

DECEMBER 6, 2010

MINUTES OF MECKLENBURG BOARD OF COUNTY COMMISSIONERS  
NORTH CAROLINA  
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Monday, December 6, 2010.

**ATTENDANCE**

**Present:** Chairman Jennifer Roberts and Commissioners  
Karen Bentley, Dumont Clarke, Harold Cogdell, Jr.  
Neil Cooksey, George Dunlap, Bill James  
Wilma Leake and Jim Pendergraph  
County Manager Harry L. Jones, Sr.  
Deputy County Attorney Tyrone Wade  
Clerk to the Board Janice S. Paige

**Absent:** None

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**CALL TO ORDER - SWEARING-IN CEREMONY**

County Manager Harry L. Jones, Sr. called the Swearing-In Ceremony for the 2010-2012 Mecklenburg Board of County Commissioners to order.

County Manager Jones presided until the election of a temporary chairman.

**INVOCATION**

Rabbi Judith Schindler, Senior Rabbi, Temple Beth-El gave the Invocation.

**PRESENTATION OF COLORS**

The Mecklenburg County Sheriff's Office Color Guard conducted the presentation of colors, which was followed by the Pledge of Allegiance to the Flag.

**OATHS OF OFFICE, BOARD OF COUNTY COMMISSIONERS**

The Oaths of Office were administered by the Honorable Rickyi McKoy-Mitchell, District Court Judge, 26<sup>th</sup> Judicial District, State of North Carolina, to the following persons who were elected to the Mecklenburg Board of County Commissioners in the general election held November 2, 2010 for a two-year term expiring Monday, December 3, 2012:

***Jennifer Roberts, At-Large***  
***Jim Pendergraph, At-Large***  
***Harold Cogdell, Jr., At-Large***  
***Karen Bentley, District 1***  
***Vilma Leake, District 2***  
***George Dunlap, District 3***  
***Dumont Clarke, District 4***  
***Neil Cooksey, District 5***  
***Bill James, District 6***

*Copies of the Oaths are on file with the Clerk to the Board.*

**ELECTION OF TEMPORARY CHAIRMAN**

County Manager Jones called for nominations for the election of a Temporary Chairman.

Motion was made by Commissioner Roberts, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to nominate Commissioner Dumont Clarke for appointment as Temporary Chairman and to close nominations.

Motion was made by Commissioner Roberts seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to elect Commissioner Dumont Clarke, Temporary Chairman of the Mecklenburg Board of County Commissioners.

**County Manager Jones turned the meeting over to Commissioner Clarke.**

**ELECTION OF CHAIRMAN**

Acting Chairman Clarke called for nominations for the election of officers to the Mecklenburg Board of County Commissioners.

Motion was made by Commissioner Leake, seconded by Commissioner Roberts and failed 5-4 with Commissioners Bentley, Cogdell, Cooksey, James, and Pendergraph and voting no and Commissioners Clarke, Dunlap, Leake, and Roberts voting yes, to elect Commissioner Jennifer Roberts Chairman of the Mecklenburg Board of County Commissioners and Commissioner Harold Cogdell, Jr. Vice Chairman of the Mecklenburg Board of County Commissioners for a one-year term expiring December 6, 2011.

Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey, to elect Commissioner Harold Cogdell, Jr. Chairman of the Mecklenburg County Board of Commissioners and Commissioner Jim Pendergraph Vice Chairman of the Mecklenburg Board of County Commissioners for a one-year term expiring December 6, 2011.

Commissioner Leake asked that the motion be separated and each position voted on separately.

Commissioner Bentley said she was not opposed to voting on the positions separately. Thus,

Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey, to elect Commissioner Harold Cogdell, Jr. Chairman of the Mecklenburg Board of County Commissioners for a one-year term expiring December 6, 2011.

Commissioner Bentley addressed her nomination of Commissioner Cogdell. Commissioner Bentley said "having a leader with the ability to engage the Board in a bi-partisan manner will be extremely important." Commissioner Bentley said she felt Commissioner Cogdell would do that and would identify the individual talents of each member of the Board and based on those talents, and "not party affiliation," would make committee leadership assignments. She also addressed Commissioner Cogdell's credentials.

Commissioner Dunlap spoke in opposition to motion. Commissioner Dunlap said he did not question Commissioner Cogdell's ability to lead but that he has learned that "leadership is more than what you get from a book, more than your educational attainment."

Commissioner Dunlap said there was a difference between "leadership and leverage." He said

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“leverage is having the ability with your vote to make things happen because you control the vote.” He said “leadership is the art of working and compromising and talking to people to convince them that what you want to do is the right thing.”

Commissioner Dunlap said he did not think this Board had been “void of leadership.”

Commissioner Dunlap said he was troubled by how this was being done. Commissioner Dunlap said he asked himself under what circumstances could Commissioner Cogdell “legitimately” be made chairman and came up with the following: 1) If he was the top vote getter and based on protocol, Commissioner Cogdell would be chairman. 2) If he denounced the Democratic Party tonight and state that he was a Republican. Commissioner Dunlap said then the vote would be 5-4, five republicans and four democrats.

Commissioner Dunlap further stated, if that was so, under what set of circumstances would Commissioner Cogdell still be chairman, because he would still be the second highest vote getter. Commissioner Dunlap said under those circumstances, Commissioner Pendergraph would be the highest vote getter and entitled to the chairmanship. Commissioner Dunlap said “so under what set of circumstances does the third place vote getter becomes the chairman.”

Commissioner Dunlap said if Commissioner Cogdell was willing to denounce the Democratic Party and “declare that he is a republican” then he would vote for him to be chairman.

Commissioner Roberts said she appreciated the words that Commissioner Bentley spoke and that she agrees Commissioner Cogdell has been a “great” vice-chairman and “friend.” Commissioner Roberts said she supported Commissioner Cogdell in his campaigns and that she had placed him on strategic committees.

Commissioner Roberts said she appreciated Commissioner Cogdell’s interest in guiding this “great county.” Chairman Roberts said what she was surprised by, however, was that colleagues she had worked with for two years and some longer, that no one had approached her with concerns regarding her past leadership.

Commissioner Roberts said she would be happy to talk about what her leadership might be lacking and would be happy to work to be better. Commissioner Roberts said going forward, Board members need to have that ability to talk to each other as “adults.” Commissioner Roberts said the community expected that.

Commissioner Roberts said she was also concerned about this “attempt” to 1) go against “tradition,” and 2) go against the “will of the voters.” Commissioner Roberts said there was a 6,000 vote difference.

Commissioner Roberts said the most important thing was to try and find a way forward in a difficult situation.

Commissioner Roberts said she was willing to vote for Commissioner Cogdell as chairman, if, another democrat was vice-chairman and that she would be happy to serve in the vice-chairman role.

Commissioner Roberts said it was not about her; that it was about having a policy to guide this county that was going to take care of the “least” of them and it would look through this difficult budget cycle with the values of fairness, inclusion, equality, and justice. Commissioner Roberts said in addition, it was about what the community needs, to move us forward and the will of the voters in electing a democratic majority.

Commissioner Cogdell said he didn’t think anyone would see anywhere publicly, comments from him about anything surrounding the leadership roles on this board for the next term.

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Commissioner Cogdell said within the last 72 hours, he'd been disappointed because of allegations that have been made about some "dealing" that "supposedly" occurred.

Commissioner Cogdell said he wanted to make a "clear representation to the people of the community that, "that did not occur."

Commissioner Cogdell said "what did occur was his unwillingness to immediately commit to the support of our past chairman, that he has found to be a very strong political ally, that he has been able to work with; resulted in communication from republican members of the Board, which he also found to add value and brings a different perspective to the conversation." Commissioner Cogdell said the republican members of the board offered him the opportunity to serve as chairman and said they would "back him."

Commissioner Cogdell said he was glad Commissioner Leake asked that the motion be separated because he planned to vote for Commissioner Jim Pendergraph as vice-chairman.

Commissioner Cogdell said he also planned to make a motion for the Board to consider Commissioner Roberts for chairman.

Commissioner Cogdell said it appeared that he was the swing vote on this because everything comes down to "partisan politics," which was the "point he was trying to make in this whole example."

Commissioner Cogdell said he was "tired of partisan politics," because "what has happened is that people aren't talking anymore." Commissioner Cogdell said people see things "through the lens of their political party." Commissioner Cogdell said no political party had a "monopoly" on good decisions. Commissioner Cogdell said good decisions have come from both parties given the set of facts and circumstances.

Commissioner Cogdell said if having leadership with a democrat as chair and a republican as vice-chairman, resulted in his stepping down as vice-chairman, that he was okay with that.

Commissioner Cogdell said it was never about him being chairman or him supporting or not supporting someone. He said it's been about "a message" that as a nation, "we're falling behind and in a big way." He said "we're falling behind" because we allow those vocal few within parties to "control" everything we do because we feel so "beholding" to that vocal few that are "so angry that they can't see something from a different perspective."

Commissioner Cogdell said he was telling the Board and others in elected office that "we need to wake up." Commissioner Cogdell said "we are missing an opportunity to move this nation, this state and this community ahead when everything comes down to a partisan vote and we don't talk and we don't work together."

Commissioner Cogdell concluded by saying he did not plan on voting for himself to be chairman, which was the motion on the floor.

Commissioner Bentley thanked Commissioner Cogdell for his comments. Commissioner Bentley said the "story behind the story" was that she approached Commissioner Roberts several weeks ago about supporting Commissioner Pendergraph as vice-chairman and that Commissioner Roberts "dismissed it out of hand." Commissioner Bentley said Commissioner Pendergraph had an "extremely" powerful showing" on November 2, 2010.

Commissioner Bentley said she felt the community wanted bi-partisan leadership and for the Board to work effectively together. Commissioner Bentley said bi-partisanship was needed going forward. Commissioner Bentley said if Commissioner Pendergraph had not had such a strong

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showing, then she may not have approached Commissioner Roberts.

Commissioner Bentley said she felt Commissioner Pendergraph brought a tremendous amount of leadership experience to the Board, that the Board could really leverage.

Commissioner Bentley said she would withdraw her motion and support Commissioner Roberts as chairman, whom she respects, but her goal was to have bi-partisan leadership and if that can be accomplished, then she'll be very pleased.

Commissioner Leake said it "grieves" her to see that people are "used" in the process of trying to make a statement. Commissioner Leake said "we will not change Washington and we probably won't change Mecklenburg County" because "people are political."

Commissioner Leake said "everything we do is political." She said "the decision being made tonight was political and that we belonged to "political parties."

Commissioner Leake said she was concerned that statements have been made and that if there were any problems, why wasn't the chairman contacted.

*Note: The above is not inclusive of every comment.*

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts, voting yes, to elect Commissioner Jennifer Roberts as Chairman of the Mecklenburg Board of County Commissioners for a one-year term expiring December 6, 2011.

*Note: The chairman serves for one-year and at the end of that first year, the election of a chairman for the remaining year of the two-year term of office is considered again by the Board.*

**Commissioner Clarke turned the meeting over to Chairman Roberts.**

Chairman Roberts thanked the Board for its support.

**ELECTION OF VICE-CHAIRMAN**

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts, voting yes, to elect Commissioner Jim Pendergraph as Vice-Chairman of the Mecklenburg Board of County Commissioners for a one-year term expiring December 6, 2011.

*Note: The vice-chairman serves for one-year and at the end of that first year, the election of a vice-chairman for the remaining year of the two-year term of office is considered again by the Board.*

**REMARKS**

Commissioners made remarks in the following order:

- Karen Bentley, District 1
- George Dunlap, District 3
- Dumont Clarke, District 4
- Harold Cogdell, Jr., At-Large
- Jim Pendergraph, At-Large
- Vilma Leake, District 2
- Neil Cooksey, District 5
- Bill James, District 6
- Jennifer Roberts, At-Large

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**ADJOURNMENT**

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and unanimously carried, with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:47 p.m.

*Note: A reception followed in the Lobby of the Charlotte-Mecklenburg Government Center.*

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Janice S. Paige, Clerk

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Jennifer Roberts, Chairman