

**JUNE 3, 2009**

**MINUTES OF MECKLENBURG COUNTY BOARD OF COUNTY COMMISSIONERS**

**NORTH CAROLINA  
MECKLENBURG COUNTY**

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Budget Workshop Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center at 5:00 p.m. on Wednesday, June 3, 2009. Dinner was held at 4:30 p.m.

**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

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**FY 2009 - 2010 BUDGET DELIBERATION**

*The meeting was called to order by Chairman Roberts.*

*Chairman Roberts said the purpose of the meeting was to begin the Board's deliberation on the County Manager's FY09-10 Recommended Budget.*

*Chairman Roberts turned the meeting over to County Manager Jones, who in turn, called on Budget and Management Director Hyong Yi.*

The first matters of business, however, were to receive a presentation from Central Piedmont Community College and from Finance Director Dena Diorio.

**CPCC**

Dr. Tony Zeiss, President of Central Piedmont Community College (CPCC), Michael Moss and Kathy Drumm of his staff, briefed the Board on the following:

- CPCC's Vision
- Campuses
- Student Population
- Impact on the Community
- Dislocated Worker Initiatives
- Growth
- Operating Budget Components
- FY 09-10 Operating Budget Request
- Capital Reserve Projects
- FY 2010 Cash Flow Requirements

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

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Comments

Commissioner Cooksey asked how any additional funding would be used by CPCC, if it became available. *The response was that it would be used to train more students by adding classes.*

Commissioner Cooksey asked if any existing staff was being cut, as a result of the current budget situation. *The response was no. The cuts are coming from the deletion of vacant positions and retirements.*

**FY 2010 Revenue Budget Estimates**

Finance Director Dena Diorio addressed 2010 Revenue Budget Estimates.

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

Comments

Commissioner Dunlap, with respect to property taxes, asked if the number had changed from the proposed budget. *The response was no.*

Commissioner Clarke, with respect to sales taxes, asked for clarification on Article 42 and 39, which was addressed.

Commissioner Clarke asked if point of sale and point of delivery was the same. *The response was yes.*

Commissioner Cogdell asked for clarification on assessed valuation, which was addressed.

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Director Yi addressed the process for moving forward and handouts that were distributed to the Board.

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

**Rules Of Engagement**

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 approve as the rules of engagement for the straw voting process, to operate in the confines of the current revenue projections within the County Manager's Recommended FY 09-10 Budget; and that any Commissioner requesting additional funding must simultaneously identify a source of reduction for that amount.

*Note: This means any change would have a zero impact on the tax rate.*

**STRAW VOTES**

*Note: During the straw vote process it is not necessary for a motion to have a second in order to be voted upon. Also, under the straw vote process, motions can be made by the Chairman.*

**County Manager's Recommended FY09-10 Budget**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and **failed 8-1** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Murrey, and Roberts voting no

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and Commissioner Leake voting yes, to **approve the County Manager's Recommended FY09-10 Budget.**

### **Charlotte/Mecklenburg Schools (CMS) Operational Funding**

Motion was made by Commissioner James and **failed 8-1** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey, and Roberts voting no and Commissioner James voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **Take \$15 million from Line Item 8, Charlotte/Mecklenburg Schools (CMS) Operational Funding and place it in restricted contingency**, to be distributed at the County Manager's discretion. Further, that the monthly payments to CMS remain the same; and the funding in restricted contingency would be distributed at the end of the year if there was no interruption in state funds to the County.

Prior to the above vote:

Commissioner James said he proposed this in case state funding is pulled and the County finds itself in the situation it was in, in March of this year. Commissioner James said this resulted in CMS funding being reduced because of the economic recession and the County's need to cut expenditures to balance its FY2009 budget. He said it took action by the Board to do so but placing funds in restricted contingency would avoid the County going through the process it did back in March.

County Manager Jones said if future reductions are needed on the part of CMS, the Board can take the same action it took in March of this year. Thus, funding does not have to be placed in restricted contingency. It would be done in accordance with General Statute 159-13, section nine (9), which 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.

Commissioner Clarke asked what would be the impact on CMS if the Board placed part of CMS' FY09-10 allocation in restricted contingency. *The response was that CMS would not be able to adopt their budget with that amount included because the funds would not have been appropriated to CMS.*

Commissioner Murrey said he was opposed to placing funds in restricted contingency for CMS because of the impact it would have on CMS. Commissioner Murrey said if the Board determines additional reductions are needed, then the Board should follow the process used in March.

### **Salary Supplement for CMS Employees**

Motion was made by Commissioner Leake and **failed 7-2** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey, and Roberts voting no and Commissioners James and Leake voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **To take \$1 million from Line Item 8, Charlotte/Mecklenburg Schools (CMS) Operational Funding and place it in restricted contingency**, to be used to supplement salaries for CMS employees.

### **Drug Treatment Court**

Motion was made by Commissioner Cogdell to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To fund Line Item 21, Drug Treatment Court at the FY09 Level and to take the needed corresponding amount from Line Item 225 Park Operations and Maintenance.

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*Director Yi informed the Board that the information provided with respect to the Drug Treatment Court was incorrect and that funding was not reduced. Thus, no action was needed.*

**Pay As You Go**

Director Diorio addressed Pay As You Go.

Chairman Roberts asked for clarification with respect to the recently approved new Debt Policy. *It was noted that any change at this point in the policy would result in a downgrade because a change will have occurred prior to the policy even being implemented.*

Commissioner Dunlap asked for clarification with respect to fund balance, which was addressed. *It was noted that it's not good to use fund balance without a replenishment plan.*

**Middle School Matters (P.O.S.T. Partners in Out of School Time)**

Motion was made by Commissioner Leake and **failed 7-2** with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Murrey, and Roberts voting no and Commissioners Cooksey and Leake voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **To decrease funding for Line Item 54 Middle School Matters (P.O.S.T. Partners in Out of School Time) by \$75,000** and place that amount in restricted contingency. Secondly, to direct staff to develop a process for distributing these funds to other agencies involved in after school programs.

Prior to the above vote:

Commissioner Leake said a committee is needed to make sure there is equity for any agency that wants to draw down funds for programs to enhance the education of children in the district.

Commissioner Leake questioned giving funds to one agency and then persons with programs have to go to that individual or program chairperson to seek funding, when it's taxpayers' money. Commissioner Leake said there needs to be a designated process which would allow more people to access those funds.

Commissioner Leake said it's her understanding that funds go to P.O.S.T and then other agencies or programs have to go to P.O.S.T. for funding and many are denied. Two organizations were noted as not receiving funding from P.O.S.T., First Baptist West and Saint Paul churches.

Commissioner Leake said the allocation of these funds should not be "political."

Commissioner Murrey said he was opposed to the motion, but thinks staff should review how these grants have been awarded. Commissioner Murrey said it would assist the Board in moving forward.

Commissioner Cogdell echoed Commissioner Murrey's comments.

Commissioner Cooksey said the funding of Outside Agencies is really done on limited data. Commissioner Cooksey said in the future he would like to see more data as it relates to the number of people served and the services provided with allocated funds.

Chairman Roberts said she feels the entire Outside Agency funding process needs tweaking.

Chairman Roberts said she's concern that there are high performing agencies that are not receiving full funding, yet, low performing agencies are still receiving funding.

Commissioner Dunlap noted that the Board's Effective and Efficient Government Committee is

looking at this issue.

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Commissioner Cogdell asked was there language in the grant to Outside Agencies that restricts funding to be used in Mecklenburg County. *The response was yes.*

Commissioner Murrey suggested staff review the evaluation schedule for Outside Agencies. He suggested low performing agencies be evaluated next year and if they're still low performers that funding be eliminated. For the moderate performers, he suggested every two years and high performers every four years.

### **Domestic Violence Adult Victim Services**

Commissioner Cogdell asked for clarification on the reduction to Line Item 57 Domestic Violence Adult Victim Services, which was addressed by Director Stacy Lowery. *It was noted there was not a reduction overall, that certain services were removed and placed in different areas. The amount shown does not impact services in this area.*

### **Fighting Back**

Motion was made by Commissioner Leake and **failed 8-1** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Murrey, and Roberts voting no and Commissioner Leake voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **Retain Line Item 66, the Fighting Back Program** and use the funds from Line Item 54 Middle Schools Matters (P.O.S.T. Partners in Out of School Time).

Prior to the above vote:

Commissioner Cooksey asked for clarification on the Fighting Back Program. Director of Area Mental Health Grayce Crockett addressed Fighting Back. *It was noted that there are other sources of funding for the provision of these services.*

*The Board recessed at 8:03 p.m. and reconvened at 8:08 p.m.*

### **Other Post Employment Benefits and Employee Market Adjustments**

*Commissioner Bentley left the meeting and was absent until noted in the minutes.*

Motion was made by Commissioner Dunlap and **carried 7-1** with Commissioners Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes and Commissioner Cooksey voting no, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **To decrease Line Item 94 Other Post Employment Benefits by \$1 million and increase Line Item 99 Employee Market Adjustments by \$1 million effective January 1, 2010.**

### **Other Post Employment Benefits**

Motion was made by Commissioner Cooksey and **failed 7-1** with Commissioners Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting no and Commissioner Cooksey voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **To decrease Line Item 94 Other Post Employment Benefits by \$1 million and place \$1 million in contingency.**

*Commissioner Bentley returned to the meeting.*

### **Employment Services Resource Center – New Beginnings Program**

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Motion was made by Commissioner Dunlap and **carried 8-1** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey, and Roberts voting yes and Commissioner James voting no, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To direct staff to find the necessary funding **to restore funding for the New Beginnings Program, \$112,000** and to consider decreasing Line Item 106 Non-Departmental (Accounting).

**Park Operations and Maintenance – Communities In Schools – Latin American Coalition – YMCA Strengthening Families – Work First (DSS)**

Motion was made by Commissioner Murrey, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To decrease Line Item 225 Park Operations and Maintenance for lighting of fields by \$250,000 and use that \$250,000 in the following manner: Add \$150,000 to Line Item 157 Work First (DSS) for intake specialists; Add \$75,000 to Line Item 252 Communities In Schools; Add \$10,000 to Line Item 253 Latin American Coalition; Add \$15,000 to Line Item 259 YMCA – Strengthening Families (Outside Agency).

Following discussion of the above motion, Commissioner Cogdell offered a friendly amendment to Commissioner Murrey's motion with respect to full funding for Communities and Schools which Commissioner Murrey accepted.

Thus, the motion was as follows:

Motion was made by Commissioner Cogdell and **carried 8-1** with Commissioners Bentley, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes and Commissioner Clarke voting no, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To decrease Line Item 225 Park Operations and Maintenance for lighting of fields by \$250,000 and use that \$250,000 in the following manner: **Add \$105,000 to Line Item 157 Work First (DSS) for intake specialists; Add \$120,000 to Line Item 252 Communities In Schools; Add \$10,000 to Line Item 253 Latin American Coalition; Add \$15,000 to Line Item 259 YMCA – Strengthening Families (Outside Agency).**

**Providence and West Charlotte High School Pools**

Commissioner Leake addressed Line Item 248 Indoor Pools.

Motion was made by Commissioner Leake, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To decrease unrestricted contingency by \$60,000 and use that \$60,000 to open the pools at Providence and West Charlotte High Schools during the summer months, June 15 – August 15, 2009, Monday-Friday, 3:00 – 9:00 p.m.

Park and Recreation Director Jim Garges addressed this issue. It was noted that the current agreement with CMS is for March – June. Staff will have to get with CMS regarding extending that timeframe.

Commissioner Clarke said he was not supportive of using contingency funds.

Commissioner Cooksey suggested taking the funds out of Line Item 234 Community Building Initiative.

After further discussion, **Director Garges said staff would follow up with CMS and that the department would absorb the cost, \$60,000.**

**Arts & Science Council Cultural Diversity Grant/Community Building Initiative/ NCCJ-Empowered Youth Initiative (Outside Agencies)**

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Commissioner Leake didn't make any motions with respect to the Arts & Science Council Cultural Diversity Grant, Community Building Initiative, and NCCJ-Empowered Youth Initiative (Outside Agencies), but noted she's concerned about all of these programs. Commissioner Leake said with respect to these programs that "we talk the talk but don't walk the talk."

**Arts & Science Council Cultural Diversity Grant/NCCJ-Empowered Youth Initiative (Outside Agencies)/ Charlotte-Mecklenburg Council on Aging**

Motion was made by Commissioner Bentley, and **failed 5-4** with Commissioners Clarke, Cogdell, Dunlap, Murrey, and Roberts voting no and Commissioners Bentley, Cooksey, James, and Leake voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To decrease Line Item 233 Arts & Science Council Cultural Diversity Grant by \$30,000 and decrease Line Item 235 NCCJ-Empowered Youth Initiative by \$20,000 and **increase Line Item 44 Charlotte-Mecklenburg Council on Aging by \$50,000.**

**Nextel NASCAR Allstar Event**

Motion was made by Commissioner James, and **failed 7-2** with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey, and Roberts voting no and Commissioners Bentley and James voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To delete funding for Line Item 220 Nextel NASCAR Allstar Event in the amount of \$62,500 and increase funding for Line Item 225 Park Operations and Maintenance by \$62,500.

**Developmental Disabilities Services**

Motion was made by Commissioner Cooksey, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: To decrease Line Item 233 Arts & Science Council Cultural Diversity Grant by \$50,000, Line Item 234 Community Building Initiative by \$70,000, and Line Item 235 NCCJ-Empowered Youth Initiative by \$20,000; and increase Line Item 213 Developmental Disabilities Services by these amounts for a total of \$140,000.

Chairman Roberts asked staff to find funds from other areas to accomplish Commissioner Cooksey's request, rather than from the Line Items Commissioner Cooksey outlined.

It was noted by staff that \$40,000 was available without increasing the tax rate.

After further discussion, Commissioner Cooksey amended his motion as noted below.

Motion was made by Commissioner Cooksey and **unanimously carried** with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the County Manager's Recommended FY09-10 Budget with the following amendment: **To increase Line Item 213 Developmental Disabilities Services by \$140,000** and direct the County Manager to use his discretion in determining what line items will be reduced to get the additional \$100,000 that's needed, in light of the fact that staff has already indicated the availability of \$40,000 as a result of rounding.

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Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to direct staff to take the results of tonight's straw votes and prepare a budget

ordinance accordingly for consideration by the Board on June 16, 2009.

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*Note: The above is not inclusive of every comment and/or question asked but reflects key points and actions taken by the Board.*

**ADJOURNMENT**

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, that there being no further business to come before the Board that the meeting be adjourned at 10:25 p.m.

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Janice S. Paige, Clerk

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Jennifer Roberts, Chairman