19) SOLID WASTE MANAGEMENT 10-YEAR PLAN

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Motion was made by Commissioner Cooksey, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to adopt the resolution approving the Mecklenburg County Solid Waste Management Plan Dated July 1, 2009.

Prior to the above vote, Bruce Gledhill, Director of Solid Waste and Darryl Vincent, Vice-chairman of the Solid Waste Advisory Committee addressed the Plan.

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

CONSENT ITEMS

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to approve the following item(s) with the exception of Items 14 and 18 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held April 21, 2009; Budget/Public Policy Meeting held March 11, 2009; Special Budget/Public Policy Meetings held March 24 and February 24, 2009; Closed Sessions held April 21, 2009, April 7, 2009 and March 11, 2009.

(8) FUNDING FOR PHASE II STORM WATER PERMIT REQUIREMENTS

Recognize, receive and appropriate \$82,499 from Charlotte-Mecklenburg Schools for performance of activities for compliance with Phase II Storm Water Permit Requirements.

(9) HEALTH DEPARTMENT REVENUE ADJUSTMENTS

Recognize, receive and appropriate additional Health Department revenue of \$70,025 to reflect actual local, state and federal allocations.

(10) SCRAP TIRE REMOVAL CONTRACT

Approve the Amended Service Agreement for the Removal of Scrap Tires between Mecklenburg County and U.S. Tire Recycling Partners, L.P.

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

(11) CONTRACT FOR THE OPERATION OF THE COUNTY'S METROLINA RECYCLING CENTER

Approve the Amended and Restated Service Agreement between Mecklenburg County, North Carolina and FCR, LLC for operation of the County's Metrolina Recycling Center.

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

(12) PLANNING GRANT APPLICATION FOR CAROLINA THREAD TRAIL

Approve the submission of a grant application to the Carolina Thread Trail for funding in the amount of \$14,303 for a planning grant to identify and incorporate additional routes of the

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Carolina Thread Trail in Mecklenburg County; and, if the grant is awarded, recognize, receive and appropriate such funds.

(13) AREA MENTAL HEALTH THIRD QUARTER FY 2009 REPORT

Recognize and receive the Third Quarter 2009 Area Mental Health Report.

Financial Management

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Revenue Source			
Medicaid & CAP	15,178,693	8,798,944	57.97%
State and Federal	33,869,491	21,079,677	62.24%
Third Party/Other	150,541	59,422	39.47%
Grants	3,845,759	2,218,759	57.69%
County	45,167,108	29,985,425	66.39%
Total Revenues	98,211,592	62,142,227	63.27%

	<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>
Service Continuum			
Children's Developmental Services	6,909,463	4,886,871	70.73%
Child & Adolescent Services	13,874,640	7,154,157	51.56%
Adult Mental Health	14,214,917	4,203,360	29.57%
Adult Substance Abuse	13,763,453	12,285,238	89.26%
Local Management Entity	11,268,435	6,705,893	59.51%
BHC Randolph	20,075,073	14,761,373	73.53%
Developmental Disabilities	18,105,611	12,145,335	67.08%
Total Expenditures	98,211,592	62,142,227	63.27%

Note: In accordance with General Statute 122C-115.1(e), within 30 days of the end of each quarter of the fiscal year, the director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

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

(15) STORM WATER FEE – SET PUBLIC HEARING ON THE COUNTY’S MINOR AND MAJOR SYSTEM RATES

Set a public hearing for May 19, 2009 on proposed changes in the Major and Minor System components of the County’s Storm Water fee.

(16) STORM WATER FEE – SET PUBLIC HEARING ON THE CITY’S MINOR SYSTEM RATES

Set a public hearing for May 19, 2009 on proposed changes in the Minor System component of

the City's Storm Water fee.

(17) STORM WATER FEE – SET PUBLIC HEARING ON THE TOWN OF DAVIDSON'S MINOR SYSTEM RATES

Set a public hearing for May 19, 2009 on proposed changes in the Minor System component of the Town of Davidson's Storm Water fee.

(21) NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 GRANT APPLICATION

1) Adopt resolution to authorize submission of a grant application for Mecklenburg County Department of Social Services to the North Carolina Department of Transportation's American Recovery and Reinvestment Act of 2009 Federal Transit Capital Assistance Section 5311 Grant for Fiscal Year 2009-2010;

2) Schedule a public hearing on May 19, 2009 to receive comments on the application; and

3) Authorize the Clerk to the Board to publish Notice of Intent to hold public hearing.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(14) HEALTHY KIDS, HEALTHY COMMUNITIES GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to authorize the Health Department to apply for funding from the Robert Wood Johnson Foundation in the amount of \$360,000 for the period January 1, 2010 through December 31, 2013 to support improvement of physical activity and healthy foods for children and families; if the grant is awarded, recognize, receive and appropriate such funds.

Note: The Mecklenburg County Health Department in partnership with Carolinas HealthCare System and Mecklenburg County Parks and Recreation is applying for Healthy Kids, Healthy Communities funding over four years (\$90,000/year). The grant would support coordinated efforts to develop and implement policies that will enhance opportunities for physical activity and improve access to affordable healthy foods for children and families in Mecklenburg County. Funding will be used to hire a coordinator position as well as costs to operate and evaluate the project.

Commissioner Leake removed this item from Consent for more public awareness. It was addressed by Dr. Wynn Mabry, Health Director.

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

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and

carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to

1) Recognize, receive and appropriate the remainder of the Year Three grant funds of

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\$3,194,483 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.

2) 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. It was addressed by Dr. Wynn Mabry, Health Director.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(20) GREATER ENRICHMENT PROGRAM – (COMMISSIONER DUNLAP) ITEM WAS REMOVED FROM THE AGENDA

(2B) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Murrey and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Murrey voting yes, to adopt resolution entitled: Mecklenburg County Board Of Commissioners Resolution Authorizing The Institution Of Condemnation Proceedings For The Acquisition Of Tax Parcel 03719214 Belonging To Estes Express Lines For The Expansion Of The Jail North Complex On Spector Drive.

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

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.

ADJOURNMENT

Motion was made by Commissioner Leake, 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 10:20 p.m.

Janice S. Paige, Clerk

Harold Cogdell, Jr., Vice-Chairman