

SEPTEMBER 21, 2010

**MINUTES OF MECKLENBURG BOARD OF COUNTY 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, September 21, 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

-INFORMAL SESSION-

Commissioners Cogdell, Dunlap, and Leake were absent when the meeting was called to order and until noted in the minutes.

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

(1A) STAFF BRIEFINGS - NONE

(2A, B) CLOSED SESSION – A) BUSINESS LOCATION AND EXPANSION AND B) CONSULT WITH ATTORNEY

Motion was made by Commissioner James, seconded by Commissioner Murrey and carried 6-0 with Commissioners Bentley, Clarke, Cooksey, James, Murrey and Roberts voting yes, to go into Closed Session for the following purposes: A) Business Location and Expansion and B) Consult with Attorney.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 6:10 p.m.

Commissioners Cogdell, Dunlap, and Leake were present when the Board came back into Open Session. They entered the meeting during Closed Session.

(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, 13, 14, and 15.

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

-FORMAL SESSION-

Invocation was given by Commissioner Leake, 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

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

(1A1) BIG SWEEP DAY

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a joint proclamation designating Saturday, October 2, 2010 as Big Sweep Day in Charlotte and Mecklenburg County.

Note: BIG SWEEP is an annual, statewide event held on the first Saturday in October that calls volunteers to action to remove trash and debris from creeks, lakes and rivers.

The proclamation was read by Commissioner Bentley and received by Water Quality Program Manager Rusty Rozzelle.

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

(1A2) SUBSTANCE ABUSE AND AWARENESS MONTH

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt a joint proclamation designating October 2010 as Substance Abuse Awareness Month.

The proclamation was read by Commissioner Dunlap and received by Helen Harrell with Substance Abuse Prevention Services. She was joined at the podium by other Substance Abuse Prevention Services staff and representatives from the Substance Abuse Awareness Month Coalition and Mecklenburg County Provider Services Organization.

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

Commissioner Clarke returned to the dais.

(1A3) GOLD LEVEL FIT COMMUNITY

Motion was made by Commissioner Murrey, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to adopt the "Gold Level Fit Community" proclamation from the North Carolina Health & Wellness Trust Fund Commission.

Note: Mecklenburg County was designated as a Gold Level Fit Community by the North Carolina Health & Wellness Trust Fund Commission in June 2010. Mecklenburg County is the first community, along with the Town of Cary, to ever achieve the Gold Level of this initiative.

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Becoming a Gold Level Fit Community means that Mecklenburg County has the resources, partnerships and infrastructure to promote physical activity and proper nutrition in the state of North Carolina.

As part of the Designation, Gold Level Fit Community highway signs are to be posted at State-owned roads. Upon adoption of the proclamation, the North Carolina Health and Wellness Trust Fund Commission will have the signs made for Mecklenburg County at no cost to the County. The County will work with Charlotte & NC DOT to have the signs posted at State-owned roads where "Welcome to Mecklenburg" signs exist. Mecklenburg County first received a Fit Community Designation in 2007.

The proclamation was read by Commissioner Murrey and received by Health Director Wynn Mabry.

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

(2) PUBLIC APPEARANCE

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

Jeanie M. Welch on behalf of Charlotte East Community Partners addressed and extended an invitation to their 4th Annual Black Tie Gala to be held at the Charlotte Museum of History on October 16, 2010, 7:00 pm -10:00 pm. The event will benefit The Boys and Girls Club on Milton Road. Ms. Welch also addressed another upcoming event, Taste of the World, to be held October 7, 2010, 5:30 pm to 10:30 pm. She said this would be an opportunity to sample all of the ethnic restaurants in East Charlotte.

James Brock Kitchen addressed the property tax exemption program for disabled veterans. Mr. Kitchen said he qualified for the exemption, even though he was told by the Tax Office that he did not. Mr. Kitchen provided a handout to the Board regarding his concern.

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

Commissioner James said he would like to receive information clarifying the difference between permanently disabled and totally disabled.

(3A) APPOINTMENTS

ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, 1) to reappoint Melissa McIntyre-Brandly and Constance Green-Johnson to the Adult Care Home Community Advisory Committee for a three-year term expiring September 30, 2013; 2) to nominate and appoint Cornelius Smith to the Adult Care Home Advisory Committee for a one-year term expiring September 30, 2011.

Note: He is replacing Donna Dunn.

Prior to the above vote, Commissioner Cogdell suggested information be shared with the Senior Centers and the Council on Aging regarding the need for persons to serve on the Adult Care Home Community Advisory Committee.

ALCOHOLIC BEVERAGE CONTROL BOARD

Commissioner Leake asked if the Board was going to follow the same interview process for filling this vacancy as it did for prior vacancies.

Chairman Roberts said the interview process that was put in place to address the most recent vacancies was done for those particular instances only. Chairman Roberts said this was a new vacant position and that the Board would follow the normal nominating process for filling this vacancy, unless the Board decided to do it differently.

Commissioner Leake questioned why the Board would not continue with the interview process as it did with filling the other vacancies. Commissioner Leake said the Board needed to be “fair, legal, and consistent” in the process followed.

Chairman Roberts asked Attorney Bethune was it not correct that the Board used the interview process for a specific time and specific appointments. Chairman Roberts said it was not for every appointment going forward. *Attorney Bethune said the Board did not make a global policy in that regard.*

Commissioner Dunlap, chairman of the Board’s Effective and Efficient Government Committee, informed the Board of a report was forthcoming regarding recommended changes in the appointment procedure for the ABC Board and others that receive compensation.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to delay appointment consideration to the Alcoholic Beverage Control Board until after the Board received a report from the Effective and Efficient Government Committee regarding recommended changes in the appointment process.

CITIZEN’S TRANSIT ADVISORY GROUP

The following persons were nominated for appointment consideration to the Citizen’s Transit Advisory Group:

Sheila Etheridge	by Commissioner Cogdell
Thomas Gilliam, III	by Commissioner Murrey
Robert Watson	by Commissioner James

Note: An appointment will occur on October 5, 2010.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and failed 5-4 with Commissioners Bentley, Clarke, Leake, Murrey, and Roberts voting no and Commissioners Cogdell, Cooksey, Dunlap, and James voting yes, to nominate and appoint John Shurley to the Historic Landmarks Commission to fill an unexpired term expiring July 31, 2011.

The following persons were nominated for appointment consideration to the Historic Landmarks Commission:

Clara Alina Bartlett	by Commissioner Murrey
Robert Cameron	by Commissioner Murrey
Zachary Deason	by Commissioner Murrey
Stephen Fairley	by Commissioner Murrey

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Lisa Johnson	by Commissioner Murrey
Raymond McGill	by Commissioner Murrey
Michael Mulder	by Commissioner Murrey
John Kenneth Pursley	by Commissioner Murrey
Michael Schubert	by Commissioner Murrey
John Shurley	by Commissioner Cogdell
Sonya Young	by Commissioner Murrey

Note: An appointment will occur on October 5, 2010.

Commissioner Murrey asked that staff find out why the Chairman of the Historic Landmarks Commission was recommending the appointment of John Shurley, an architect, versus one of the other architects that applied.

MOUNTAIN ISLAND LAKE MARINE COMMISSION

The following persons were nominated for appointment consideration to the Mountain Island Lake Marine Commission:

Bryan Abernathy	by Commissioner Bentley
Rhiannon Bowman	by Commissioner Bentley
Thomas Brasse	by Commissioner Dunlap
Benjamin Bringardner	by Commissioner Bentley
Robert Keith	by Commissioner Bentley
Cathy Roche	by Commissioner Clarke
Trip Wheeler	by Commissioner Bentley

Note: An appointment will occur on October 5, 2010.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

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 nominate and appoint Deborah Kennedy and Wanda Wilson to the Nursing Home Community Advisory Committee for a one-year term expiring September 30, 2011.

Note: They replace Shawanga Burrell and Eunice Chambers.

Chairman Roberts asked that the need for persons to serve on the Nursing Home Community Advisory Committee also be shared with the Senior Centers and the Council on Aging.

PERSONNEL COMMISSION

Motion was made by Commissioner Cogdell, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to nominate and appoint Carrie Cook to the Personnel Commission for a three-year term expiring June 30, 2013.

Note: She is replacing William Wilder.

(4) PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS

(5A) CITIZENS' REVALUATION ADVISORY COMMITTEE REPORT – SET PUBLIC HEARING

The Board received a report from the Citizens' Revaluation Advisory Committee for the Uniform Schedule of Values and Rules for the 2011 countywide reappraisal.

Thomas Derham, Chairman of the Citizen's Revaluation Advisory Committee gave the report. He was introduced by Tax Assessor Garrett Alexander.

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

Tax Assessor Alexander presented the Uniform Schedules of Values, Standards and Rules for 2011 reappraisal and the Uniform Schedules of Values, Standards and Rules for 2011 reappraisal for Use Value.

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

Comments

Commissioner Clarke said looking ahead to 2011 that he would anticipate, based upon the Committee's report and past experience, that there would be a significant number of appeals, residential and commercial. He said the commercial would probably have more impact on the tax base and what it would be ultimately set at.

Commissioner Clarke posed the question of what if it was June 2011 and the Board was going to set a tax rate, how would the Board be able to do that if the volume of appeals was enormous and it would take another six to eight months to complete them. *Tax Assessor Alexander said staff uses a lot of historical data in trying to estimate the value that would be produced in the revaluation, as well as, what the appeals volume would be and the impact of the appeals process. Tax Assessor Alexander said staff was very knowledgeable and experienced and would be capable of providing the Board with estimates so that the Board would be able to set the tax rate prior to the time that the appeals process was completed.*

Commissioner Clarke asked would that be based to some extent on the decisions made with respect to the first wave of appeals. *Tax Assessor Alexander said yes. He said the appeals process would begin in April 2011. He said staff had experience in working through the appeals process and would be able to project as closely as possible what the valuations would be. He said staff was anticipating that they may see as many as 35,000 informal appeals and 8,000 appeals to the Board of Equalization and Review.*

Tax Assessor Alexander said it was because of the anticipated number of appeals, that staff was seeking legislative authority from the General Assembly to increase the size of the Board of Equalization and Review.

Commissioner James referenced a letter in the Board's agenda from the Committee dated September 8, 2008, which said "the committee has grave concerns, i.e. pending commercial real estate defaults, as they execute and implement their methodology of appraisal and valuation under Section 105-317. Again, the Committee's comments reflect"

Commissioner James said he highlighted that portion of the Committee's letter because of conversations with people regarding revaluation.

Commissioner James referenced past revaluations, which he said were not in "bad" economic times. He said commercial real estate went down and was adjusted and that in order to create

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a revenue neutral rate, taxes went up on homeowners. Commissioner James asked was that a fair statement that when you adjust commercial property down, if you want to keep revenues the same, the residential "burden" was higher.

Tax Assessor Alexander said the purpose of the revaluation was to equalize all properties across the County. Tax Assessor Alexander said that equalization was not tied to the actual tax burden that property owners incur. He said that depends upon the tax rate that gets set following the revaluation.

Tax Assessor Alexander said at this point, it was difficult for him to give the Board any real direct advice regarding how that burden would shift without seeing the final values. He said it may. He said with every revaluation some property values go up, some stay in that median range of equalization, and some go down.

Commissioner James said his past experience with respect to revaluation was that it resulted in the tax burden being shifted from commercial to residential.

Commissioner James said the Board needed to know specifically, what's occurring with commercial and residential properties. He said for example, if commercial drops 30% and residential drops 10%, then there would be a huge shift to residential property tax owners.

Commissioner James said that information was needed because if the Board uses a revenue neutral rate, most residents would have a tax increase. Thus, he thinks it's important to "get out in front of this."

Commissioner James said in past revaluations he received a summary of what the revenue neutral rate was by county commission district; also, the revenue neutral rate if commercial property was not included. He posed the question of how low would the Board have to set the rate, so that 50% or 75% of residential property owners don't have to pay a tax increase.

Commissioner James said these were the types of things the Board needed to know and should receive in order to make a decision when it reaches that point.

Tax Assessor Alexander said a redistribution between residential and commercial could occur but to remember the market today was greater than the market in 2003. He said the last time staff looked at doing a revaluation that difference was 20% or better. He said right now based on staff's analysis, it's somewhere in the neighborhood of 12%. Tax Assessor Alexander said there had been a change and that it had been reflected in what staff had done. Further, staff was very aware of the advice from the Citizen's Revaluation Advisory Committee.

Tax Assessor Alexander noted that the property tax was only one component that determines a revenue neutral rate, which was why the tax assessor doesn't give the Board that information. He said it comes instead from the finance director after looking at all of the other revenues.

Tax Assessor Alexander said he would provide the Board with whatever level of detail it needed.

Commissioner James referenced an e-mail he sent to Tax Assessor Alexander listing the things he would like to receive.

Commissioner Dunlap asked for clarification on the appeals process, which was addressed.

Commissioner Cogdell asked for clarification on how information would be gathered, which was addressed.

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Commissioner Cooksey asked for clarification on the breakdown in property value between the commercial sector and residential sector, which was addressed.

Commissioner Cooksey asked for clarification on the process for conducting revaluation, which was addressed.

Commissioner Leake asked how senior citizens could find out more about this process, especially those that may not have a computer to access information on-line. *Tax Assessor Alexander addressed the communication plan.*

Commissioner Leake said she would like to receive information regarding the Homestead Exemption Act.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to

- 1) Receive report from the Citizens' Revaluation Advisory Committee for the Uniform Schedule of Values and Rules for the 2011 countywide reappraisal.
- 2) Receive the Uniform Schedules of Values, Standards and Rules for 2011 reappraisal; and Uniform Schedules of Values, Standards and Rules for 2011 reappraisal for Use Value.
- 3) Set a public hearing on the Uniform Schedules of Values, Standards and Rules and Schedule and Procedures for Use Value Assessments for 2011 reappraisal for November 3, 2010 and direct the Clerk to publish the notice of public hearing.

MANAGER'S REPORT

(6A1) MECKLENBURG COUNTY VISION 2020

The Board received as information an update on the citizen input process of the visioning project, Mecklenburg County Vision 2020.

County Manager Jones gave the update.

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

Commissioner Leake asked about the 2010 Plan. *County Manager Jones clarified that the current Vision was for 2015 and not 2010.*

Commissioner Leake said she would like to receive a copy of the 2015 Plan and would like to know if those goals have been met.

Planning and Evaluation Director Leslie Johnson said probably within the next 30-45 days, available on-line would be information regarding progress on the scorecard results for the last fiscal year. Director Johnson said the 09 results were available and that she would get that information to Commissioner Leake. Further, that staff was doing the last finalization and due diligence on the performance for 2010 and that for the majority of the County's performance, based on 2009, green lights were achieved. She said there were some discussed at previous public policy workshops that staff may want to revisit targets and measures because they may not be realistic for what's being anticipated over the next five- ten years.

Commissioner Cogdell asked for clarification regarding the three (3) "invitation only"

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community dialogue meetings. He expressed concern for it being by "invitation only."

Enterprise Manager Brian Cox addressed the intent of these particular community meetings and why it was by invitation only.

Commissioner Bentley asked about the distribution of the by "invitation only." *The response was that it was proportionate by the districts.*

No action was taken or required.

(6A2) JOINT CAPITAL MASTER PLANNING CONCEPT

County Manager Jones with respect to joint capital master planning said this idea had come to the attention and interest of IBM. He said on October 31, 2010 there was going to be a team of IBM engineers and other IBM staff who would convene here in Charlotte to work with the County and its business partners, such as the Library, Park and Recreation, Central Piedmont Community College, Charlotte-Mecklenburg Schools, and the City of Charlotte. The purpose was to develop recommendations on how the County and its business partners could do joint capital master planning. County Manager Jones said it was an in-kind grant by IBM, no cost to the County. The project would end mid-to late November of this year. Staff was in the process of finalizing the details with IBM.

CONSENT ITEMS

Motion was made by Commissioner Cogdell, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve the following item(s) with the exception of Items 10, 11, 12, 13, 14, and 15 to be voted upon separately:

(7) APPROVAL OF MINUTES

Approve minutes of Regular meeting held September 8, 2010; Budget/Public Policy meeting held April 13, 2010; Special Meeting held April 26, 2010 and January 26, 2010.

(8) FOREST LAND AGREEMENT

Adopt "Agreement for the Protection, Development, and Improvement of Forest Land in Mecklenburg County."

Agreement recorded in full in Minute Book 45-A, Document # _____.

(9) BUDGET AMENDMENT – GEOSPATIAL INFORMATION SYSTEMS (REVENUE INCREASE)

Recognize and appropriate \$10,000 in deferred revenue from various sponsors for Geospatial Information Systems GIS Day.

Note: Mecklenburg County GIS has organized GIS Day for the past 10 years. GIS Day is an international event principally sponsored by the National Geographic Society, the Association of American Geographers, University Consortium for Geographic Information Science, the United States Geological Survey, the Library of Congress, Sun Microsystems, Hewlett-Packard, and the Environmental Systems Research Institute (ESRI). It is an educational outreach event to schools as well as a venue to train the public on GIS applications and to increase awareness about other

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services offered by GIS. It is fully funded by sponsorships from vendors. Sponsors may make contributions in support of GIS Day at any time. These funds are placed in a deferred revenue account until such time that they are needed for the GIS Day event. The funds cover the cost of education, training, marketing and facility usage. This year's event will be held at Spirit Square on November 17, 2010.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(10) CAPITAL RESERVE REQUEST – PARK AND RECREATION (REVOLUTION GOLF COURSE)

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 approve a capital reserve expenditure of \$70,000 from funds accumulated in the consolidated golf capital reserve account to complete cart path paving at the Revolution Park Golf Course.

Commissioner Leake removed this item from Consent for clarity regarding the funding for this project, which was addressed by County Manager Jones.

(11) CAPITAL RESERVE REQUEST – PARK & RECREATION (FISHING PIER RENOVATION)

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to authorize and appropriate expenditure of \$12,000 from the McDowell Park Capital Reserve account to repair and resurface two existing fishing piers in McDowell Nature Preserve.

Commissioners Leake and Clarke removed this item from Consent for more public awareness.

(12) JCPC FUNDING – GANG RE-ENTRY AND INTERVENTION TEAM

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to recognize, receive, and appropriate a grant award of \$851,977 from the NC Department of Juvenile Justice and Delinquency Prevention to the Mecklenburg County Juvenile Crime Prevention Council (JCPC) for the Gang of One Program.

Commissioners Leake and Clarke removed this item from Consent for more public awareness.

(13) JCPC FUNDING – GREENVILLE CENTER CULINARY ARTS PROGRAM

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell, to defer consideration to recognize, receive, and appropriate a grant award from the NC Department of Juvenile Justice and Delinquency Prevention to the Mecklenburg County Juvenile Crime Prevention Council (JCPC) for the Gang of One Program, until the October 5, 2010 meeting.

Note: This grant is associated with the Gang of One Greenville Center Culinary Arts Program.

Commissioner Clarke said he would like additional information regarding 1) How many persons would be served by this program., 2) Was Park & Recreation in agreement with this., and 3)

Was this the best use of these funds.

Commissioner Leake said she, too, would like to know the number to be served. She noted that culinary science was provided in high school.

Commissioner Leake said she spoke with several judges and others who expressed concern as to whether this was the best use for these funds.

Commissioner Leake said she also wanted to know if the Greenville Center was going to be rebuffed.

General Manager Michelle Lancaster said Park and Recreation was “on board” with this opportunity. Also, the culinary program would serve 100 persons. General Manager Lancaster said they were also planning to add computer technology and screen printing, which would involve more students.

General Manager Lancaster addressed the role of the Juvenile Crime Prevention Council and the application process that took place with respect to this program selection. General Manager Lancaster said it was her understanding that all members of the JCPC voted in support of this, except for one member.

Commissioner Clarke asked who would operate the program. *General Manager Lancaster said The Gang of One, which was managed by Fran Cook, with the Charlotte-Mecklenburg Police Department.*

Commissioner Clarke withdrew his motion after receiving the additional information.

Commissioner Cogdell said he heard from three district court judges who expressed concern that this was not “vetted” in a manner that considered all applications. Commissioner Cogdell said he was asked by the judges, at least two of them, to defer this matter and that the JCPC would revisit this issue. Commissioner Cogdell said he had no idea what all of that would entail.

Commissioner Cogdell said he also heard from judicial officials that only twenty children would be impacted.

Commissioner Cogdell said another concern raised was that a considerable amount of the funds was going to be used to up-fit the kitchen equipment at the Greenville Center.

General Manager Lancaster said she would need better direction in order to take this back to the JCPC. She said to her knowledge they followed the appropriate process. Thus, she’s not sure what they’re being asked to reconsider.

Commissioner Cogdell said he was not suggesting they didn’t follow the appropriate process. He said he was only saying if it was not going to be any harm in deferring this matter, that he was being told the JCPC would revisit that issue next week, if the matter was deferred.

Commissioner Cogdell said his motion was not to direct staff to take anything back to the JCPC. He said it was his understanding there would be others on the JCPC that would bring this matter back up at their meeting.

County Manager Jones said there didn’t appear to be an immediate deadline to accept the grant award. Thus, the matter could be deferred.

Commissioner Leake said she would like to know if they were only going to redesign the kitchen. She also wants to know would anything be done to the basketball courts, meeting rooms, & restrooms. She also wants to know the ages and gender of the children that would be

participating, the program hours, and start up date.

Commissioner Cooksey asked for clarification about the receipt of the grant without having a specific program in mind in advance. *General Manager Lancaster addressed how the grant process worked.*

Commissioner Cooksey said he would like to know the timeframe for the program and what would the participants have, in terms of job skills at the end of the program. What would be their eligibility or possibility of obtaining gainful employment.

Commissioner Murrey said he heard concerns from residents in the Greenville community about the closing of their recreation center and the impact of that on the youth in that area. He asked would this grant allow the recreation center to stay open or was it only for the use of the kitchen.

General Manager Lancaster said they would be offering some sports programs. Also, it was her understanding of the application, that they wanted to open in this location because of the need in the area.

Commissioner Cogdell, per comments made by Commissioners Cooksey and Murrey, said the impact this could have on keeping the center open and programming the center was “important and critical” information to consider, even if the recommendation was changed from the JCPC.

Commissioner Leake asked was the JCPC recommending the center be reopened and revitalized or was it just to provide a site for this program. *General Manager Lancaster said it would a culinary center that also offered sports activities and computer technology and screen printing.*

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

Commissioner Leake said she wanted to know what would happen to the facility at the end of the program.

Motion was made by Commissioner Cogdell, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, and Roberts voting yes, to defer consideration to recognize, receive, and appropriate a grant award from the NC Department of Juvenile Justice and Delinquency Prevention to the Mecklenburg County Juvenile Crime Prevention Council (JCPC) for the Gang of One Program, until the Board’s October 5, 2010 meeting.

Commissioners Leake and Clarke removed this item from Consent for more clarity.

Commissioner Murrey returned to the dais.

(14) ADMINISTRATIVE WAIVER – ROOM OCCUPANCY AND PREPARED FOOD & BEVERAGE TAXES

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey, and Roberts voting yes, to reaffirm the Room Occupancy and Prepared Food & Beverage Tax Ordinances to maintain current administrative waivers for these taxes.

Note: The Board requested that a study be completed and a recommendation made to answer two questions regarding the administration of the Room Occupancy and Prepared Food & Beverage taxes.

Commissioner Clarke removed this item from Consent to note that recommendations were

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forthcoming from the Board's Effective and Efficient Government Committee regarding the placement of certain items on the Board's agenda. He noted that this agenda item (#14) and the next (#15) were not dealt with at the last meeting because by the time the Board reached these matters a quorum was not present.

(15) BUY AMERICAN POLICY

Motion was made by Commissioner Clarke, seconded by Commissioner Murrey and carried 5-4 with Commissioners Clarke, Cogdell, Dunlap, Murrey, and Roberts voting yes and Commissioner Bentley, Cooksey, James, and Leake, voting no, to reaffirm the current policy and practice of giving preference in purchasing American-made supplies except when such preference would cost more than the lowest responsible bidder or when the quality of the supplies does not meet desired specifications.

Note: The Board's current Buy American Policy is as follows:

The Board of County Commissioners, the Director of Purchasing, and all County employees involved in making purchasing decisions for Mecklenburg County shall, in the purchase of or in contracting for goods, supplies, material or equipment give preference as far as may be practicable to such products manufactured or produced in the United States of America. Provided, however, that in giving such preference, no sacrifice or loss in price or quality shall be permitted; and provided further, that no preference shall be given to products manufactured or produced in the United States if giving such preference would violate any trade treaty which the United States is a signatory.

This policy was adopted on December 2, 1985.

Note: Prior to the above vote, Commissioners James and Cooksey noted their opposition to the current policy. They said their preference was option three which was: Revise policy to require that Requests for Proposal (RFPs) and other formal bidding processes include product specifications only for American-made supplies, based on the federal government's (Buy American Act) definition. This would result in receiving bids only from vendors that provide American-made supplies.

STAFF REPORTS AND REQUESTS

(16) CRIMINAL JUSTICE ACTIVITIES UPDATE

General Manager Michelle Lancaster gave an update on the County's Criminal Justice activities.

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

Comments

Chairman Roberts commented on the downward trend in the jail population. Chairman Roberts said she would like to know the impact of drug treatment court and mental health treatment court on the jail population. *General Manager Lancaster addressed this.*

Commissioner Murrey commented on jail expansion. He asked was it being taken off the table for financial reasons and because of the declining numbers in the jail population. *General Manager Lancaster said it was primarily financial and the second was because of the numbers.*

Commissioner Cooksey asked about the bail policy re-engineering and the pre-trial structuring

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and the affect of these changes on the population of violent offenders that go back out into the community. He asked was the intent of this to identify the higher risk defendants and put more stringent bond requirements on them and allow misdemeanor defendants to get out, so they don't have to serve time in jail and get out of the jail population. *General Manager Lancaster said that was correct.*

Commissioner Cooksey asked General Manager Lancaster to address whether people that were out on bond, committing violent crimes and was that type of data being tracked; also, was the new bond policy effective in keeping the people who need to be in jail, "in jail."

Criminal Justice Planning Manager Tom Eberly said the bail policy had only been in effect for two months. He said right now they were tracking misdemeanor cases, which was why there's not a lot of information in the report regarding felony cases. Mr. Eberly said going forward all of the data would be analyzed to obtain information regarding the recidivism rate and re-arrest rate for those cases.

Commissioner Cooksey asked for clarification on how the bond policy had changed. *Mr. Eberly said now there was a greater emphasis on making sure that folks with higher risks remain in jail or be given a significant bond and those with low risks use alternative measures to jail.*

Commissioner Cooksey asked what tool(s) was being used to determine high risk versus low risk. *Mr. Eberly said a risk assessment tool that contained eight factors considered highly predictive of risks, developed by a consultant that was brought in. Mr. Eberly said after the risk assessment was completed that information was then shared with the courts to assist them in determining the bond.*

Commissioner Cooksey said going forward, he would be interested in knowing whether or not we're being successful in getting these defendants to show back up in court. He asked was that information being tracked. *The response was yes.*

Commissioner Cooksey asked how do veterans get involved with the veterans court operation recovery process, the selection process. *General Manager Lancaster said she believed they self-identify. Also, they would be using the Mental Health court as a model because it's believed there were many similarities between how Mental Health Court and Veterans Court would operate.*

Commissioner Clarke asked General Manager Lancaster to address the history of how the County got to this point of having this type of report and why, starting with the formation of the Criminal Justice Advisory Group, which she did.

Commissioner Clarke asked was staff moving forward with renovations to the Arrest Processing Center. *General Manager Lancaster said yes and that pay-go capital funding would be used for that project. General Manager Lancaster said the project would probably begin the beginning of next calendar year.*

Commissioner Dunlap asked for an update on where the County was in implementing the other policies that would impact the jail population. *General Manager Lancaster addressed this.*

Commissioner Dunlap commented on the new bond policy. Commissioner Dunlap said he wanted to be sure the public understood that even with the new bond policy, there were still other bonding methods available to persons to get out of jail. He said a person could hire a bail bondsman, put up property, or pay a cash bond.

Commissioner Murrey left the meeting and was absent for the remainder of the meeting.

Commissioner Leake asked was the community safer because there were less people in jail.

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General Manager Lancaster addressed this and said according to Charlotte-Mecklenburg Police Department data, crime rates were down significantly over all areas and have been consistently for the past year.

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

General Manager Lancaster was thanked for her work in this area.

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

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

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 Leake, seconded by Commissioner Cooksey and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:59 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman