

MARCH 2, 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 Tuesday, March 2, 2010.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners
Karen Bentley, Dumont Clarke, Harold Cogdell, Jr.
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: Commissioner Neil Cooksey

-INFORMAL SESSION-

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

(1) STAFF BRIEFINGS - NONE

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

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

The Board went into Closed Session at 5:26 p.m. and came back into Open Session at 6:07 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 10, 11, 12, 15, 19, 21, & 22.

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

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-FORMAL SESSION-

Invocation was given by Commissioner Clarke, which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

CITIZEN PARTICIPATION

PROCLAMATIONS AND AWARDS

(1A1) SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Murrey, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a proclamation declaring March 2010, "Social Work Appreciation Month" in Mecklenburg County.

The proclamation was read by Commissioner Murrey and received by Director of Social Services Mary Wilson and a team of County social workers.

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

(1A2) 2010 CENSUS AWARENESS MONTH

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a proclamation declaring March 2010, Census Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Bentley.

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

(1A3) WOMEN'S HISTORY MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a proclamation declaring March 2010, Women's History Month in Mecklenburg County.

The proclamation was read by Commissioner Leake and received by Lisa Yarrow with the Women's Advisory Board.

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

(2) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

(3A) APPOINTMENTS

WOMEN'S ADVISORY BOARD

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

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Roberts voting yes, to appoint Mariana Nunez to the Women's Advisory Board to fill an unexpired term expiring November 30, 2012.

The vote was taken on the following nominees for appointment to the Women's Advisory Board:

Round One

Jill Dinwiddie Commissioners Bentley, Clarke, Dunlap, and Murrey
Deborah Jackson Commissioners Cogdell, James, Leake, and Roberts

Round Two

Jill Dinwiddie Commissioners Bentley, Clarke, Dunlap, James, Murrey, and Roberts
Voting Ceased

Deborah Jackson

Chairman Roberts announced the appointment of Jill Dinwiddie to the Women's Advisory Board to fill an unexpired term expiring June 30, 2010.

Note: They replace Barbara Bondra and Kate Maynard.

The other nominees were: Natalie Bingham, Deborah Bosley, Takisha Boyd, Victoria Chopra, Jenifer Daniels, Sue Ann Davis, Zaria Davis-Humphries, Crystal Dempsey, Deborah Early, Laura Everett, Andrea Ferguson, Beverly Foster, Bliss Green, Alice Jackson, Kathryn Johnson, Angela Joyner, Marguerite King, Sharon Lachow-Blumberg, Brook Maybach, Simona Mitchell-Kelly, Mary Murphy, Letisha Perry, Jacquelyn Powell, Constance Purcell, Stacey Rose, Bellverie Ross, Sandra Saburn, Deborah Snowdon, Melba Streeter, Janie Sumpter, Heather Swindells, Gay Thornton, JoeAnna Trotman, Melissa Wansker, Catherine Ann Wargo, and Mimi Zelman.

(4) PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

(5A) VOLUNTEER FIRE SERVICE ASSESSMENT AND FIRE COMMISSION RESTRUCTURING

The Board received an update on the volunteer fire service assessment conducted by Emergency Services Education & Consulting Group.

Mecklenburg County Fire Marshall J. Mark Auten gave the report. He was introduced by General Manager Bobbie Shields.

The update covered the following:

- Fire departments that contract with the County
- Compilation of the fire assessment
- Fire Department Transition
- Funding
- Fire Service Management

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

Comments

Commissioner Bentley asked about the timeframe for reporting back to the Board with respect to the service districts. *Fire Marshall Auten said the plan was to bring recommendations to the Board in the fall.*

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Commissioner Bentley asked Fire Marshall Auten to keep her informed as the process unfolds. She noted there were several areas in District 1 that would be impacted.

Commissioner Dunlap encouraged Board members to pay close attention to what's occurring as it relates to this issue. He said if the County can't continue to fund the volunteer firefighters and decide to let the City of Charlotte take them over, the County would pay a higher rate to provide the same protection and coverage for the area currently being covered.

Commissioner Leake asked about the use of the term "volunteer" firefighter and the provision of fire services, which was addressed by Fire Marshall Auten and County Manager Jones.

Commissioner Leake asked about the funding options, which was addressed by Fire Marshall Auten.

Commissioner Cogdell said this issue may be a little more complex than it currently seems. He said it would be good for the Board to receive a briefing on the history of this issue, including the quality of service and how service could be enhanced. He said there were also some systemic uniformity issues that need to be addressed.

Commissioner Cogdell suggested the Board receive a presentation regarding this issue some time after budget deliberations, in order to be better informed prior to taking action on forthcoming recommendations.

Commissioner James said the County's support of volunteer fire departments has been a topic of discussion for a number of years.

Commissioner James said some of the towns do not want to create a fire department because it's a big budget item.

Commissioner James said the County did have a responsibility to provide fire service protection to those in the unincorporated area, but that it should not be at a cost of \$1.8 million. Further, that it should not involve all of the various volunteer fire departments scattered around the county. Commissioner James said there had to be a more efficient way and the end goal should be that the County is out of the fire service business at some point.

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

Commissioner Bentley noted for the record that the Town of Huntersville was fully aware there will be a transition where ultimately they would have their own fire department.

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to amend the Fire Commission resolution to approve the new structure of the commission, establishing three Fire Association districts that will be represented on the Fire Commission by two members from each district, one at-large member, and one ex officio member of the Board of County Commissioners. Secondly, to appoint two members Kevin Fox (District One) and Donald Beard (at-large member) to the Fire Commission as recommended by the current Fire Commission and the Fire Association.

Note: Currently, there are six members of the Fire Commission (including the ex officio member of the Board of County Commissioners) representing five Fire Association districts. The amendment adds two members to the Fire Commission, bringing that total to 8 members. This change will coincide with the Mecklenburg County Fireman's Association realigning the 18 volunteer fire departments into three districts of six departments each. This realignment will provide a more balanced Fire Commission and Fire Association to assist in considering the recommendations of the fire assessment.

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

Commissioner Clarke returned to the dais.

MANAGER'S REPORT

(6A) CENTER CITY 2020 VISION PLAN

The Board received an update on the Center City 2020 Vision Plan.

Former Mayor of Charlotte Harvey Gantt, 2020 Plan Co-chair, Michael Smith, President & CEO of Charlotte Center City Partners, and Deborah Campbell, Planning Director, Charlotte-Mecklenburg Planning Commission gave the update. They were introduced by Real Estate Services Director Mark Hahn.

Note: The Center City 2020 Vision Plan is a community-driven planning effort that will culminate in recommendations to guide the growth and development of Charlotte-Mecklenburg's urban core over the next decade. The project effort, sponsored by Charlotte Center City Partners, Mecklenburg County, and the City of Charlotte, is chaired by Ann Caulkins of The Charlotte Observer and Harvey Gantt of Gantt Huberman Architects.

The consultant team, led by MIG Inc. and supported by Charlotte firms Cole Jenest Stone, Wray Ward, and Kimley-Horn, has been working on the effort since September 2009. In addition to collecting data and information and conducting many stakeholder interviews, the consultants have implemented a far-reaching community engagement effort including a community workshop, steering committee meetings, working group meetings, a lecture series, and county-wide neighborhood workshops.

The County's financial contribution to the project in FY10 is \$125,000. The Board of County Commissioners approved funding of \$125,000 from unrestricted contingency on May 7, 2008. The financial expectation to complete the study is for an additional County contribution of \$125,000 in FY11.

Comments

Commissioner Clarke asked about the statement “break down the barrier of I-277,” which was addressed.

Commissioner James referenced the 2010 Plan and the “cap” and the costs associated with doing that. Commissioner James said the only way to get something done like that would be to get funding from the federal government. Commissioner James said the 2020 Plan was “okay” for a vision, but he doesn't see where the County has the resources to do what's ultimately required, which was a kind of “big dig” Boston thing, where you bury it.

Commissioner James asked was the “big dig” concept a part of the 2020 Plan and would there be any carry forwards from the 2010 Plan. *The response was the 2020 Plan has not been developed yet, but that there would be some carry over, the specifics of which has not been determined, however, the “cap” would be one of them. It was noted that projects in the 2010 Plan would be evaluated to see if they're feasible for the 2020 Plan.*

Commissioner Leake referenced “old” Earl Village and when redevelopment came about in the First, Second, and Third Ward areas. Commissioner Leake said her concern was about how people were dispersed and how communities were “torn up” in these areas, such that these areas “never came back together as they were before.” She cited as examples, the presence of corner stores, barbershops, other small businesses, and the faith community.

Commissioner Leake asked was the plan to try and reinvent that type of environment. *The response was yes.*

Commissioner Leake asked was it correct to say that we need to revitalize and bring back to the focus of the inner city what was once there. Commissioner Leake said her concern was how this

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could be done affordably to afford it for all people to be a part of the process. *The response was that's the kind of thing that's wanted, a diverse uptown area, and to try and capture some of the things that were in those neighborhoods that were cleared out.*

Commissioner Leake asked about the rebuilding of Second Ward high school. *The response was that in the 2010 Plan there was something regarding saving the Second Ward gym and for it to become some type of focal point in the overall development. Further, with respect to whether or not there would be a downtown urban high school in the image of the old Second Ward was not fully addressed in the 2010 Plan. It was noted that high schools or educational facilities were being looked at in the 2020 Plan, however, it may not be on the site where Second Ward high school was.*

Mr. Smith said bringing a high school back to the center city and locating it in Second Ward on that site and making that a Second Ward high school was a priority of Charlotte Center City Partners and one that they've been working on for years. He said they've been working in partnership with the Second Ward Alumni Association. Also, they continue to work with Charlotte-Mecklenburg Schools to fit into their priorities and matching it up with school needs.

Commissioner Leake asked about the involvement of the faith community in this process. *The response was they've been involved.*

Planning Director Campbell with respect to urban renewal, said she would hope that "we have learned that the most appropriate approach to urban revitalization is not urban renewal. It is not removal." Director Campbell said they have placed a high premium on working with the existing context and trying to fit in new development within the existing character of a neighborhood and "certainly not removing people and businesses."

Commissioner Murrey asked how do you strike a balance when you're doing this kind of work between an appropriate level of planning and yet still have an authentic feel. *Director Campbell said a lot of it had to do with having fairly flexible ordinances and zoning regulations and codes that allow for innovation.*

Commissioner Bentley asked about the feasibility of the plan on the "back drop" of the current economy and in light of adjusting city and county capital plans; and how does this impact the visioning process. *Mr. Smith said it makes it a great time to plan. Further, that it's an exciting time to plan because the last decade has changed so much and a lot was accomplished, yet they are confronted with the economic reality and the fact that there will be less resources.*

Commissioner Clarke noted that there was a great opportunity to "break down the barrier" to I-277 with the placement of the light rail bridge across I-277 and to include a good pedestrian Connection, but it got "valued engineered" out of the process. Commissioner Clarke suggested this be reconsidered.

This concluded the discussion. No action was taken or required.

Chairman Roberts thanked the presenters for their presentation.

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

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

(6B) 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 gave the update.

The following was covered:

- Medic Overview
- Health Department Overview
- Area Mental Health Overview
- Contract with Carolinas HealthCare System
- Conclusions
 - Demand for services across Medic, Area Mental Health and the Health Department (including Carolinas HealthCare System (CHS) services) continues to increase
 - Receiving 13 percent of County services funding, CHS is an important service partner with Mecklenburg County
 - To maintain current service levels in CHS-provided behavioral health and public health services, the County's funding to CHS will increase in FY2011 as stated in contract provisions

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

Comments

Commissioner Murrey asked about County funding of Medic and other funding received by Medic, which was addressed by Joe Penner Director of Medic.

Commissioner Murrey asked about the status of reimbursement for transport services and collection efforts, which was addressed.

Commissioner Murrey asked about the contract with Carolinas HealthCare System, specifically the Behavioral Health component, which was addressed by Greg Gombar, CFO for Carolinas HealthCare System.

Commissioner Murrey asked about indigent care, which was addressed.

Commissioner Murrey asked how much did Carolinas HealthCare System make in 2009. *The response was in 2008 they lost \$466 million in investments.*

Commissioner Murrey asked what was their reserve prior to the lost. *The response was that they lost about \$500 million of reserves and that it came down from about a \$1.2 billion to about \$700 million.*

Mr. Gombar said for 2009 they will report \$349 million, positive and will invest \$379 million in capital. Further, that for the next five years, the projection was to basically, excess of revenues over expenses, \$1.9 billion for the Mecklenburg operation, which includes two other counties, Lincoln and Cabarrus. Also, the capital budget was almost the same amount, \$1.9 billion with no debt.

Commissioner Murrey asked Mr. Gombar to address the need for increasing the County's costs for health care services. *Mr. Gombar said there was a reduction this year and in 2008. Mr. Gombar said they haven't finished the numbers for next year yet, but when you consider inflation you would expect an increase. Mr. Gombar said they would meet with the County*

Manager to discuss this issue. He said the goal was to not have an increase, but it's not certain if this could be achieved. They're still working on it.

Mr. Gombar said the difficulty that they're having was at Randolph because of the capacity and because of things going on at the state level. Further, that some of the things they've done in the past that allowed them to come in with fairly low increases weren't there anymore, because they

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don't have the growth capacity and because of reimbursement cuts in Medicaid and for Mental Health.

Commissioner James asked about the Medic board and the breakdown between Carolinas HealthCare System and Presbyterian. *Director Penner said there were seven board members; all seven appointed by the County Commission with three being nominated from each healthcare system and one from the County.*

Commissioner James asked had there been or was there an issue regarding where to bring patients, which emergency room. *Director Penner said the destination protocol was actually voted on by the Medical Control Board. He said if he recalled the last time there was "contention" was about six or seven years ago if not longer. Director Penner said he could send the Board information with respect to how many patients are taken to which hospital.*

Commissioner James commented on county funding of Medic and loses by Medic with respect to Medicaid and Medicare, per transport. Commissioner James said he wanted to know out of the \$16.8 million received from the County, how much of that was a subsidy of Medicaid and Medicare. Commissioner James said he wanted the breakdown between what they actually reimburse, the lost on the reimbursement, the lost to cost that we have on Medicaid and Medicare versus the other.

Commissioner James asked about indigent care and the total subsidy cost that Carolinas HealthCare System pays. *Mr. Gombar said the actual charity care cost was around \$100+ million and that the \$600 million number was a system-wide number of what's called community benefits, which would include those shortfalls for Medicaid and Medicare and other things.*

Commissioner James asked whether Carolinas HealthCare System had calculated the impact of the additional costs to CMC for the Medicaid/Medicare changes under the congressional proposals for healthcare reform. *Mr. Gombar said it was too early to comment on the Healthcare Reform issue at this point.*

Commissioner Dunlap asked if there were any accountability measures in place with respect to the \$17.7 million that's allocated for indigent care. *Director Yi said this was not a service related contract. Director Yi said it's an offset, which means the County realized that there was some public/community good being done and thus an indigent care cost pool was established to help offset some of the costs to both hospital systems because of the public good that's being done. Director Yi said there were no qualitative measures as to what the hospital systems need to provide in terms of care or the units of care they need to provide.*

Commissioner Dunlap said the fact that there were no accountability measures in place for the hospital systems, like there were for other agencies that receive County funding was a concern for him. Commissioner Dunlap asked why the hospital systems were treated differently. *Mr. Gombar said qualitatively, Director Yi was correct but quantitatively, the County probably had more checks and balances than most other third parties that they deal with. He said there were audits of the mental health contract, an audit of out of county patients, a review of the public health contract, and a review of the indigent care calculation.*

Commissioner Dunlap asked how does the County know if indigent care can't be provided cheaper by some other agency or entity. *Mr. Gombar said "you can always get it cheaper."*

Commissioner Dunlap said he's aware that it can be done cheaper, but the point he wanted to make was that the County has no way to measure how many people Carolinas HealthCare System sees for the \$17 million that's allocated. *Mr. Gombar said they do have those statistics and could provide them. He said they provide patient satisfaction information also. Mr. Gombar said the data was available and would be provided if requested.*

Mr. Gombar said the "key" with Carolinas HealthCare System was the comprehensive nature of the care that's provided.

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Commissioner Dunlap asked were patients seen by experienced doctors or those in residency. *Mr. Gombar said those seen in clinics are seen by full time physicians.*

Commissioner Dunlap asked about mental health beds, which was addressed by Area Mental Health Director Grayce Crockett.

Commissioner Dunlap said there were a lot of people incarcerated that need mental health treatment as oppose to incarceration. Commissioner Dunlap said he supported the idea of building a new jail, but the more he learns, the more concern he was about the need for a new jail and that perhaps more money should be spent on more mental health beds at a healthcare facility.

Commissioner Dunlap asked was it cheaper to provide care for the mentally ill at a mental hospital or was it more cost efficient to provide jail space for the same person. *Director Crockett said if it's being looked at on a per day basis, then it's cheaper at the jail. Director Crockett said what happens, however, with respect to the chronic offender was that those individuals if they don't get treatment continue to cycle through the jail. Thus, the short term cost would be higher because it costs more to put someone in a hospital than it does to put them in jail, but over the long term, if treatment could be provided that would keep them from returning back to the jail; the long term cost would be less.*

Commissioner Dunlap said he appreciated everything that healthcare systems do for the community, but felt there were others in the community that do the same thing, not in totality, but for a fraction of the cost.

Commissioner Dunlap said when it comes to funding the County needs to consider the kind of care that's being provided and who it funds, because "at no time has he heard that one of these contracts were bid out." He said they were simply given.

Director Crockett noted that when the County divested the majority of mental health services, a request for proposal was done and services were bid out.

Commissioner Dunlap asked when was the last time that was done. *The response was in 2004.*

Commissioner Cogdell asked about patient costs and amount collected, which was addressed.

Commissioner Cogdell asked what would be the impact of a reduction in County funding to Carolinas HealthCare System. *Mr. Gombar said whether or not they would be able to continue to run the clinics was a good question, but one that he can't answer at this point.*

Commissioner Leake said she was concerned about the quality of care for indigent patients at the hospital when they arrive and the intake process. She said it was a slow process, one that she's experienced. *Mr. Gombar said all patients are treated the same when they arrive at the hospital. He asked Commissioner Leake to share information regarding the patient she accompanied to the emergency room and it would be looked into.*

Commissioner Leake asked County Manager Jones if any County staff would be lost as a result of continuing the contract with Carolinas HealthCare System. *The response was no, however, there may be some layoffs but continuing with the contract doesn't necessarily contribute to that.*

Commissioner Leake asked what could be done to give opportunity for other agencies to get involved in this process for possible funding. *Director Crockett said the state was getting ready to make some changes in how they are willing to pay for mental health services and it's felt those changes would significantly impact the dynamic of who is able to provide mental health services, which would impact who the County is able to contract with.*

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Commissioner Leake asked Mr. Gombar if Carolinas HealthCare System was supportive of the healthcare bill. *Mr. Gombar said they've gone on record before publically that they support reform, but they do not support the "big bang" theory, everything at one time. They feel it should be more over a period of time, gradual, and it should be things that have worked somewhere and not just new ideas that haven't been proven before. Thus, they do not support the current bills that are in the house and senate.*

Commissioner Leake said at some point she'd like to know how those with substance abuse problems and HIV/AIDs and their families were being supported.

Commissioner Leake said she can't support building jails, but she was supportive of mental health care and support for those who cannot take care of themselves.

Commissioner Murrey asked what was the County's current fund balance. *The response was around \$247 million.*

Commissioner Murrey asked Mr. Gombar what was the amount of their reserves. *The response was \$2.7 billion.*

Commissioner Murrey said he would like to know the specific amount that has been invested in Mecklenburg County.

Chairman Roberts asked Mr. Gombar how much sales tax do they get returned annually. *The response was \$30 million.*

Chairman Roberts said as an FYI that when the County is trying to net out its cost and benefits, etc, that there were other taxes the County actually forego in having a partnership with Carolinas HealthCare System as a public hospital.

This concluded the discussion. No action was taken or required.

Note: The above is not inclusive of every comment.

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

CONSENT ITEMS

Motion was made by Commissioner James, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to approve the following item(s), with the exception of items 10, 11, 12, 15, 19, 21, and 22, to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular meeting held February 16, 2010; Special meeting held February 16, 2010; Budget/Public Policy meeting held December 8, 2009; and Closed Session held February 2, 2010.

(8) TAX REFUNDS

Approve refunds in the amount of \$105,475.66 to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

A list of the refund recipients is on file with the Clerk to the Board.

(9) BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

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Recognize, receive and appropriate additional revenue of \$1,833,115 to reflect actual State, and Federal allocations received by the Health Department.

(13) BUDGET AMENDMENT – AREA MENTAL HEALTH (REVENUE INCREASE)

(A) Approve, recognize, receive and appropriate funds from the State of North Carolina in the amount of \$226,094 to implement the Substance Abuse and Mental Health Services Administration (SAMSHA) funded Operation Recovery program focused on Jail Diversion Trauma Recovery - Priority to Veterans.

(B) Establish three full-time positions and one part-time position.

(14) AREA MENTAL HEALTH MONTHLY FINANCIAL REPORT

Recognize and receive Area Mental Health Monthly Financial Report.

**AREA MENTAL HEALTH
Statement of Revenues and Expenses
FY 2010, For the period ending January 31, 2010**

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Revenue Source			
Medicaid & CAP	15,554,880	6,826,820	43.89%
State and Federal	29,786,806	13,960,706	46.87%
Third Party/Other	97,293	19,902	20.46%
County	46,461,258	23,481,570	50.54%
Total Revenues	91,900,237	44,288,998	48.19%

	<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>
Service Continuum			
Children's Developmental Services	7,188,456	3,635,780	50.58%
Child & Adolescent Services	13,612,364	5,955,624	43.75%
Adult Mental Health	9,494,725	3,400,317	35.81%
Adult Substance Abuse	12,903,459	7,330,085	56.81%
Local Management Entity	10,579,715	4,987,761	47.14%
BHC Randolph	19,268,029	11,081,762	57.51%
Developmental Disabilities	18,853,489	7,897,669	41.89%
Total Expenditures	91,900,237	44,288,998	48.19%

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.

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

(16) RIGHT-OF-WAY CONVEYANCE TO NCDOT

Approve the conveyance of Right-of-Way to the North Carolina Department of Transportation (NCDOT) on Haymarket Road to facilitate a road improvement project.

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Note: NCDOT plans to improve and pave Haymarket Road during the summer of 2010, but must first realign the right-of-way to match the existing roadbed.

(17) LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE REVISIONS

Amend the LUESA Fee Ordinance to reflect changes in the Re-inspection Fee Program methodology and realign it with Code Enforcement's current service delivery model.

Note: A second reading will be required since all nine commissioners were not present.

(18) BUILDING DEVELOPMENT ORDINANCE REVISIONS

Amend the Building Development Ordinance to allow creation of a Technical Advisory Board as a formal standing committee of the Building Development Commission.

Note: The growth of sustainable design projects is increasing significantly. The pace of that growth also involves the speed with which green technology is developing and advancing. LUESA Code Enforcement staff is concerned that the rate of growth of these projects and the related changes in construction technology will outrun our current expertise, geared towards focusing on the building code minimum requirements. Consequently, staff proposes (with the unanimous support of the Building Development Commission) initiating a Technical Advisory Board, as a strong resource to staff on sustainable design issues, as well as other challenging or grey code application problems.

Note: A second reading will be required since all nine commissioners were not present.

(20) BROADBAND WIRELESS DATA NETWORK GRANT - AMERICAN RECOVERY & REINVESTMENT ACT 2009 (ARRA) –

1) Endorse the City of Charlotte's submission of a \$16,996,500 Broadband Technology Opportunities Program (BTOP) Grant from the American Recovery & Reinvestment Act of 2009 (ARRA) to construct a regional wireless 4G (LTE) network.

2) Authorize the County Manager to negotiate and execute the Consortium Agreement to be developed contingent upon the grant being awarded.

Note: The purpose of the City's grant request is to build a broadband wireless data network to provide communication services for public safety, approved state universities, and other public sector agencies. The network will be used by public safety, other government agencies, education, and low-income customers through Charlotte Housing Authority.

(23) RETAIL TENANT LEASE – GOVERNMENT DISTRICT PARKING DECK

Adopt the resolution entitled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Barbara Gordon, Owner of Esposito's Pizza & Pasta."

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

(24) SET PUBLIC HEARING – STREET LIGHTING ASSESSMENT FOR OPERATIONAL COST

Adopt a resolution of the Preliminary Assessment Roll for the operating cost of street lights and set a public hearing on March 16, 2010 on Street Lighting Preliminary Assessment Roll for the

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Brantley Oaks, Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, Highland Park, McGinnis Village, Mountain Point, Mountain Point Estates, Ridgewood, Royal Oaks, Spicewood, and Stewarts Crossing Subdivisions.

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

(25) SET PUBLIC HEARING – STREET ASSESSMENT PROJECT

Adopt a resolution of the Preliminary Assessment Roll for Farmwood North/Stone Mountain Subdivision Road Improvements and set a public hearing for April 20, 2010, on assessing property owners in the Farmwood North/Stone Mountain Subdivision for funds spent on improvement to the roadway and acceptance of the final assessment resolution and roll.

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

(26) BUDGET AMENDMENT – LUESA LAND DEVELOPMENT (REVENUE INCREASE)

Recognize, receive and appropriate \$197,964 in Land Development funding and authorize the carry forward of the unspent balance at June 30, 2010 to FY11.

Note: Funds are being received due to the default of a bond obligation for completion of subdivision requirements in the Oxfordshire Phase 3 Subdivision. Letters of credit were provided by H C Grimmer Development Company LLC for completion of work for Map 1 on January 30, 2004 and Map 2 on March 31, 2004 respectively. Mecklenburg County found the developer in default of the bond obligation due to the work not being completed. The funds received by the County will be used to complete improvements required by the Town of Mint Hill Subdivision Ordinance. Any funds remaining after completion of these improvements will be returned to H C Grimmer Development Company LLC and their guarantor, B B & T.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Murrey returned to the dais.

(10) AD VALOREM TAX ADVERTISEMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to order the advertisement of delinquent 2009 real estate and personal taxes.

Note: The advertisement is a notification to taxpayers of outstanding tax balances. This action is required by NCGS 105-369(a).

Commissioner Clarke removed this item from Consent for more public awareness. He also asked was there still an opportunity for taxpayers to avoid having their names appear in the newspaper. County Manager Jones said yes, if their taxes were paid by Friday, March 5, 2010.

(11) CAPITAL RESERVE REQUEST – LATTA PLANTATION NATURE PRESERVE

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

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Murrey, and Roberts voting yes, to authorize and appropriate the expenditure of \$52,000 from Park & Recreation Capital Reserve funds to replace three picnic shelters in Latta Plantation Nature Preserve.

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

(12) CAPITAL RESERVE REQUEST – AQUATIC CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to authorize and appropriate capital expenditure of \$104,910 from the Mecklenburg County Aquatic Center Capital Reserve Account for the following:

1. Install new lockers in men's and women's locker rooms - \$47,000
2. Install new grating around 50 meter pool and 25yd instructional pool - \$17,000
3. Purchase three treadmills for fitness room - \$15,510
4. Install new flooring in fitness room - \$15,000
5. Purchase and install six new lifeguard stands - \$6,200
6. Purchase four new lane line reels - \$4,200

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

(15) MCDOWELL CREEK LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve purchase of Tax Parcel 015-051-08 (+/- 60.279 acres) on McDowell Creek for \$30,000 plus unpaid taxes from Carrington Ridge, LLC.

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

(19) BUDGET AMENDMENT – SHERIFF'S OFFICE SPECIAL REVENUE FUND (VOCATIONAL FACILITY)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to recognize and appropriate \$60,000 for the Sheriff's Special Revenue Fund Vocational Facility.

Note: This action will increase the FY10 budget for this Special Revenue Fund which is generated from portion of telephone revenue designated for Vocational Facility and allow the Sheriff's Office to enter into contracts and expend money in accordance with the special revenue fund ordinance.

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

(21) BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to amend the Department of Social Services' FY10 budget to recognize, receive, and appropriate additional State Adult Day Care funds of \$24,345.

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

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(22) BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to amend the Department of Social Services' FY10 budget to recognize, receive, and appropriate additional CATS revenue of \$95,862 to be used for transportation services.

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

STAFF REPORTS AND REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS AND REQUESTS - NONE

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 James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, 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 9:50 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman