

FEBRUARY 1, 2011

**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, February 1, 2011.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners
Karen Bentley, Dumont Clarke, Harold Cogdell, Jr.
George Dunlap, Bill James, Vilma Leake
and Jim Pendergraph
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) 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 and 12.

(2) STAFF BRIEFINGS - NONE

(3A) CLOSED SESSION – CONSULT WITH ATTORNEY

There was no Consult with Attorney matters to be discussed in Closed Session.

-FORMAL SESSION-

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

CITIZEN PARTICIPATION

(1) AWARDS/RECOGNITION – NONE

Douglas Edwards
Christopher Hardin
Carlos Johnson
Jose Ramirez
Shawn Rogers
William Smith

Chairman Roberts announced the appointment of William Harrison to the Waste Management Advisory Board to fill an unexpired term expiring April 15, 2011.

Note: He is replacing Gary Bies.

(3B) WASTE MANAGEMENT ADVISORY BOARD – CITY OF CHARLOTTE SLOT

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to appoint Mark Joyce to the Waste Management Advisory Board as recommended by the Charlotte City Council for a three year term expiring February 1, 2014.

He is replacing Brett Rhinehardt.

(4) PUBLIC HEARINGS – NONE

(5) ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

(6A) IBM RECOMMENDATIONS -- JOINT CAPITAL MASTER PLANNING

The Board received a report and recommendations from IBM regarding Joint Capital Master Planning.

Note: Operating under a grant from IBM to Mecklenburg County, a team of five IBM executives worked full-time between November 1 – 19, 2010 to analyze the issue of integrating capital master planning in Mecklenburg County and recommend a course of action. The joint capital master planning process IMB proposed would analyze potential capital project investments within the framework of how these investments improve the quality of life in neighborhoods, and prioritize those projects based on the quantified ability of each project to increase property values in those neighborhoods.

David Edwards with IBM gave the report.

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

Commissioner Clarke asked that the Board keep in mind, the next step in the process may involve obtaining consultants to help with the implementation process.

County Manager Jones said the immediate next step in the process would be concluding discussions with the towns and the City of Charlotte regarding their level of interest in this. He said staff would report back with a resolution for Board consideration approving this process

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for joint capital master planning. The Board would subsequently ask the towns and City of Charlotte to adopt a resolution as well.

General Manager Bobbie Shields addressed the timeframe involved. He said staff would report back to the Board with a resolution either March or April.

Chairman Roberts and County Manager Jones thanked IBM officials for their work.

(6B) BUDGET UPDATE

The Board received a budget update and other information on the condition of and outlook for the community from Budget/Management Director Hyong Yi.

Director Yi addressed the Board's recent Strategic Planning Conference and Community Engagement.

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

Commissioner Leake requested a list of mandated and non-mandated services provided by the County.

Commissioner Clarke asked about the County's FY2011 Status and the statement that said no mid-year reductions anticipated at this time. He also asked about sales tax collection numbers which was addressed.

Commissioner Clarke asked what was the basis for stating no mid-year reductions anticipated at this time. *Director Yi said it was because of where the budget was set this year versus last year with respect to sales tax estimates. Director Yi said when you compare the projected budget for sales taxes with the actual collection, the County was a "little bit" ahead in terms of collection. Director Yi said last year this time the County was behind in its sales tax collection based on the projected sales taxes budget for that time.*

Commissioner Clarke asked was the sales taxes budget for this year the same as last year. *The response was no, it's less.*

Commissioner Dunlap said he agreed with the statement in the presentation that retaining top employees is tied to pay and benefits.

Commissioner Dunlap asked to what degree did technology replace employees as oppose to just reducing staff. *Director Yi said he would have to research that.*

Commissioner Leake asked in light of reductions in staff over the years, what impact has that had on the delivery of services. *Director Yi said this was something staff plans to address in future updates.*

Commissioner Leake said she would like to see the work distribution of each General Manager, who's responsible for what.

STAFF REPORTS AND REQUESTS

(7A) REVALUATION UPDATE

The Board received a report from the Tax Assessor, Garrett Alexander regarding residential property valuation and the next steps in the reappraisal process. He was assisted by David

Vance of his staff.

Note: The octennial revaluation effective January 1, 2011 requires the notification of valuation for all real property in Mecklenburg County. Notices of value for residential value are expected to be mailed February 4, 2011.

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

Commissioner James asked for clarification regarding market valuation shifts which was addressed.

Commissioner James asked when staff reports back with updated numbers that they keep the numbers shown in the presentation and drop in what the final median number is.

Commissioner James inquired about appealing on-line, which was addressed. It was noted that a signed appeal request is required.

Commissioner James said once the commercial information is known, what he's interested in seeing is the impact of tax increases and revenue neutral, for example, if you paid "x" tax rate, whatever revenue neutral is, how many people have their taxes go up, if you pick the next rate up by a penny, two pennies, etc. Commissioner James said he'd like the information broken down by regions or districts.

Commissioner Bentley asked for a review of the appeals process, which was explained.

Commissioner Bentley asked how staff viewed properties whose use may have changed since the last revaluation, for example, property that may have been designated as farmland, which was addressed.

Commissioner Pendergraph, along with other Commissioners, thanked Director Garrett and his staff for the fine job they did at explaining the revaluation process at community meetings throughout the county.

Commissioner Clarke asked about the appeals process and property owners that may have gone through refinancing, which was addressed.

Commissioner Leake asked about the Homestead Act, which was addressed.

(7B) 2011 PRETRIAL SERVICES ELIGIBILITY POLICY

Tom Eberly, Criminal Justice Planning Manager addressed the proposed 2011 Pretrial Services Eligibility Policy.

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

Motion was made by Commissioner Cogdell, seconded by Commissioner Pendergraph and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, to rescind Board Action of January 12, 2001 that authorized the Court Services Pretrial Release Policy and approve the 2011 Pretrial Services Eligibility Policy as recommended by the Pretrial Services Eligibility Committee, Criminal Justice Advisory Group, and BOCC Criminal Justice Committee.

(Note: Court Services Pretrial Release is now called Pretrial Services.)

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

Commissioner James returned to the dais.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(8A) GRANT FUNDING FOR CMS

Commissioner Leake addressed grant funding for Charlotte Mecklenburg Schools as it relates to the Pre-K program.

Background: Educators, pediatricians, and child development specialists understand the value of pre-school, literacy based instruction, especially for children in underserved communities with few resources in the home. The Board of Education (BOE) is considering cutting more than half of the pre-school classrooms from the current CMS offerings. Many of those children who would lose this instruction reside in neighborhoods that have already been hit hard by school, library, and recreation center closings. The County sees the results of children who arrive at kindergarten with no knowledge of numbers or letters; they struggle to catch up, require teachers to spend extra time, and take an unusual amount of time adjusting to the discipline of a classroom setting. Too frequently they become the students who drop out of school early and end up in our criminal justice system. CMS K-3 classrooms are slated to lose teacher assistants all together in the coming budget cuts, which will make it harder for teachers to work with those students who are unprepared. This could lead to a downward spiral in academic achievement for many K-3 classrooms and beyond.

The BOE is scheduled to vote on whether to cut \$10 million for pre-school classrooms on February 8. The BOCC understands that the BOE is responsible for prioritizing education spending and setting education policy, and may not be willing to accept funding with strings attached. This type of directed funding may be difficult to contract legally, and it may be the process is too cumbersome to enact. But in the event that CMS is mutually agreeable, and the documentation possible, the BOCC would offer to support the pre-K program, knowing its importance to young children who are innocent victims of scarce resources and difficult environments, in some of the most underserved communities in our county (many in District 2). This funding would be in addition to whatever amount the BOCC votes to give CMS for operational funding later during the June budget discussions.

Chairman Roberts briefed the Board on a meeting that she and Vice-Chairman Pendergraph had with the Chairman and Vice-Chairman of the Board of Education (BOE), along with the Superintendent with respect to this matter.

Chairman Roberts said CMS officials shared their prioritization of \$100 million dollars of cuts they anticipate having to make because of what's happening at the state level and with federal stimulus funding going away. Also, they're assuming flat County funding.

Chairman Roberts said they were pleased that the Board would consider funding more education and look forward to more discussion.

Chairman Roberts said CMS officials said if they had to add back to their budget the priority would be to 1) decrease class size, 2) change weighted student staffing, 3) restore one support position in each school, 4) add teacher assistants, and 5) restore Bright Beginnings pre-k program.

Vice-Chairman Pendergraph said the BOE was very supportive of the Bright Beginnings program. He said the four priorities that come before Bright Beginnings will help with overall student achievement as well.

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Commissioner Clarke asked had the Board of Education as a whole voted on the priority list that was shared. *The response was no.*

Commissioner Clarke suggested the Board defer this matter until it knows where the BOE stands with respect to their list of priorities.

Commissioner Leake was agreeable to his suggestion.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 7-1 with Commissioners Bentley, Clarke, Dunlap, James, Leake, Pendergraph and Roberts voting yes and Commissioner Cogdell voting no, to defer until the first meeting in April, (April 5, 2011) consideration of instructing the County Manager to explore an agreement with Charlotte-Mecklenburg Schools (CMS) that would be a County grant of \$10 million that would be used to fund pre-school programs for underserved children in Mecklenburg County. This directed funding from the Board of Commissioners (BOCC) would be in addition to the operational funding to be voted on later as part of the County's annual budget.

Prior to the above vote, the following persons spoke in support of early childhood education and CMS' Bright Beginnings program: Janet Singerman with Child Care Resources, Brett Loftis with Council for Children, Rich Lambert, professor at UNC-Charlotte, Cherisse Boyce Hollingsworth (parent).

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

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, to approve the following item(s):

(9) APPROVAL OF MINUTES

Approve minutes of Regular meeting held January 19, 2011 and Closed Session held January 19, 2011.

(11) CAPITAL RESERVE REQUEST - WATERFRONT AREA REPLACEMENTS, MCDOWELL NATURE PRESERVE – PARK AND RECREATION

Authorize and appropriate expenditure of \$57,850 from the Park & Recreation McDowell Capital Reserve account for waterfront area replacements at the McDowell Nature Preserve.

(13) GOVERNMENT DISTRICT PARKING DECK – RETAIL TENANT LEASE

1) Adopt a resolution entitled "Mecklenburg County Board of Commissioners Resolution Authorizing Lease of Property to Sea Glass Holdings, a Quiznos Sub Franchisee."

2) Recognize and appropriate \$98,024 from the Government District Parking fees account to cover costs associated with leasing retail portions of the parking deck.

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

(14) SELECTION OF CRIMINAL JUSTICE DATA WAREHOUSE VENDOR

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Approve the selection of Data First Technologies for the development and implementation of a criminal justice data warehouse.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(10) PROJECT SAFE NEIGHBORHOODS GRANT APPLICATION – COMMUNITY SUPPORT SERVICE DEPARTMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, to

1) Approve submission of a grant application in the amount of \$33,501 for the Project SAFE Neighborhoods – Community Outreach & Media Engagement Project to the Governor’s Crime Commission, serving as fiscal agent for the U.S. Department of Justice.

2) Upon award of grant, recognize, receive, and appropriate the grant award.

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

Note: The Project SAFE Neighborhoods (PSN) grant managed by Community Support Services Department (CSS) staff provides funding for Media Outreach and Community Engagement to educate residents about gun violence and reduce gun violence in the community.

(12) ENGINEER SELECTION – AQUATIC CENTER HVAC REPLACEMENT – PARK AND RECREATION

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, to authorize the County Manager to negotiate a fee and execute a contract with Teeter Engineering for engineering services for the Aquatic Center HVAC Replacement.

Commissioner Leake removed this item from Consent for clarification regarding the selection process which was addressed by Attorney Bethune.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:30 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman