

JANUARY 20, 2010

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 Wednesday, January 20, 2010.

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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**-INFORMAL SESSION-**

*Chairman Roberts 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.*

**(1) STAFF BRIEFINGS – NONE**

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

Prior to going into Closed Session, County Attorney Bethune announced that there was no Business Location and Expansion matter to be discussed in Closed Session and that the Consult with Attorney matter concerned Sara Neuman vs. Mecklenburg County.

Motion was made by Commissioner Leake, seconded by Commissioner Murrey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to go into Closed Session for the following purposes: A) To prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1), and C) Consult with Attorney regarding Sara Neuman vs. Mecklenburg County.

*The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 6:02 p.m.*

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

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 9, 10, 11, 13, 18, and 20.

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

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**-FORMAL SESSION-**

*Invocation was given by Vice-Chairman Cogdell, which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.*

**CITIZEN PARTICIPATION**

**(1) PROCLAMATIONS AND AWARDS – NONE**

**(2) PUBLIC APPEARANCE**

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

Jim Johnson addressed jail expansion and cost control. He provided the Board with a handout regarding his proposal.

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

Robert H. Schnellert addressed his request for a tax appeal.

**(3A) APPOINTMENTS**

**BUILDING DEVELOPMENT COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to reappoint Charles Horne as the Master Electrical Contractors Association of N.C. or Charlotte Area Association representative to the Building Development Commission and Barry Hanson as the Charlotte Plumbing, Heating and Cooling Contractors Association representative for three-year terms expiring January 30, 2013.

Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Ezequiel Acosta as the Charlotte Heating & Air Conditioning Contractors Association representative to the Building Development Commission for a three-year term expiring January 30, 2013.

*He is replacing Danny Phillips.*

**DOMESTIC VIOLENCE ADVISORY BOARD**

The following persons were nominated for appointment consideration to the Domestic Violence Advisory Board:

Myna Advani                               by Commissioner Bentley  
Beverly Foster                             by Commissioner Leake

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Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Myna Advani and Beverly Foster to the Domestic Violence Advisory Board to fill unexpired terms expiring April 30, 2012.

*Note: They are replacing Margaret Austin and Charlotte Brown-Williams.*

### **FIRE COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Joseph Labovitz to the Fire Commission for a three-year term expiring January 31, 2013.

*He is replacing Philip Angelo.*

### **JUVENILE CRIME PREVENTION COUNCIL**

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Gwendolyn Hester-Cohen to the Juvenile Crime Prevention Council as the Faith representative to fill an unexpired term expiring September 30, 2011.

*She is replacing George Banks.*

The following persons were nominated by Commissioner Cooksey for appointment consideration to the Juvenile Crime Prevention Council to fill the General Public slot: Melvin Bowie, Susan Surles, Marc Thompkins and Richard Zaleskie.

*Note: An appointment will occur on February 2, 2010.*

### **LIBRARY BOARD OF TRUSTEES**

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to reappoint Robin Branstrom to the Library Board of Trustees for a four-year term expiring December 31, 2014.

The following person was nominated by Commissioner Dunlap for appointment consideration to the Library Board of Trustees: Molly Griffin.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Molly Griffin to the Library Board of Trustees for a four-year term expiring December 31, 2014.

*Note: She is replacing Robert Bisanar.*

### **PARK AND RECREATION COMMISSION**

The following persons were nominated for appointment consideration to the Park and Recreation Commission as the South Park District representative:

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Ed Barnhart	by Commissioner Cooksey
Joseph Carr	by Commissioner Cooksey
Michael Mulder	by Commissioner Cooksey
Joseph Pata	by Commissioner James

*Note: An appointment will occur on February 2, 2010.*

## **PERSONNEL COMMISSION**

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to reappoint Phillip Plott to the Personnel Commission for a three-year term expiring February 4, 2013.

Motion was made by Commissioner Clarke, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint the following persons to the Personnel Commission: Henry Federal to fill an unexpired term expiring June 30, 2010, Michael Mulder to fill an unexpired term expiring January 31, 2011, Jonathan Tobe to fill an unexpired term expiring November 30, 2010 and Eric Zion to fill an unexpired term expiring December 30, 2011.

*They are replacing John Adams, Renee Barfield, Christine Schmid, and Stephanie Carter-Tyson.*

## **WASTE MANAGEMENT ADVISORY BOARD**

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to nominate and appoint Linda Ashendorf to the Waste Management Advisory Board to fill an unexpired term expiring March 31, 2011.

*Note: She is replacing Najedah Stover.*

## **COUNTY COMMISSIONERS REPORTS AND REQUESTS**

### **(25) POSITIVE CONNECTIONS (COMMISSIONER LEAKE)**

The Board received a report from Positive Connections.

Faye Marshall gave the report. She was accompanied at the podium by members of Positive Connections.

*Note: Positive Connections is an HIV/AIDS Advocacy Group. Positive Connection is a diverse grassroots organization that is dedicated to supporting and serving the needs of the HIV-positive community through advocacy, education and empowerment, ensuring a safe, accepting and non-threatening atmosphere.*

The report addressed:

- The Mission of Positive Connections
- The Minority Outreach Volunteer Educators Program
- Positive Connections Consumer Training Calendar 2010
- Consumer Advisory Board Development Work plan Ryan White Part A
  - Goal 1: Facilitate Development of Formal Governance Structure for the Consumer Advisory Board
  - Goal 2: Develop and Implement Training Program for Consumer Advocacy, Outreach and Education for engaging consumers in planning, evaluating and

- implementing services.
- Goal 3: Facilitate the Development of Consumer Resource Guide for Information Dissemination
- Goal 4: Facilitate Planning Activities for Consumer–Driven Events to promote greater Community Engagement and Increased HIV/AIDS Awareness

Ms. Marshall said Positive Connections was looking for support from the Health Department and the County Commission to assist them with their efforts. She said Positive Connections wants to partner with the Health Department, other AIDS organizations, and the faith community to get out on the “front line” to help educate consumers and the community at-large.

No action was taken or required.

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

**(4) PUBLIC HEARINGS – NONE**

**ADVISORY COMMITTEE REPORTS**

**(5A) AIR QUALITY COMMISSION – FUNDING OZONE ATTAINMENT**

The Board received a report and recommendation from the Mecklenburg County Air Quality Commission regarding achieving ozone attainment by supporting the continuation of the Grants to Replace Aging Diesel Engines (GRADE+) Project.

Mary Barker, Vice-Chairman of the Air Quality Commission and Don Willard, Air Quality Manager gave the report.

*Note: The Mecklenburg County Air Quality Commission recommends that the Board of County Commissioners ensure the continuation of the highly successful GRADE+ project by:*

- *Contributing \$500,000 in County funding;*
- *Making formal requests for other local jurisdictions to provide GRADE+ funding on a prorated basis that can be earmarked for projects in their areas; and*
- *Proposing legislation for a dedicated source of funding from mobile sources*

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

Comments

Vice-Chairman Cogdell asked for clarification on the recommendation regarding proposing legislation for a dedicated source of funding from mobile sources. *Air Quality Manager Willard said it would be legislation similar to what was proposed earlier this year during the time when legislative agenda items were being considered, that suggested a fee per registered vehicle as a source of pollution to help pay for these kinds of programs. He said mobile sources are a huge part of the problem, as much as 50-70%. He said the Air Quality Commission didn't want to be too overly specific with this recommendation because there are many ways this can be done. He said the principle is “the polluter pays.” He said mobile sources were not paying their fair share in terms of helping with the pollution problem. He said the Air Quality Commission would be happy to provide specific recommendations.*

Commissioner Murrey asked was it correct that about 70% of the County's ozone problem, discounting the weather issue, was related to vehicles and 30% related to coal burning power plants. Also, was half of the 70% on-road and the other half off-road mobile sources. *The response was yes.*

Commissioner Murrey asked was it correct that although there are more on-road sources, the off-

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road sources pollute more, and that the GRADE Program targets the off-road sources. *The response was yes.*

Commissioner Bentley asked what efforts had taken place in neighboring counties in the region to ask for financial support for this type of program. *Ms. Barker said one drawback was the fact that Mecklenburg County was the only county with an Air Quality Commission. She said there are other organizations that meet and talk about issues, but she's not seen any action. Air Quality Manager Willard said other regional counties do things through their Council of Governments and have done voluntary efforts but none, to his knowledge, have contributed money or supported any legislation to try and get a mobile source fee.*

Commissioner Bentley said she would like the Board's leadership, when at Council of Governments meetings, to make this a priority issue.

Commissioner Bentley said it's imperative that Mecklenburg County engage local communities to help and participate financially in the roll out of this program.

Commissioner Clarke asked was diesel referring to off-road and/or on-road. *The response was originally GRADE only targeted off-road, but the edition of the + includes off-road and on-road.*

Commissioner Clarke asked who handled air quality issues in the four or five counties immediately surrounding Mecklenburg County. *The response was both states, N.C. and S.C.*

Commissioner Clarke asked if the states provided any funding for the GRADE+ program. *The response was not for GRADE+ but the states do have similar programs. It was noted that S.C.'s program was patterned after the County's program.*

Commissioner Clarke asked would the proposed legislation for a dedicated source of funding from mobile sources be a tax on mobile source vehicles in Mecklenburg County only. *The response was no. It should be for the entire state.*

Commissioner Clarke asked how long would \$500,000 last. *The response was it could extend out four or five years depending on the receipt of grants from the federal and/or state government.*

Commissioner Clarke said he hopes the County Manager can find a way to fit this request in the budget.

Commissioner Cooksey asked about the types of projects associated with this program, which was addressed.

Commissioner Cooksey asked about the marketing of the program, which was addressed.

Commissioner James asked had there been any discussion with the City of Charlotte regarding their financial participation in this program. *The response was there have been discussions on the staff level but nothing has happened per those discussions.*

Commissioner James said with respect to the budget request of \$500,000, the idea that the County would have an extra \$500,000 was problematic. However, the idea of bringing other parties in to help share costs was a good one.

Commissioner James said although the County received stimulus money and some state funds, that in order to move forward, a way has to be figured out as to how to bring Charlotte City Council in on this program. He said the risk of not supporting this falls heavily on the City of Charlotte since they're responsible for transportation and roads.

Commissioner James said he'd like to know why the City has not participated.

Commissioner Leake asked about the success of the program which was addressed.

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Commissioner Leake asked about the monitoring of the program which was addressed.

Commissioner Leake asked about the budget for the program and requested a line item budget on how funds were spent and would be spent on the proposed request for \$500,000.

This concluded the discussion.

No action was taken or required.

*Note: The above is not inclusive of every comment but is a summary of key comments/questions.*

## **MANAGER'S REPORT**

### **(6A) BUDGET UPDATE**

The Board received a budget update with respect to the condition of and outlook for the community as a part of the planning and preparation process for the FY2011 budget.

Budget/Management Director Hyong Yi and Finance Director Dena Diorio gave the report. The following was covered:

- Market Recap (as of December 14, 2009)
- Headlines
- Social Services Customer Visits
- Social Services Unduplicated Public Assistance Recipients
- Social Services Ongoing Food Stamps Cases
- Social Services Medicaid and N.C. Health Choice Ongoing Cases
- Community Support Services – Domestic Violence Adult Services – New Cases
- Homeless Support Services – Referrals, Calls, Inquiries
- Conclusions
  - Recognize that the County is in a counter-cyclical business
  - Demand for County services has increased and will continue to be high
  - Social indicators lag the economy. Even as the recession ends, we have to be prepared for the numbers to remain high for a while.
- Revenues, Expenditures and Projected Drawdown of Fund Balance
  - Staff is still projecting to meet budget for property taxes.
  - Sales tax collection through January totaled \$52.3 million, which is strong, although it's not as good as staff had hoped it would be. However, staff is starting to see upward trends.
  - Staff continues to see some erosion in other revenues, including licenses and permits, charges for services, and investment income.
  - Licenses and permits are projected to be \$3.3 million below budgets; intergovernmental \$4.7 million below budget, charges for services \$10.5 million below budget; and investment income \$4.5 million below budget.
  - Total revenues are expected to be about \$1.3 billion, which is about \$25.4 million below budget.
  - On the expenditures side, through December 31, 2009 expenditures are projected to be about \$18.6 million below budget, which represents a turn back of about 1.4% of budget which is a lot lower than seen in prior years.
  - The current projected drawdown of fund balance is about \$70.7 million.

Comments

Commissioner Leake asked was the unemployment rate noted in the report under Headlines the

national rate or local. *Director Yi said national on page 4.*

Commissioner Leake said she wants to know where the stimulus money fits in. Commissioner Leake said she hasn't seen information on where and how stimulus funds were being used here in Mecklenburg County and how many jobs have been created as a result of that funding. *Director Yi said the plan was to provide the Board with an update on stimulus funding at a future Budget/Public Policy Workshop.*

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

### **CONSENT ITEMS**

**Motion was made by Commissioner Dunlap, seconded by Commissioner Cooksey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to approve the following item(s) with the exception of Items 9, 10, 11, 13, 18, and 20 to be voted upon separately:**

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

Approve minutes of Regular Meeting held January 5, 2010 and Special Meeting held January 30, 2009.

#### **(8) GREATER CHARLOTTE AIR AWARENESS GRANT**

Recognize, receive and appropriate \$232,004 from the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Air Quality for the administration of the "Greater Charlotte Air Awareness Program;" and authorize the carry-forward of unspent funds until expended.

*Note: The program promotes air quality education and air quality awareness to the general public through events, school and community presentations, and coordination with community groups. It works closely with local businesses, community groups, and members of the local community.*

#### **(12) CATTLE EXCLUSION FROM GOOSE CREEK**

1) Approve submitting a North Carolina Agriculture Cost Share Program Agreement and Addendum to the N.C. Division of Soil and Water Conservation to install cattle exclusion measures along Goose Creek at 12601 Bain School Road.

2) If awarded, recognize, receive and appropriate funds and authorize the County Manager to execute the contract/agreement.

3) Authorize the carry forward of unspent funds until expended.

*Note: On August 10, 2006, the North Carolina Department of Environment and Natural Resources, Division of Water Quality issued written notification to Mecklenburg County requiring that actions be taken to reduce fecal coliform bacteria levels in Goose Creek located in southeastern Mecklenburg County. Charlotte-Mecklenburg Storm Water Services' Water Quality Program (CMSWS) subsequently developed and implemented a Water Quality Recovery Plan for Goose Creek to fulfill this requirement. This Plan includes identifying and eliminating known sources of fecal coliform bacteria. Cattle access to Goose Creek at 12601 Bain School Road has been identified as one such source. Staff has worked with the property owners and the Soil and Water Conservation District to facilitate a N.C. Agriculture Cost Share Program Agreement for the exclusion of the cows from the creek to reduce fecal coliform bacteria levels.*



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*This exclusion process will include the installation of an alternative watering system, including a new well, and approximately 1,650 feet of fencing at an estimated cost of \$20,000. CMSWS will be entering as a “third party” in an agreement between Mr. James Linker and Ms. Evelyn Kelley, the executors to the estate of Ms. Beulah Mae Linker, who is the deceased owner of the property, and the N.C. Division of Soil and Water Conservation. CMSWS will fund the installation of the cattle exclusion measures using storm water fee revenue. Upon completion of the project, the N.C. Division of Soil and Water Conservation will reimburse CMSWS for 75% of the “average cost” amount of the installed practices. Under the agreement, Mr. James Linker and Ms. Evelyn Kelley are required to maintain all exclusion measures for a minimum of 10 years or make prorated payment to the N.C. Division of Soil and Water Conservation.*

**(14) AREA MENTAL HEALTH BUDGET AMENDMENT (INCREASE)**

- A) Recognize, receive and appropriate Medicaid funds in the amount of \$75,000.
- B) Reduce Federal funding in the amount of \$16,013 due to a decrease in PATH funding and reduce the associated expenditure budget.
- C) Reduce Federal funding in the amount of \$48,101 due to a decrease in Drug Free Schools funding and reduce the associated expenditure budget.

**(15) NC DIVISION OF EMERGENCY MANAGEMENT, SEVERE REPETITIVE LOSS GRANT APPLICATION**

Authorize the County Manager to submit a grant application of up to \$242,252 to the North Carolina Division of Emergency Management for the elevation of 5022 Sentinel Post Road.

*Note: This action is necessary to mitigate flood losses by elevating the home located at 5022 Sentinel Post Road.*

**(16) NC DIVISION OF EMERGENCY MANAGEMENT, COMMERCIAL PDM GRANT APPLICATION**

Authorize the County Manager to submit a grant application of up to \$3,163,678 to the North Carolina Division of Emergency Management for the acquisition of up to four flood-prone commercial properties.

*Note: Mecklenburg County proposes to apply for funds to acquire four flood-prone commercial structures along Cullman Avenue and Providence Road (Dore Academy) which are all in 100-year floodplain. All of these structures were built in the 1950s and 1960s prior to the existence of floodplain maps and regulations.*

<i>Potential Acquisition Properties</i>		
1727	Providence	Road
3103	Cullman	Avenue
3215	Cullman	Avenue
240	E. 36th	Street (adjacent to Cullman Ave.)

**(17) NC DIVISION OF EMERGENCY MANAGEMENT, RESIDENTIAL PDM GRANT APPLICATION**

Authorize the County Manager to submit a grant application in an amount up to \$1,408,966 to the

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North Carolina Division of Emergency Management for the acquisition of up to four flood-prone residential properties.

*Note: Mecklenburg County proposes to apply for funds to acquire four flood-prone residential structures, which are all in 100-year floodplain. All of these structures were built in the 1950s and 1960s prior to the existence of floodplain maps and regulations.*

<b>Potential Acquisition Properties</b>		
2422	Cloister	Drive
1100	Willhaven	Drive
1110	Willhaven	Drive
2964	Dunlavin	Way

**(19) DESTRUCTION OF DOCUMENTS – LUESA**

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

These records comprise:

- 625 commercial plans permitted Nov 2007
- 525 commercial plans permitted Dec 2007
- 2565 journeyman renewal letters (1-1-08 to 10-1-09)
- 709 monthly reports (7-2006 to 12-2007)

**(21) INTERACTIVE SURFACE WATER QUALITY ENVIRONMENTAL STATION GRANT APPLICATION**

1) Approve submitting a grant request in the amount of \$40,449 to the Environmental Protection Agency, Office of Environmental Education to develop an interactive surface water quality environmental station located on the Little Sugar Creek Greenway.

2) If awarded, recognize, receive and appropriate grant award and authorize the County Manager to execute the contract/agreement; and authorize the carry forward of unspent funds until expended.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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

**(9) SET FILING FEE FOR OFFICE OF SHERIFF**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Murrey voting yes, to adopt a Resolution to Establish Salary for the Office of Sheriff.

*Note: The adoption of this resolution is necessary for filing fee purposes. This is an election year for the position of Sheriff.*

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

**RESOLUTION TO ESTABLISH SALARY**

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**FOR THE OFFICE OF SHERIFF**

**WHEREAS**, N.C.G.S. 153A-92(b)(2) provides that boards of county commissioners may reduce the salaries of elected officials only by a resolution adopted at least fourteen (14) days before the last day for filing notice of candidacy for the office; and

**WHEREAS**, once adopted the resolution may not be altered until the person elected to the office in the general election takes office; and

**WHEREAS**, the filing fee for the office shall be determined by reference to the reduced salary; and

**WHEREAS**, the Office of Sheriff in Mecklenburg County has been placed within the Mecklenburg County Compensation Plan; and

**WHEREAS**, the Mecklenburg County Compensation Plan establishes the entry level annual salary for the Sheriff at \$85,499.20. Now, therefore, be it

**RESOLVED** by the Mecklenburg County Board of Commissioners that

1. The annual salary for the Office of the Sheriff is hereby established at \$85,499.20.
2. The filing fee for the Office of the Sheriff shall be determined by the above referenced salary.
3. The annual salary for this office as established herein shall become effective upon adoption of this resolution.
4. Should the incumbent of this office be re-elected and take office in December, 2010, he shall retain his compensation as provided in the Mecklenburg County Compensation Plan.

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

**Commissioner Cooksey returned to the dais.**

**(10) DONATION OF HISTORICAL ARTIFACTS FOR HOLLY BEND HOUSE**

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Murrey voting yes, to recognize and accept the donation of various items from the Hudson family (Lamont and Cora Ann Hudson) for display and use at the recently acquired historic Holly Bend House.

*Note: In October 2009, the County acquired a 217-acre parcel of property in the Mountain Island Lake watershed. The property also contained the historic Holly Bend House, a circa 1795 house listed on the National Register of Historic Places, originally built by Robert Davidson. Lamont and Cora Ann Hudson, previous tenants of the house, offered to donate numerous items that came from the house during their time there. These items will help staff and volunteers tell the story of Holly Bend and the families that have kept it in their care. Below is a listing of the donated items.*

- Inventory of donated items
- 1 Ironstone Platter
- 1 Great Expectations (book)
- 1 Mary Cary (book)
- 1 Demorest's Monthly Magazine – 1879 (bound)
- 1 Cotton Scales
- 1 White and Brown Ceramic Mountain Jug
- 1 Mrs. Parks' Dough Board
- 3 Gilded Cornices used in the east front downstairs room
- 1 Children's Chamber Pot
- 1 Oval Hook Rug

- 2 Hurricane Lamp Globes
- 1 Cotton Basket
- 1 Field Basket
- 1 Walking Cane
- 1 Sausage Grinder
- 1 Ironstone Pitcher (blue and white)
- 1 Metal Candy Box
- 1 Stovetop Percolator
- 1 Tin Cup
- 1 Tin Draining Vessel
- 1 Metal Draining Vessel
- 1 Large Rocker (dark wood)
- 1 Child's White Wicker Rocker
- 1 Green Bonnet
- 1 Kraut Chopper
- 1 Hand wrought black iron piece with hook (possibly horse harness hardware)

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

*Chairman Roberts entered the meeting.*

**(11) POST PARTNERS SUMMER DAY CAMP FUND GRANT APPLICATION – P&R**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve submitting an application for a POST Partners Summer Camp Fund grant for up to \$10,000 and to recognize, receive and appropriate funds if grant is awarded by the POST Partners Governing Board.

*Note: This grant will be utilized to offer summer camp scholarships to youth at risk in the targeted area, which is the Thomasboro School recreational site.*

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

**(13) AREA MENTAL HEALTH MONTHLY FINANCIAL REPORT – NOVEMBER 2009**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to recognize and receive Area Mental Health November 2009 Monthly Financial Report.

**AREA MENTAL HEALTH  
Statement of Revenues and Expenses  
FY 2010, For the period ending November 30, 2009**

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
<b>Revenue Source</b>			
Medicaid & CAP	15,716,737	3,927,308	24.99%
State and Federal	35,046,779	7,727,592	22.05%
Third Party/Other	97,293	14,892	15.31%
County	41,567,076	18,498,616	44.50%
<b>Total Revenues</b>	<b>92,427,885</b>	<b>30,168,408</b>	<b>32.64%</b>

	<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>
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<b>Service Continuum</b>			
Children's Developmental Services	7,188,456	2,581,396	35.91%
Child & Adolescent Services	14,179,546	3,748,600	26.44%
Adult Mental Health	9,118,852	2,219,858	24.34%
Adult Substance Abuse	12,958,650	4,921,745	37.98%
Local Management Entity	10,637,008	3,333,812	31.34%
BHC Randolph	19,268,029	7,917,710	41.09%
Developmental Disabilities	19,077,344	5,445,287	28.54%
<b>Total Expenditures</b>	<b>92,427,885</b>	<b>30,168,408</b>	<b>32.64%</b>

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

*Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Service, the program director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.*

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

**(18) US DEPARTMENT OF LABOR, VETERANS' EMPLOYMENT AND TRAINING SERVICE AWARD GRANT APPLICATION**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve submitting a grant application for funding in the amount of \$7,000 for a one-year grant from The United States Department of Labor, Veterans' Employment and Training Service award: 2010 Homeless Veterans Stand Down hosted by the Mecklenburg County Community Support Services Department – Veterans Services Division; and to recognize, receive and appropriate funds, if grant is awarded.

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

**(20) BUDGETARY ACTION – VALERIE C. WOODARD CENTER**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to transfer and appropriate from the Freedom Mall Special Revenue Fund the balance from prior operations, approximately \$937,975, to the capital reserve fund.

Commissioner Leake removed this item for clarity purposes. County Manager Jones explained what this matter was about.

*Note: These funds are the net proceeds of rental revenue and expenses generated from the operations during the conversion of Freedom Mall for the County's use as the Valerie C. Woodard Center. A portion of these proceeds will be used to fund the settlements and legal expenditures for the conversion. The balance will be used to help fund capital and maintenance projects at the Valerie C. Woodard Center.*

**Chairman Roberts assumed Chairmanship of the meeting.**

**MANAGER'S REPORT**

**(6B) CHILD SUPPORT ENFORCEMENT**

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The Board received as information additional details regarding Child Support Enforcement (CSE) Services service provision options and transition considerations. The Board also considered the request to approve the County Manager's recommendation to outsource the provision of Mecklenburg County Child Support Enforcement (CSE) Services beginning July 1, 2010, and direct staff to submit to the State, by January 31, the Mecklenburg County Child Support Enforcement Transition Plan reflecting the decision to operate CSE Services through a contract with a private Company.

General Manager Michelle Lancaster gave the report. The following was covered:

- Child Support Enforcement Transition Overview
- Organizational Models Reviewed
- Key Child Support Enforcement Performance Measures
- Budget Estimate Considerations
- Staffing
- Additional Considerations
- Recommendation: Privatize Child Support Enforcement Service Delivery

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

Comments

**Motion was made by Commissioner Dunlap, seconded by Commissioner Leake, to bring Child Support Enforcement Services In-House and direct staff to submit to the State, by January 31, the Mecklenburg County Child Support Enforcement Transition Plan reflecting the decision to operate CSE Services In-House.**

Commissioner Dunlap addressed what he referred to as the "human factor." He said he's spoken with Child Support Enforcement (CSE) employees who explained how they work with their clients. Commissioner Dunlap said he's not certain that level of commitment would be there from an outside vendor. Commissioner Dunlap said he was also concerned whether or not the outside vendor that received the contract would be able to maintain the same cost the second year.

Commissioner Dunlap said he thinks County employees would have the best opportunity to interact with other County agencies than an outside vendor. Commissioner Dunlap also addressed the collection rate of CSE, which he said was 99%.

Commissioner Bentley said she supported the County Manager's recommendation.

Commissioner Bentley said she spoke with the Clerk of Court regarding this matter that she supports privatization. Commissioner Bentley said a private vendor would be motivated to do a good job because they would want the County's business.

Commissioner Clarke asked Commissioner Dunlap if his motion was In-House and without a consultant. *Commissioner Dunlap said yes because the County Manager has the ability to "buy talent." He said it's been suggested to the County Manager that he try and negotiate with the State's top staff person to see if they would be interested in coming to Mecklenburg County. Commissioner Dunlap said this could be done at considerably less costs than the vendor model.*

Commissioner Clarke said if the County does this in-house and manages it in-house that ultimately there would be a need to engage some consulting services even if the County "buys the best talent."

Commissioner Clarke said this was an unusual circumstance that came about per action taken by the state. Commissioner Clarke said he would support the motion not only for

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the reasons noted by Commissioner Dunlap but also out of concern for state employees, who he said had been “kind of thrown overboard.”

Commissioner Murrey said there were two “human factors” to be considered. He said one was the employees and other the children. Commissioner Murrey said the children suffer when performance suffers in this arena. He said the goal of enhancing performance and generating more support for children to create a stable environment for them was a “high” priority in making this decision.

Commissioner Murrey said the continuum of care was a legitimate concern. He said it could be written into the contract that there be measures as to how the vendor performs in helping to provide a continuum of care and working with the court system and the department of Social Services.

Commissioner Murrey said the employees should be taken care of and that the vendors have indicated what they would do. He also addressed cost. He also noted staff’s recommendation, which he supports.

Commissioner Leake said she felt CSE employees were competent and would continue to do a good job. Commissioner Leake said she spoke with seven judges who work in this area who support bringing it In-House.

Commissioner Cooksey asked what would be the next steps if privatized, which was addressed.

**Substitute Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley, to accept the County Manager’s recommendation to outsource the provision of Mecklenburg County Child Support Enforcement (CSE) Services beginning July 1, 2010, and direct staff to submit to the State, by January 31, the Mecklenburg County Child Support Enforcement Transition Plan reflecting the decision to operate CSE Services through a contract with a private Company.**

Commissioner James said he supported the County Manager’s recommendation.

Commissioner Murrey offered a friendly amendment to the substitute motion that it be written in the contract that 1) all of the current employees be hired, 2) that they maintain benefits that are at least as good as those presented in the proposals, 3) that they provide measures that would be presented on a regular basis to access client satisfaction and attention to the continuum of care and services.

Commissioner Cooksey asked General Manager Lancaster to comment on what the vendors have said with respect to Commissioner Murrey’s proposed friendly amendment. *General Manager Lancaster said each indicated they would take all of the employees. She said staff believes vendor benefits are good and comparable and better in some instances. It was noted that one vendor indicated that they would accept the employees’ years of service. General Manager Lancaster said the vendors have indicated their willingness to do everything the County would ask them to do in order to be successful.*

Commissioner Cooksey accepted Commissioner Murrey’s friendly amendment.

Commissioner Cooksey said he took into consideration staff’s past comments that they lack Experience in this area.

Commissioner Cogdell asked if brought In-house meant every employee that previously worked for the state would automatically be hired by the County. *General Manager Lancaster said staff’s recommendation would be not to follow that process but instead work with County Human Resources and the state in order to review performance information that was available. Staff would want to interview all of the employees and would use an assessment center model.*

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*She said there would be structured methods to determine what qualifications existed and where persons would fit if they were hired into the organization being proposed.*

*General Manager Lancaster said it was not staff's intent to simply pick those employees up and move them into County employment.*

General Manager Lancaster said if the Board voted to bring CSE services In-House then there were other actions staff needed the Board to take in order to move forward quickly with "ramping" up the County's own abilities to manage this office.

Commissioner Cogdell asked County Manager Jones could he or could he not do this function and was this an issue of his ability or his preference.

County Manager Jones said it would take considerable effort on staff's part to get to a point where this became the best operated CSE program in the state consistent with the vision that the County has.

County Manager Jones said if the decision of the Board was to bring CSE services In-House, he would commit to the Board that staff would operate it and it would become the best operated CSE program because of the expectations that he has for performance and the Board's expectation of him to perform in an exemplary fashion.

County Manager Jones, however, said he would not have made the recommendation to privatize CSE services if he didn't think that was the best course of action to take in the short term.

County Manager Jones reminded the Board of what he said previously when this was discussed, which was that ultimately the County would still be responsible for CSE whether it's done in-house or privatized. He said a part of his rationale for his recommendation had to do with the thought of trying to do all of those things at a time when he was in a budget development mode, and when the County was already taxed staff wise to get this done.

County Manager Jones said if this was something the state had said the County could implement and take on in January 2011, then maybe he wouldn't have the hesitancy that he has now to bring it in-house.

Commissioner Cogdell addressed his support of the main motion which he said evolved around the human aspect such as consideration of the number of years many CSE employees have given to the state; and the adverse impact on those employees when it comes to their pension if they don't continue in the public sector.

Commissioner Cogdell said he felt the optimal outcome would be to go with a hybrid approach of hiring a consultant to look at the technology and processes that may be in place to find out if there's a better way to do it. He said the support for this approach, however, was not there and that it was the more expensive of the approaches.

Chairman Roberts asked about the staffing assumptions if this was done in-house versus what it would be under the private vendor, specifically PSI. *General Manager Lancaster addressed this.*

Chairman Roberts said one of the dilemmas was that the County was not comparing "apples to apples" when looking at other counties with respect to this issue. Also, she's concerned that the estimates that have been provided may not be accurate.

Chairman Roberts addressed how Mecklenburg County was different from a lot of the other counties in North Carolina.

Chairman Roberts said she doesn't feel CSE services was a function that would do well under privatization. She said it's hard to evaluate the human issues involved with this matter.



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Chairman Roberts said the County would have to learn this (the provision of CSE services) whether it's privatized or not. Further, that this should be viewed as a trial period whether it's privatized or not. She said the County may find out that another way was better.

Commissioner Bentley asked General Manager Lancaster to comment on whether it would be a challenge for the vendors, the fact that Mecklenburg County was unique and different, and what has been their experience across the country. *General Manager Lancaster addressed this and noted information received from the vendors regarding their experience in other states and their success in those areas.*

Commissioner Bentley in response to Chairman Roberts' comment regarding this being a trial Period, said privatizing CSE initially would be the best route to take because once it's in-house it would remain in-house.

Commissioner Clarke asked what would be the additional resources needed by staff if the decision was to do this in-house. *General Manager Lancaster addressed the additional resources that would be needed, and subsequently approved at tonight's meeting.*

Commissioner Clarke noted to CSE employees that they should not think working for the County was somehow necessarily a "safe haven." He said the County was a very performance based operation.

Chairman Roberts acknowledged that persons had signed up to speak and asked if they still desired to speak in light of the discussion that had taken place and the expected vote to approve bringing CSE services in-house. The response from those that had signed up to speak was that they would waive that opportunity.

Commissioner James asked about the hiring process which was addressed by General Manager Lancaster.

**The vote was then taken on the substitute motion as amended and as follows:**

Substitute Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and failed 5-4 with Commissioners Cogdell, Clarke, Dunlap, Leake, and Roberts voting no and Commissioners Bentley, Cooksey, James and Murrey voting yes, to accept the County Manager's recommendation to outsource the provision of Mecklenburg County Child Support Enforcement (CSE) Services beginning July 1, 2010, and direct staff to submit to the State, by January 31, the Mecklenburg County Child Support Enforcement Transition Plan reflecting the decision to operate CSE Services through a contract with a private Company. Also, that it be written in the contract that 1) all of the current employees be hired, 2) that they maintain benefits that are at least as good as those presented in the proposals, 3) that they provide measures that would be presented on a regular basis to access client satisfaction and attention to the continuum of care and services.

**The vote was then taken on the original motion as follows:**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 5-4 with Commissioners Cogdell, Clarke, Dunlap, Leake, and Roberts voting yes and Commissioners Bentley, Cooksey, James and Murrey voting no, to bring Child Support Enforcement Services In-House and direct staff to submit to the State, by January 31, the Mecklenburg County Child Support Enforcement Transition Plan reflecting the decision to operate CSE Services In-House.

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell, to approve the staffing request presented by staff as follows:

- Approve a staffing level of 98, which includes four staff attorney positions

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- Approve all of the positions as outlined by staff
- Allocate \$200,000 from fund balance for immediate recruitment of program manager and other vacant positions.

Commissioners Cooksey and Dunlap questioned the need for a staffing level of 98.

Commissioner Clarke offered a friendly amendment which was accepted by Commissioner Leake and Cogdell makers of the motion, to change the motion to say up to 98 staff with the final number of staff to be determined after the senior management has been hired for this program.

Commissioner Murrey asked was it correct that these positions would be addressed in the FY 2011 budget. *General Manager Lancaster said that was correct.*

Commissioner Clarke noted that if the County had decided to privatize CSE services and selected PSI as the vendor, that the difference in cost versus doing it in-house was a difference of \$250,000.

**The vote was then taken on the motion as amended and as follows:**

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and carried 6-3 with Commissioners Cogdell, Clarke, Dunlap, Leake, Murrey, and Roberts voting yes and Commissioners Bentley, Cooksey, and James voting no, to approve the staffing request presented by staff as follows:

- Approve a staffing level of up to 98, which includes four staff attorney positions, with the final number of staff to be determined after the senior management has been hired for this program.
- Approve all of the positions as outlined by staff
- Allocate \$200,000 from fund balance for immediate recruitment of program manager and other vacant positions.

*The above is not inclusive of every comment but is a summary of key points and questions.*

**STAFF REPORTS AND REQUESTS**

**(22) U.S. CENSUS 2010 COMMUNITY ACTION PLAN – CHARLOTTE-MECKLENBURG COMPLETE COUNT COMMITTEE**

The Board received the Community Action Plan created by the Charlotte-Mecklenburg Census 2010 Complete Count Committee.

*Note: The diverse group of community volunteers and local government staff developed strategies to help improve the last census response rate of 68 percent in 2000.*

Danny Diehl, Director of Public Service and Information and Melody Sizemore, one of the co-chairs of the Complete Count Committee gave the report.

The following was covered:

- Recent Census Activities
- The Committee Organization Chart
- Community Action Plan Goals
- Focus of Subcommittees
- Examples of Strategy and Activation

It was noted that forms would be mailed out on the 15<sup>th</sup> and 17<sup>th</sup> of March 2010 and should be returned by April 1, 2010.

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

*Commissioner James left the meeting and was absent for the remainder of the meeting.*

The Board was asked to encourage County residents to participate in the census.

No action was taken or required.

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

**(23) BUSINESS INVESTMENT PROGRAM GRANT: ELECTROLUX AB**

Motion was made by Commissioner Cogdell, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, Leake, Murrey and Roberts voting yes, to excuse Commissioner Clarke from participating and voting on Item 23 Business Investment Program Grant: Electrolux AB to avoid a conflict of interest.

Director of Economic Development John Allen addressed this matter.

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, Leake, Murrey and Roberts voting yes, to approve a Business Investment Program grant to Electrolux AB for a total estimated amount of \$841,635 and authorize the County Manager to negotiate and execute a contract.

*Note: This project entails consolidating several existing North American operations (including a 22-employee office in Huntersville), an expansion and the creation of a central headquarters for North America. The new facility will include important engineering, technology and design operations. The County's grant is equal to 90% of the taxes that will be paid by Electrolux over 5 years, and will be subject to the County's standard contract conditions setting compliance requirements on the part of the company, including clawback provisions. Both the City of Charlotte and the State of North Carolina will provide financial assistance to this project.*

*Commissioner Clarke returned to the dais.*

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

**(24) REFUNDING BONDS**

**RESOLUTION RELATING TO REFUNDING BONDS**

Commissioner Neil Cooksey introduced the following resolution, which was read by the above title:

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal amount not exceeding \$200,000,000 for the purpose of providing funds, with other available funds, for refunding all or a portion of certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to

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realize debt service savings for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) the increase in taxes, if any, necessary to service such bonds will not be excessive because it is expected that debt service savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Director of Finance and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board recommends the selection of the following professionals to be on the financing team for the bonds and that their services be utilized to the extent required and where appropriate:

Bond Counsel	Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina
Financial Advisor	First Southwest Company Charlotte, North Carolina

The Board hereby requests the Local Government Commission to approve such professionals as members of such financing team. The County will at a later date make recommendations for the selection of other parties required in connection with the issuance of the bonds.

Section 4. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Neil Cooksey, seconded by Commissioner George Dunlap, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, and Roberts

Nays: None.

*Note: Commissioner James was absent when the vote was taken on this matter.  
Commissioner Murrey was away from the dais when the vote was taken on this matter.*

\* \* \*

### **RESOLUTION INTRODUCING AND ADOPTING BOND ORDER**

Commissioner Neil Cooksey introduced the following bond order, which was read by the above title.

\* \* \*

### **BOND ORDER AUTHORIZING THE ISSUANCE OF \$200,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG**

WHEREAS, the County of Mecklenburg (the "County") has issued General Obligation Public Improvement Bonds, Series 2007A, dated February 1, 2007 (the "2007A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2007A Bonds"); and

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WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2008B, dated February 1, 2008 (the "2008B Bonds"), a certain portion of which remain outstanding (the "Outstanding 2008B Bonds"); and

WHEREAS, the Board of Commissioners of the County deems it advisable to refund all or a portion of the Outstanding 2007A Bonds and Outstanding 2008B Bonds (collectively referred to herein as the "Bonds to be Refunded") pursuant to and in accordance with The Local Government Finance Act; and;

NOW, THEREFORE, BE IT ORDERED by the Board as follows:

Section 1. The County Board of Commissioners has ascertained and hereby determines that it is advisable to refund the Bonds to be Refunded.

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$200,000,000.

Section 3. Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. The bond order shall take effect upon its adoption.

The Board of Commissioners thereupon designated the Director of Finance as the officer whose duty it shall be to make and file with the Clerk to the Board of Commissioners the sworn statement of debt of the County which is required by The Local Government Finance Act, as amended, to be filed after the bond order has been introduced and before the bond order has been adopted.

The Director of Finance then filed with the Clerk to the Board of Commissioners, in the presence of the Board of Commissioners, the sworn statement of debt as so required.

Upon motion of Commissioner Neil Cooksey, seconded by Commissioner Harold Cogdell, Jr., the foregoing resolution was passed by the following vote:

Ayes: Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, and Roberts

Nays: None.

*Note: Commissioner James was absent when the vote was taken on this matter.  
Commissioner Murrey was away from the dais when the vote was taken on this matter.*

The Clerk to the Board of Commissioners was then directed to publish said order as prescribed by The Local Government Finance Act.

\* \* \*

*Extract/Resolutions recorded in full in Minute Book 44-A, Documents # \_\_\_\_\_ and \_\_\_\_\_.*

*Commissioner Murrey returned to the dais.*

**COUNTY COMMISSIONERS REPORTS AND REQUESTS**

**(26) KEEP MECKLENBURG BEAUTIFUL (CHAIRMAN ROBERTS)**

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey, and Roberts voting yes, to direct the County Manager to investigate combining Keep Mecklenburg Beautiful with Keep Charlotte Beautiful and report back to the Board.

**(27) MECKLENBURG COUNTY ABC BOARD (CHAIRMAN ROBERTS)**

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey, and Roberts voting yes, to defer receiving information on filling local ABC Board vacancies and discussion of options available to the Board of County Commissioners for improved policies, until a future Budget Public Policy meeting on a date to be determined by the County Manager and Clerk to the Board.

Note: Comments prior to the above motion:

Chairman Roberts said a discussion of this issue was needed in light of recent events at the Mecklenburg County ABC Board.

Commissioner Bentley said it was important this matter be discussed at a televised meeting for the public's awareness. She noted however, that the proposed Budget/Public Policy meeting was open to the public.

Chairman Roberts said any action taken by the Board with respect to this matter would be done at a televised meeting.

Commissioner Cooksey said when this matter is discussed, he would like to receive information on whether there was a violation of an Ethics Policy, the County's policy and/or the ABC Board's. He also wants information regarding the finances of the ABC Board, to include what happens to excess revenue.

**(28) GLOBAL DISASTER ASSISTANCE PLAN (COMMISSIONER COGDEL)**

The following actions were presented to the Board by Commissioner Cogdell. Commissioner Cogdell said he would not be asking the Board to consider Action 3 at this time.

1. Direct the County Manager to report to the BOCC on any existing Global Disaster Assistance Plan for Mecklenburg County employees or residents that may seek to volunteer and possess a specialized skill set that may be needed by international or domestic communities facing a catastrophic natural or man made disaster.

2. In the event a Global Disaster Assistance Plan does not exist, direct the County Manager to develop a plan that would include permitting, under certain circumstances, Mecklenburg County employees that seek to volunteer a specialized skill that is needed by an international or domestic community facing a catastrophe disaster following a natural or man made event to take a temporary leave of absence from county employment.

3. Direct the County Manager to place \$25,000 of the County's unrestricted fund into a restricted contingency fund for the remainder of the FY10 Fiscal Year to cover the implementation and utilization of such a plan for any Mecklenburg County employee or licensed health care or human service professional residing in Mecklenburg County and possessing an in demand specialized skill set (as determined, for example, by the American Red Cross, United Nations or United States Government) that voluntarily seeks to travel to Haiti for the purpose of treating or servicing victims of the Earthquake Disaster. Funds would be distributed strictly consistent with an adopted Global Disaster Assistance Plan

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as adopted by the BOCC. Examples of expenditures may include travel expenses, payment for overtime of departmental employees to cover responsibilities of an employee on temporary leave and purchase of supplies directly related to and necessary for the performance of professional duties while treating or servicing victims.

Commissioner Cogdell addressed why he thought this was something the Board should consider.

Motion was made by Commissioner Cogdell, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey and Roberts voting yes, that in the event a Global Disaster Assistance Plan does not exist, direct the County Manager to develop a plan that would include permitting, under certain circumstances, Mecklenburg County employees that seek to volunteer a specialized skill that is needed by an international or domestic community facing a catastrophe disaster following a natural or man made event to take a temporary leave of absence from county employment.

Prior to the above vote, Commissioner Clarke asked County Manager Jones was it correct that this matter would end up being a part of the County's personnel policy. *County Manager Jones said yes.*

County Manager Jones said he would provide the Board with information on what's currently in the Human Resources policy with respect to leave that's provided to employees. County Manager Jones said he should be able to respond back to the Board at the next meeting.

Chairman Roberts said there was concern with respect to liability, per some e-mail exchanges but that this was clearly for voluntary service that employees want to do on their own time. She said this was really just to cover their leave and helping to continue to manage in their absence.

Chairman Roberts said it would be the same type of thing that corporations provide to employees to be absent to provide tutoring to students. She said it was not the same, for example, as a group of firefighters being sent in their official capacity as firefighters.

This concluded the discussion.

**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 Cooksey, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Murrey and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:45 p.m.

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Janice S. Paige, Clerk

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Jennifer Roberts, Chairman