

SEPTEMBER 7, 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 Wednesday, September 7, 2011.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr. Neil Cooksey, George Dunlap, 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 Bill James

-INFORMAL SESSION-

Commissioner Dunlap was 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.

(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 14, 15, 16, 17, 24, 26, 27, and 31.

(2) STAFF BRIEFINGS - NONE

(3) CLOSED SESSION – CONSULT WITH ATTORNEY

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney matters to be discussed in Closed Session:

- Charlotte-Mecklenburg Hospital Authority vs. Mecklenburg County
- Dewey Ted Jones vs. Mecklenburg County.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Leake, Pendergraph and Roberts voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:25 p.m. and came back into Open Session at 5:59 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

AWARDS/RECOGNITION

(1A) RECOGNITION OF LOCAL AAU BASKETBALL CHAMPIONS NC SPARTANS

The Board recognized the North Carolina Spartans 6th Grade Basketball Team for winning the 2011 AAU Nationals Classic Championship.

Coach	Andrea M. Stinson
Assistant Coach	Patricia Walker Caldwell
Volunteer	Jeanette Maye Allen
Volunteer	Christopher Lemarce Wattie

Team members: Janelle Bailey, Zharia Brown, Maya Caldwell, Tanaeschia Dorsey, Kianna Funderburk, Holland Laxton, Yordandanos Muhammad, Gerlea Patton, Abby Setzer, Erin Thames, Nyana Wattie, and Porshea Wilfong.

(2) PUBLIC APPEARANCE

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

(3A) APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

The following persons were nominated at the August 2, 2011 meeting for appointment consideration to the Alcoholic Beverage Control Board: Colvin Edwards, James Ross, John Rumball, Lloyd Scher, Elton Shoemaker, Cornelius Smith, and Jennifer Stanton.

Commissioner Bentley, on behalf of the Board's Ad Hoc Appointment Committee, presented the Committee's recommendation for appointment to the Alcoholic Beverage Control Board, Mr. James Ross.

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to appoint James Ross to the Alcoholic Beverage Control Board to fill an unexpired term expiring June 30, 2013.

He replaces Harry Lomax.

LIBRARY BOARD OF TRUSTEES

SEPTEMBER 7, 2011

The following person was nominated at the August 2, 2011 meeting for appointment to the Library Board of Trustees: Gloria Kelley.

Commissioner Bentley, on behalf of the Board's Ad Hoc Appointment Committee, presented the Committee's recommendation for appointment to the Alcoholic Beverage Control Board, Ms. Gloria Kelley.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to appoint Gloria Kelley to the Library Board of Trustees to fill an unexpired term expiring December 31, 2012.

She replaces Tami Simmons.

WASTE MANAGEMENT ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Waste Management Advisory Board:

William Smith Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake,
Pendergraph and Roberts

Voting Ceased

Joe Howarth
Carlos Johnson
Shawn Rogers

Chairman Roberts announced the appointment of William Smith to the Waste Management Advisory Board to fill an unexpired term expiring February 28, 2012.

He replaces Christopher Hardin.

Note: Commissioner Leake asked the Clerk to provide all members of the Board with a copy of the motion approving the interview process for certain boards, as a reminder.

(4) PUBLIC HEARINGS – NONE

(5) ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

(6A) PUBLIC LIBRARY REPORT

The Board received a verbal report from Charlotte-Mecklenburg Public Library CEO Vick Phillips.

Mr. Phillips updated the Board on the progress in implementing the Library Task Force recommendations approved by the Board, the operations of branch and regional libraries, and the Summer Reading Program.

Mr. Phillips said he and County Manager Jones would be convening another group of citizens in October to begin looking at the Main Library, to see what functions were going on there and if there's a better way to do them or better place.

SEPTEMBER 7, 2011

He summarized by saying there were 39 Task Force recommendations, 35 of them were already accomplished or were underway and the others were items that have a timeline that can't be started until the first 35 are done.

Comments

Commissioner Cooksey said the two biggest issues facing the Library in his opinion were: 1) How to deal with the electronic revolution going on in the country and e-books and the impact that's having and/or may have on libraries going forward. 2) What should be done with the Main Library downtown. Commissioner Cooksey said it's been a great asset in the past, but the question was whether it makes sense to have that many of the resources of the Library tied up into one large facility downtown.

Mr. Phillips said that was one of the things the forthcoming committee would be looking at. Also, with respect to the technology piece, the Library recognizes that issue and plans to discuss that as well.

Commissioner Clarke suggested the continuation of the subcommittee that consisted of three commissioners and three members of the board of trustees. Commissioner Clarke said he felt that worked well and provided an opportunity for commissioners and trustees to meet.

Chairman Roberts thanked Mr. Phillips for the update.

(6B) REVALUATION UPDATE

The Board received an update on Mecklenburg County's revaluation process from Tax Assessor Garrett Alexander, Chuck Hicks with the Tax Office, and from David Baker, director of the N.C. Department of Revenue (NCDOR) Property Tax Section.

Mr. Baker addressed Mecklenburg County's revaluation sales ratio, which was reviewed by the NCDOR Property Tax Section and the County's revaluation compared to other NC counties, as well as, to best practice standards.

Tax Assessor Garrett Alexander addressed the appeals process and schedule. He also gave an overview of additional technology tools being used by the Tax Assessor's Office that enhance and advance the capabilities of the revaluation process.

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

J. R. Collins addressed property he owned and felt was not appraised properly.

Chairman Roberts informed Mr. Collins that there was a process in place, if he wished to appeal.

Comments

Commissioner Dunlap asked what information could a taxpayer provide to the Tax Assessor's Office when desiring an appeal. He noted how someone hired a realtor to do a market analysis and when that information was presented to the Tax Assessor's Office, the request to lower their tax value was denied. *Tax Assessor Garrett said a market analysis does not always include the fair market value sales that were established during that year. He said they might include foreclosures, bank sales, or short sales, things of that nature.*

SEPTEMBER 7, 2011

Tax Assessor Garrett said the County was regulated by statute and staff has to reflect what the “arms length transactions” were in that period of time. Staff then has to estimate the value using appraisal techniques. Tax Assessor Garrett said a market analysis was not an appraisal of real property.

Commissioner Dunlap said he understood but there needed to be a way to explain that to citizens.

Commissioner Dunlap said based on the information received, it was clear that waiting eight years to do revaluation was too long. He asked Tax Assessor Garrett to give his best guess as to what would be a more reasonable period of time.

Tax Assessor Garrett said they’ve been done on two year cycles and six year cycles. Tax Assessor Garrett said he felt the County needed to be in a position to follow things annually and to try and forecast that based on a number of factors, only one of which is the tax assessor’s office role in the process.

Tax Assessor Garrett said it needed to be done so the tax burden remains fair. He said he couldn’t give the Board a specific number of years at this time, in light of the state of the economy.

Commissioner Dunlap said his concern was that over an extended period of time, the County may or may not be able to take advantage of increased values and also over a period of time, property owners tend to pay more value for their property than their property was worth.

Commissioner Dunlap said in order to be fair to everyone, the County needs to have a “best guess” estimate so that a cycle could be set to conduct a reappraisal every two years or every four years.

Commissioner Dunlap said he hoped the Board could have that discussion at some point.

Commissioner Cooksey asked Mr. Baker to address the sales ratio, which he did.

Commissioner Cooksey asked about the number of appeals locally and on the state level, which was addressed.

Commissioner Cooksey asked were there any counties currently on a two year reappraisal cycle. *Mr. Baker said no. He said the majority of counties were on a four year cycle and a few were on a six year cycle. He said there was a county he believed by in the 90’s that tried a two year cycle but they went back to four.*

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley, to schedule the next reappraisal for 2014 and every four years thereafter.

Commissioner Cogdell asked County Attorney Bethune if the motion was consistent with the agenda item being discussed.

County Attorney Bethune said not in his opinion. He said the item could be scheduled for a subsequent meeting and the County Manager could present information about the issue and what the options were by law.

Chairman Roberts said the Board didn’t have enough information at this point to adequately discuss the motion. She said it was something that the Board should discuss at a future meeting.

Commissioner Pendergraph said he agreed with the motion but didn’t feel the Board had

sufficient information at this point.

Commissioner Cooksey said he would be willing to defer his motion and ask that the matter be placed on the next agenda.

Substitute Motion was made by Commissioner Cogdell, seconded by Commissioner Clarke and carried 7-1 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes and Commissioner Cooksey voting no, to direct the County Manager to bring forth a presentation at a Budget/Public Policy meeting about what relevant considerations the Board should take into consideration in changing the timeliness and frequency of any future revaluation processes. Secondly, that this be done within a 90 day time period.

Jim Barnett, chairman of the Board of Equalization and Review gave the Board an update on the process thus far.

Commissioner Bentley asked Mr. Barnett to comment on what type of data should taxpayers present to the Board of Equalization and Review. *Mr. Barnett said they would like to see an appraisal that was done with comps prior to January 1, 2011. Also, if the house was in need of repair, they'd like to see that information. He said anything that's pertinent to their property, even their neighbor's values.*

Tax Assessor Garrett said they also needed to see information within the time period the County had to appraise the property. He said they're looking at sales from about June 2009 through December 2010. He said they need to see fair market value transactions, which is between a willing buyer and willing seller. He said they would also look at photographs of inside of the home.

Chairman Roberts thanked staff and Mr. Baker for the presentation.

(6C) UPDATE ON PURCHASING PROJECT WITH DELOITTE CONSULTING

Finance Director Dena Diorio gave an update on the purchasing project in partnership with Deloitte Consulting for goods and services. The partnership with Deloitte focuses on changes in procurement and contract management. The following are highlights:

- In addition to the initial savings that would accrue this fiscal year, the County would continue to benefit from these savings through annual cost avoidance during the life of these contracts.
- The cumulative cost savings, cost avoidance for taxpayers over the next three to five years will be \$6 - \$10 million.
- Deloitte Consulting would earn approximately \$1 - \$1.2 million.
- In addition to the projected savings, Minority Women and Small Business Enterprise participation was significant across the categories, and therefore the County will be able to maintain and in some cases exceed the targeted percentages of SWMBE vendors.
- The first wave of the project explored more cost-effective service contracts for facilities maintenance, temporary labor and social services transportation.
- Staff will come back at a later meeting to ask the Board for approval of various contracts.

No action was taken or required at this time.

SEPTEMBER 7, 2011

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to take up Item 24 – Foxhole Landfill Phase 2 Cell Construction prior to voting on Item 7a.

(24) FOXHOLE LANDFILL PHASE 2 CELL CONSTRUCTION

Motion was made by Commissioner Cooksey, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to authorize the County Manager to negotiate and execute a contract with Thalle Construction Company, Inc. for the Highway 521 Foxhole Landfill – Phase 2 Construction Project in the amount of \$5,083,057.

Prior to the above vote, Commissioner Cooksey acknowledged he had a working relationship with Thalle Construction Company about three years ago, however, there's no conflict of interest at this time. Commissioner Cooksey asked staff to address why the decision was made to go with a smaller sized landfill and what the cost would be if the Board decided to build out the remaining acreage in five years.

Bruce Gledhill, Solid Waste Director addressed the bidding process and noted at that time staff was not sure how much capacity it would need. Thus, it was done two ways, the larger bid to assure the County had approximately five years capacity at full residential level of 400,000 tons per year, about a 2 million ton cell; the other was a lesser cell if the County was able to get a long term contract with the Speedway, because the County wouldn't need to construct so much. He said the County was successful with negotiating a long term contract with the Speedway, and it was recognized that the County didn't need the capacity in the short term, that the smaller phase two that's being proposed would last the County through the eight year term of the Speedway contract and two years beyond, if the County was to start taking full capacity of all of the County's residential waste.

Director Gledhill said the County was buying a lot of capacity with a \$2.5 million lesser expenditure that the County didn't need to buy at this time. He said it's not a linear relationship between the two phases. He said two-thirds of the capacity is yielded from the first phase.

STAFF REPORTS AND REQUESTS

Note: Finance Director Diorio presented the following Items, 7a, 7b, and 7c.

(7A) SOLID WASTE SPECIAL OBLIGATION BONDS

RESOLUTION RELATING TO SPECIAL OBLIGATION BONDS

Commissioner Karen Bentley introduced the following resolution, which was read by the above title:

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

Section 1. It is hereby found, determined and declared by the Board as follows:

- (a) The County wants to make certain improvements to its solid waste management facilities;

SEPTEMBER 7, 2011

(b) The County has determined to issue Special Obligation Bonds for the purpose of providing funds, together with any other available funds, for paying the cost of such improvements (the "Project") and other costs incurred in connection with the issuance of the Bonds;

(c) In order to finance the costs of the Project, the County has developed the following plan of finance:

- (i) The County proposes to issue not exceeding \$15,000,000 of its Special Obligation Bonds (the "Bonds") pursuant to Chapter 159I of the General Statutes of North Carolina, as amended (the "Act"), and pursuant to a bond resolution to be adopted by the Board; and
- (ii) The Bonds will be special obligations of the County, secured solely by the revenues and other funds pledged therefor.

(d) The County wants the Bonds, when issued, to be sold by the Local Government Commission of North Carolina (the "Commission") by private sale to Fifth Third Securities, Inc., as underwriter of the Bonds.

(e) The County wishes to submit to the Commission the County's application for approval of the Bonds by the Commission and the County's request for the Commission's sale of the Bonds by private sale pursuant to the Act.

Section 2. The Director of Finance of the County is hereby directed to submit to the Commission the application of the County for the approval by the Commission of the issuance of the Bonds. The County hereby requests that the Commission approve the issuance of the Bonds. In furtherance thereof and to assist the Commission in making the determinations required of the Commission by the Act, the County hereby submits:

- (a) The proposed bond issue is necessary and expedient in that it will provide improved solid waste disposal facilities and services to the residents of the County;
- (b) the amount of Bonds proposed to be issued will be sufficient but not excessive for the proposed purpose in that the final issue size will be based upon construction bids received and the County's best estimates of additional costs covered by bond proceeds;
- (c) the proposed Project is feasible in that pledged revenues, will be sufficient to pay principal of, premium, if any, and interest of the Bonds;
- (d) the County's debt management procedures and policies are good; and
- (e) the Bonds can be marketed at reasonable interest cost to the County.

Section 3. The Director of Finance is hereby authorized and directed to provide to the Commission such further additional documents and information as the Commission may request in order to consider the County's request.

Section 4. The County hereby requests the Commission to sell the Bonds at private sale to Fifth Third Securities, Inc., as underwriter of the Bonds

Section 5. The County Manager, the Director of Finance and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with authorizing the issuance of the Bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 6. The Board recommends the selection of the following professionals to be on the financing team for the bonds and that their services be utilized to the extent required and where appropriate:

Bond Counsel	Robinson, Bradshaw & Hinson, P.A.
Financial Advisor	First Southwest Company
Underwriter	Fifth Third Securities, Inc.

SEPTEMBER 7, 2011

Underwriter's Counsel

McGuireWoods LLP

Feasibility Consultant

Raftelis Financial Consulting, PA

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

Section 7. This resolution shall take effect immediately upon its passage.

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

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

* * *

RESOLUTION AUTHORIZING ISSUANCE OF SPECIAL OBLIGATION BONDS

Commissioner Karen Bentley introduced the following bond resolution, which was read by the above title.

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

Section 1. The Board does hereby find and determine as follows:

(a) Pursuant to the foregoing resolution, the Director of Finance of the County intends to file an application with the North Carolina Local Government Commission (the "Commission") requesting its approval of the issuance of not to exceed \$15,000,000 special obligation bonds of the County (the "Bonds") for the purpose of providing funds, with any other available funds, to pay (i) certain improvements to its solid waste management facilities and (ii) other costs incurred in connection with the issuance of the Bonds.

(b) The County has also requested the Commission to sell the Bonds at private sale without advertisement.

(c) The County desires to issue not to exceed \$15,000,000 of the Bonds for the purposes described above.

(d) The County proposes to sell the Bonds to Fifth Third Securities, Inc. (the "Underwriter") pursuant to the provisions of a Bond Purchase Agreement (hereinafter mentioned), at such prices as are determined by the Commission, subject to the approval of the County.

(e) There have been presented to the Board at this meeting drafts of the following documents relating to the issuance and sale of the Bonds:

(i) Trust Agreement, to be dated as of October 1, 2011 (the "Trust Agreement"), between the County and a trustee (the "Trustee"), authorizing and securing the Bonds;

(ii) First Supplemental Trust Agreement, to be dated as of October 1, 2011 (the "Supplemental Agreement"), between the County and the Trustee, supplementing the Trust Agreement;

SEPTEMBER 7, 2011

- (iii) Bond Purchase Agreement, to be dated as of the date of delivery thereof (the "Purchase Agreement"), among the Underwriter, the Commission and the County; and
- (iv) Preliminary Official Statement, to be dated as of the date of delivery thereof (the "Preliminary Official Statement"), relating to the offering and sale of the Bonds, together with the Financial Feasibility Report to be included as an appendix thereto (the "Feasibility Report").

(f) The issuance and sale of the Bonds in the manner provided in this resolution is in the best interest of the County.

Section 2. Capitalized words and terms used in this resolution and not defined herein shall have the same meanings given such words and terms in the Trust Agreement and the Supplemental Agreement.

Section 3. Pursuant to the provisions of Chapter 159I of the General Statutes of North Carolina, as amended (the "Act"), the Board hereby authorizes the issuance of the Bonds in an aggregate principal amount not to exceed \$15,000,000 for the purposes described in Section 1(a) hereof. The Bonds shall mature at such times and in such amounts as shall be set forth in the Supplemental Agreement, subject to the provisions of this resolution.

The Bonds shall be issued as fully registered bonds in denominations of \$5,000 or any whole multiple thereof and shall be subject to provisions of the book-entry only system for registration of the Bonds as set forth in the Supplemental Agreement. Interest on the Bonds shall be payable semiannually until the payment in full of the principal thereof. The principal of the Bonds shall be payable annually as described in the Supplemental Agreement with a final maturity of the Bonds not to exceed December 31, 2031.

Section 4. The Bonds shall be subject to redemption prior to maturity at the times, upon the terms and conditions, and at the prices as shall be set forth in the Supplemental Agreement.

Section 5. The proceeds of the Bonds (including accrued interest) shall be applied as provided in Section 204 of the Supplemental Agreement.

Section 6. The Bonds, together with any Parity Indebtedness hereafter issued and outstanding pursuant to the provisions of the Trust Agreement, shall be secured on a parity basis by a pledge, charge and lien upon the Obligated Revenues and the money and Investment Obligations held in the accounts and subaccounts of the Bond Fund and otherwise in the manner and to the extent provided in the Trust Agreement and the Supplemental Agreement. Obligated Revenues shall initially consist of proceeds of the County's annual Residential Solid Waste Fee imposed on residences in the County for the availability of County solid waste disposal facilities pursuant to County Ordinance and Sections 292 and 293 of Chapter 153A of the General Statutes of North Carolina.

Section 7. The proposal of the Underwriter set forth in the Purchase Agreement offering to purchase the Bonds at the aggregate purchase price and bearing interest at the rates determined by the Commission and approved by the County as hereinafter provided, such interest rates not to exceed a true interest cost of 6% per annum and an all-inclusive interest cost of 6.50% per annum, is hereby approved. The Commission is hereby directed to sell and award the Bonds to the Underwriter on behalf of the County, subject to the approval of the County, in accordance with the terms and provisions set forth in the Purchase Agreement. The County Manager or the Director of Finance is hereby designated to approve on behalf of the County the sale of the Bonds to the Underwriter at such interest rates, for such purchase price and upon such other terms and conditions as the County Manager or the Director of Finance shall determine, subject to the provisions of this resolution. The County Manager or the Director of Finance is hereby authorized and directed in the name and on behalf of the County to execute and deliver the Purchase Agreement in substantially the form presented, together with such changes, additions and deletions as the County Manager or the Director of Finance, with the advice of counsel, may deem necessary or appropriate, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 8. The forms, terms and provisions of the Trust Agreement and the Supplemental Agreement are hereby approved, and the Chairman of the Board of Commissioners and the Clerk to the Board are hereby authorized to execute and deliver the Trust Agreement and the Supplemental Agreement in substantially the forms presented, together with such changes, additions and deletions as the Chairman of the Board of Commissioners and the Clerk to the Board, with the advice of counsel, may deem necessary or appropriate,

SEPTEMBER 7, 2011

including, without limitation, changes, additions and deletions necessary to incorporate the final terms of the Bonds as set forth in the Purchase Agreement and to incorporate certain terms and provisions required by any rating agency, bond insurer or provider of debt service reserve insurance, such execution and delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 9. The Preliminary Official Statement relating to the offering for sale of the Bonds is hereby approved. The County hereby authorizes the use and distribution of the Preliminary Official Statement in substantially the form presented, together with such changes, additions and deletions as the County Manager or the Director of Finance, with advice of counsel, may deem necessary or appropriate. The County authorizes and consents to the preparation and distribution of a final Official Statement, in substantially the form of the Preliminary Official Statement, together with such changes as are necessary to reflect the final terms of the Bonds. The County Manager or the Director of Finance is hereby authorized and directed to deliver the final Official Statement, in substantially the form of the Preliminary Official Statement, together with such changes, additions and deletions as the County Manager or the Director of Finance, with the advice of counsel, may deem necessary or appropriate, such delivery to be conclusive evidence of the approval and authorization in all respects of the form and content thereof.

Section 10. The form and content of the Feasibility Report is hereby approved. The County hereby finds the assumptions made in the Feasibility Report to be reasonable.

Section 11. The Chairman of the Board of Commissioners, the County Manager, the Director of Finance, the Clerk to the Board and the County Attorney, or any of them or their deputies, are authorized and directed (without limitation except as may be expressly set forth in this resolution) to take such other actions and to execute and deliver such certificates, agreements, instruments, opinions or other documents as they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution, the Trust Agreement, the Supplemental Agreement or the Purchase Agreement, including, without limitation, such documents as may be necessary or appropriate in connection with the procurement of a municipal bond insurance policy or a debt service reserve insurance policy relating to the Bonds.

The officers of the County and the agents and employees of the County are hereby authorized and directed to do all acts and things required of them by the provisions of this resolution, the Bonds, the Trust Agreement, the Supplemental Agreement or the Purchase Agreement for the full, punctual and complete performance of the terms, covenants, provisions and agreements of the same.

Section 12. The issuance and sale of the Bonds is hereby approved subject to the terms and conditions set forth in this resolution.

Section 13. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Karen Bentley seconded by Commissioner Jim Pendergraph, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

Resolutions and Extracts recorded in full in Minute Book _____ Document # _____ and _____.

Motion was made by Commissioner Bentley, seconded by Commissioner Pendergraph and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to adopt *US 521 Foxhole Landfill Phase 2/Compost Central/Recycling Centers Improvements Capital Projects Ordinance*.

Ordinance recorded in full in Minute Book _____ Document # _____.

(7B) REFUNDING BONDS

RESOLUTION RELATING TO REFUNDING BONDS

Commissioner Harold Cogdell, Jr. introduced the following resolution, which was read by the above title:

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal amount not exceeding \$230,000,000 for the purpose of providing funds, with other available funds, for refunding all or a portion of certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

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

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to realize debt service and other savings for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) no increase in taxes will be necessary to service such bonds because it is expected that debt service and other savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

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

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

Bond Counsel	Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina
Financial and Swap Advisor	First Southwest Company Charlotte, North Carolina
Underwriters	Merrill Lynch, Pierce, Fenner & Smith Incorporated (senior manager) and Stephens, Inc. (co-manager)
Underwriter's Counsel	McGuire Woods LLP

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

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

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

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

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RESOLUTION INTRODUCING AND ADOPTING REFUNDING BOND ORDER

Commissioner Harold Cogdell, Jr. introduced the following bond order, which was read by the above title.

* * *

BOND ORDER AUTHORIZING THE ISSUANCE OF \$230,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG

WHEREAS, the County of Mecklenburg (the "County") has issued Variable Rate General Obligation Public Improvement Bonds, Series 2000C (the "2000C Bonds"), a certain portion of which remain outstanding (the "Outstanding 2000C Bonds"); and

WHEREAS, the County has issued Variable Rate General Obligation Bonds, Series 2001B (the "2001B Bonds"), a certain portion of which remain outstanding (the "Outstanding 2001B Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2004A (the "2004A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2004A Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2005A (the "2005A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2005A Bonds"); and

WHEREAS, the County has issued Variable Rate General Obligation Bonds, Series 2006A (the "2006A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2006A Bonds"); and

WHEREAS, the Board of Commissioners of the County deems it advisable to refund all or a portion of the Outstanding 2000C Bonds, Outstanding 2001B Bonds, the Outstanding 2004A Bonds, the Outstanding 2005A Bonds, and the Outstanding 2006A Bonds (collectively referred to herein as the "Bonds to be Refunded") pursuant to and in accordance with The Local Government Finance Act;

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

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

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$230,000,000.

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

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

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

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

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

Upon motion of Commissioner Harold Cogdell, Jr. and seconded by Commissioner Jim Pendergraph,

SEPTEMBER 7, 2011

the foregoing order was adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

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

* * *

RESOLUTION AUTHORIZING ISSUANCE OF REFUNDING BONDS

Commissioner Harold Cogdell, Jr. moved adoption of the following resolution, which was read by the above title.

WHEREAS, the bond order hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

Section 1. Pursuant to and in accordance with the refunding bond order adopted by the Board of Commissioners on September 7, 2011, the Issuer shall issue its bonds in the aggregate principal amount not to exceed \$230,000,000.

Section 2. The bonds to be issued pursuant to the bond order described in the preceding paragraph shall be designated "General Obligation Refunding Bonds, Series 2011C" or "Taxable General Obligation Refunding Bonds, Series 2011D" (the "Bonds"). The Bonds shall be dated the date of their delivery, and shall bear interest from their date at a rate or rates that shall be determined upon the private sale of the Bonds, and interest shall be payable on June 1, 2012, and semi-annually thereafter on December 1 and June 1. The Bonds shall mature on June 1, 2012 and thereafter on December 1 in years and amounts as determined upon the private sale of the Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

The Bonds shall be deemed to refund each of the issues of bonds being refunded within the respective periods of usefulness of the capital projects financed by each of the issues of bonds being refunded.

Section 3. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial

SEPTEMBER 7, 2011

owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

Section 4. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

Section 5. The Bonds and the endorsements thereon shall be in substantially the following form:

SEPTEMBER 7, 2011

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- _

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

[TAXABLE] GENERAL OBLIGATION REFUNDING BOND, SERIES 2011[C/D]

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
		October 27, 2011	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the June 1 or December 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a June 1 or December 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on June 1, 2012, and semi-annually thereafter on June 1 or December 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, a bond order adopted by the Board of Commissioners of the County on September 7, 2011 (the "Bond Order") and a resolution adopted by that Board (the "Resolution") to provide funds, together with any other funds that may be provided, to refund all or a portion of the County's outstanding Variable Rate General Obligation Public Improvement Bonds, Series 2000C, Variable Rate General Obligation Bonds, Series 2001B, General Obligation Public Improvement Bonds, Series 2004A, General Obligation Public Improvement Bonds, Series 2005A, and Variable Rate General Obligation Bonds, Series 2006A.

[Insert sinking fund redemption provisions if there are term bonds.]

[Include the following if the bonds are subject to optional redemption.]

[The bonds maturing on and after December 1, 20__, shall be subject to redemption prior to their stated maturities at the option of the County on or after December 1, 20__, in whole or in part at any time at a redemption price equal to ___% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which

SEPTEMBER 7, 2011

is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.]

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated October 27, 2011.

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

SEPTEMBER 7, 2011

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Order and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: October 27, 2011

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____
the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution
in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Section 6. If Bonds of a series are subject to optional redemption, those Bonds maturing on and after December 1 of a year to be determined at the private sale of the Bonds shall be subject to redemption prior to their stated maturities at the option of the County on or after December 1 of the preceding year in whole or in part at any time at a redemption price equal to a percentage of the principal amount of each Bond to be redeemed to be determined at the private sale of the Bonds, together with accrued interest thereon to the redemption date.

If less than all the Bonds of a series are called for redemption, the County shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity of a series are called for redemption, the Bonds of such maturity to be redeemed shall be selected

SEPTEMBER 7, 2011

by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity of a series are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity and series, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

Section 6. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder,

SEPTEMBER 7, 2011

the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 7. The Issuer hereby requests that the Local Government Commission of North Carolina sell the bonds at private sale without advertisement at prices and at interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Issuer. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

Section 8. The Director of Finance is hereby authorized to determine and approve any details necessary in connection with the sale of the Bonds, including without limitation the principal amount of a series of Bonds, interest rates, maturity years and amounts, redemption provisions not included herein, and whether a taxable series of Bonds will be issued. Such details shall be reflected in the Bond certificates.

Section 9. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

Section 10. With respect to any Bonds intended to be exempt from federal income tax, the Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on such Bonds for federal income tax purposes.

Section 11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 12. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver an Escrow Deposit Agreement, Bond Purchase Agreement and Official Statement relating to the Bonds in such forms as may be approved by them, their execution thereof constituting conclusive evidence of such approval. The Preliminary Official Statement and the Official Statement are hereby authorized for use in connection with the sale of the Bonds.

SEPTEMBER 7, 2011

Section 13. The Issuer hereby authorizes the full or partial termination or modification of any interest rate swap agreements relating to the bonds being refunded with proceeds of the Bonds, and further authorizes using proceeds of the Bonds to make any termination payments due from the Issuer in connection with such swap terminations or modifications. The Issuer hereby requests the Secretary of the Local Government Commission to approve any such swap terminations or modifications.

Section 14. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

SEPTEMBER 7, 2011

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 15. The investment banking firm of First Southwest Company is hereby authorized to serve as financial advisor to the Issuer (the "Financial Advisor") in connection with sale and issuance of the Bonds. The Financial Advisor and its affiliates are hereby expressly authorized to bid for the purchase of the Bonds.

Upon motion of Commissioner Harold Cogdell, Jr. and seconded by Commissioner Karen Bentley, the foregoing order was adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

Resolution and Extracts recorded in full in Minute Book _____, Document # _____.

(7C) GENERAL OBLIGATION BONDS

RESOLUTION AUTHORIZING ISSUANCE OF TAX-EXEMPT BONDS

Commissioner Harold Cogdell, Jr. moved adoption of the following resolution, the motion was seconded by Commissioner Jim Pendergraph, and the resolution was read by the above title.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

1. Pursuant to and in accordance with the park and recreation facilities bond order adopted by the Board of Commissioners on September 8, 2004, the Issuer shall issue its bonds in the aggregate principal amount of \$32,400,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 27, 2011.

2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$16,600,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 27, 2011.

3. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of \$49,000,000 and designated "General Obligation Public Improvement Bonds, Series 2011A" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated their date of delivery, and shall bear interest from their date at a rate or rates that shall be determined upon the private sale of the Bonds, and interest shall be payable on April 1, 2012, and semi-annually thereafter on October 1 and April 1. The Bonds shall mature on October 1, in the years and amounts as determined upon the private sale of the Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will

SEPTEMBER 7, 2011

discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:

SEPTEMBER 7, 2011

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- _____ \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2011A

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
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October 27, 2011

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a April 1 or October 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on April 2012, and semi-annually thereafter on October 1 or April 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 8, 2004 and September 5, 2007 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County voting at elections held in the County.

[Insert sinking fund redemption provisions if there are term bonds.]

[Include the following if the bonds are subject to optional redemption.]

[The bonds maturing on and after October 1, 202__, shall be subject to redemption prior to their stated maturities at the option of the County on or after October 1, 20__, in whole or in part at any time at a redemption price equal to ____% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The

SEPTEMBER 7, 2011

Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.]

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated October 27, 2011.

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

SEPTEMBER 7, 2011

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: October 27, 2011

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____
the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

7. If the Bonds are subject to optional redemption, those Bonds maturing on and after October 1 of a year to be determined at the private sale of the Bonds shall be subject to redemption prior to their stated maturities at the option of the County on or after October 1 of the preceding year in whole or in part at any time at a redemption price equal to a percentage of the principal amount of each Bond to be redeemed to be determined at the private sale of the Bonds, together with accrued interest thereon to the redemption date.

If less than all the Bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so

SEPTEMBER 7, 2011

long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or

SEPTEMBER 7, 2011

registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

9. The Issuer hereby requests that the Local Government Commission of North Carolina sell the bonds at private sale without advertisement at prices and interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Issuer. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

10. The Director of Finance is hereby authorized to determine and approve any details necessary in connection with the sale of the Bonds, including without limitation interest rates, maturity years and amounts, and redemption provisions. Such details shall be reflected in the Bond certificates.

11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

12. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

13. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

14. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver a Bond Purchase Agreement and Official Statement relating to the Bonds in such forms as may be approved by them, their execution thereof constituting conclusive evidence of such approval. The Preliminary Official Statement and the Official Statement are hereby authorized for use in connection with the sale of the Bonds.

15. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

- (a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for

SEPTEMBER 7, 2011

such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB. The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit

of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

Resolution and Extracts recorded in full in Minute Book _____, Document # _____.

* * *

RESOLUTION AUTHORIZING ISSUANCE OF TAXABLE BONDS

Commissioner Harold Cogdell, Jr. moved adoption of the following resolution, the motion was seconded by Commissioner Vilma Leake, and the resolution was read by the above title.

WHEREAS, the bond order hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

Section 1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$51,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from October 27, 2011.

Section 2. The bonds to be issued pursuant to the bond order described in the preceding paragraph shall be designated "Taxable General Obligation School Bonds (Qualified School Construction Bonds), Series 2011B" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraph is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated their date of delivery, and shall bear interest from their date at a rate or rates that shall be determined upon the private sale of the Bonds, and interest shall be payable on April 1, 2012, and semi-annually thereafter on October 1 and April 1. The Bonds shall mature on October 1, in the years and amounts as determined upon the private sale of the Bonds.

SEPTEMBER 7, 2011

Section 3. Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

Section 4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

Section 5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

Section 6. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York

SEPTEMBER 7, 2011

corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- _____ \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

TAXABLE GENERAL OBLIGATION SCHOOL BOND (QUALIFIED SCHOOL CONSTRUCTION BONDS), SERIES 2011B

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
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October 27, 2011

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a April 1 or October 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on April 1, 2012, and semi-annually thereafter on October 1 or April 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, a bond order adopted by the Board of Commissioners of the County on September 5, 2007 (the "Bond Order") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County voting at elections held in the County.

In the event all available project proceeds have not been expended at the end of the three-year period beginning on the date of the issuance of the Bonds, within ninety days after the end of such period all nonqualified bonds (within the meaning of Section 54A(d)(2)(B) of the Internal Revenue Code (the "Code") shall be redeemed at a redemption price equal to 100% of the principal amount of the nonqualified bonds, together with accrued interest thereon to the redemption date; provided, however, that such three-year period shall be extended to the extent extended by the Internal Revenue Service pursuant to Section 54A(d)(2)(B)(iii) of the Code. "Available project proceeds" means (i) the excess of the proceeds from the sale of the Bonds over the issuance costs financed by the Bonds (to the extent such costs do not exceed 2% of such proceeds), plus (ii) the proceeds from the investment of the excess described in the preceding clause

The bonds are subject to redemption at any time prior to their maturity at the option of the County, in whole or in part, upon the occurrence of an Extraordinary Event with respect to the bonds, at a redemption price equal to the greater of (i) 100% of the principal amount of the bonds to be redeemed; or (ii) the sum of the present values of the remaining scheduled payments of principal and interest on the bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date which the bonds are to be redeemed, discounted to the date on which the bonds are to be redeemed on a semi-annual basis, assuming a 360-day year consisting of twelve 30-day months, at the Treasury Rate, plus 100 basis points (1.00%); plus, in each case, accrued interest on the bonds to be

SEPTEMBER 7, 2011

redeemed to the redemption date.

With respect to the bonds, an "Extraordinary Event" will have occurred if a material adverse change has occurred pursuant to Sections 54A, 54F or 6431 of the Code pursuant to which the County's cash subsidy payment from the United State Treasury is reduced or eliminated. At the request of the County, the redemption price of the bonds to be redeemed at the option of the County as permitted under the previous paragraph will be determined by an independent accounting firm, investment banking firm or financial advisor retained by the County at the County's expense to calculate such redemption price. The County may conclusively rely on the determination of such redemption price by such independent accounting firm, investment banking firm or financial advisor and will not be liable for such reliance.

[Insert sinking fund redemption provisions if needed.]

[Include the following if the bonds are subject to optional redemption after a "no-call period" at a percentage of par.]

[The bonds maturing on and after October 1, 202__, shall be subject to redemption prior to their stated maturities at the option of the County on or after October 1, 20__, in whole or in part at any time at a redemption price equal to ___% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date.]

[Include the following if the bonds are subject to optional redemption on a "make-whole" basis.]

[The bonds shall be subject to redemption prior to their stated maturities at the option of the County in whole or in part at any time at a redemption price equal to the greater of (i) 100% of the principal amount of the bonds to be redeemed; or (ii) the sum of the present values of the remaining scheduled payments of principal and interest on the bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date which the bonds are to be redeemed, discounted to the date on which the bonds are to be redeemed on a semi-annual basis, assuming a 360-day year consisting of twelve 30-day months, at the Treasury Rate, plus 30 basis points (.30%); plus, in each case, accrued interest on the bonds to be redeemed to the redemption date.]

If less than all of the bonds are called for redemption, the County will determine the maturities and amounts thereof to be redeemed. If a book-entry system through DTC is used for determining beneficial ownership of the bonds and less than all the bonds of any maturity are called for redemption, DTC will determine the amount of the interest of each Direct Participant to be redeemed on a pro rata basis among all holders of the bonds of such maturity based upon the principal amount of bonds owned by each such holder, provided, however, that (a) the portion of any bond to be redeemed will be in an authorized denomination of \$5,000 or an integral multiple thereof and (b) so long as the only holder of the bonds is DTC, such selection will be made by DTC in accordance with its operating rules and procedures, which is currently by lot. If the book-entry system through DTC for determining beneficial ownership of the bonds is discontinued and less than all the bonds of any maturity are called for redemption, the bonds of such maturity to be redeemed will be selected by the Bond Registrar on a pro rata basis among all the holders of the bonds of such maturity based upon the principal amount of bonds owned by such holders, provided that the portion of any bond to be redeemed will be in an authorized denomination.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records

SEPTEMBER 7, 2011

maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated October 27, 2011. _____

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar
By: _____
Authorized Signature

Date of Authentication: October 27, 2011

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints _____ attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Section 7. In the event all available project proceeds have not been expended at the end of the

SEPTEMBER 7, 2011

three-year period beginning on the date of the issuance of the Bonds, within ninety days after the end of such period all nonqualified bonds (within the meaning of Section 54A(d)(2)(B) of the Internal Revenue Code (the "Code") shall be redeemed at a redemption price equal to 100% of the principal amount of the nonqualified bonds, together with accrued interest thereon to the redemption date; provided, however, that such three-year period shall be extended to the extent extended by the Internal Revenue Service pursuant to Section 54A(d)(2)(B)(iii) of the Code. "Available project proceeds" means (i) the excess of the proceeds from the sale of the Bonds over the issuance costs financed by the Bonds (to the extent such costs do not exceed 2% of such proceeds), plus (ii) the proceeds from the investment of the excess described in the preceding clause

The Bonds are subject to redemption at any time prior to their maturity at the option of the County, in whole or in part, upon the occurrence of an Extraordinary Event with respect to the Bonds, at a redemption price equal to the greater of (i) 100% of the principal amount of the Bonds to be redeemed; or (ii) the sum of the present values of the remaining scheduled payments of principal and interest on the Bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date which the Bonds are to be redeemed, discounted to the date on which the Bonds are to be redeemed on a semi-annual basis, assuming a 360-day year consisting of twelve 30-day months, at the Treasury Rate, plus 100 basis points (1.00%); plus, in each case, accrued interest on the Bonds to be redeemed to the redemption date.

With respect to the Bonds, an "Extraordinary Event" will have occurred if a material adverse change has occurred pursuant to Sections 54A, 54F or 6431 of the Code pursuant to which the County's cash subsidy payment from the United State Treasury is reduced or eliminated. At the request of the County, the redemption price of the Bonds to be redeemed at the option of the County as permitted under the previous paragraph will be determined by an independent accounting firm, investment banking firm or financial advisor retained by the County at the County's expense to calculate such redemption price. The County may conclusively rely on the determination of such redemption price by such independent accounting firm, investment banking firm or financial advisor and will not be liable for such reliance.

If the Bonds are subject to optional redemption after a "no-call period" at a percentage of par, those Bonds maturing on and after October 1, 20__ shall be subject to redemption prior to their stated maturities at the option of the County on or after October 1, 20__, in whole or in part at any time at a redemption price equal to a percentage of the principal amount of each Bond to be redeemed to be determined at the private sale of the Bonds, together with accrued interest thereon to the redemption date.

If the Bonds are subject to optional redemption on a "make-whole" basis, the Bonds shall be subject to redemption prior to their stated maturities at the option of the County in whole or in part at any time at a redemption price equal to the greater of (i) 100% of the principal amount of the Bonds to be redeemed; or (ii) the sum of the present values of the remaining scheduled payments of principal and interest on the Bonds to be redeemed, not including any portion of those payments of interest accrued and unpaid as of the date which the Bonds are to be redeemed, discounted to the date on which the Bonds are to be redeemed on a semi-annual basis, assuming a 360-day year consisting of twelve 30-day months, at the Treasury Rate, plus 30 basis points (.30%); plus, in each case, accrued interest on the Bonds to be redeemed to the redemption date..

If less than all of the Bonds are called for redemption, the County will determine the maturities and amounts thereof to be redeemed. If a book-entry system through DTC is used for determining beneficial ownership of the Bonds and less than all the Bonds of any maturity are called for redemption, DTC will determine the amount of the interest of each Direct Participant to be redeemed on a pro rata basis among all holders of the Bonds of such maturity based upon the principal amount of Bonds owned by each such holder, provided, however, that (a) the portion of any Bond to be redeemed will be in an authorized denomination of \$5,000 or an integral multiple thereof and (b) so long as the only holder of the Bonds is DTC, such selection will be made by DTC in accordance with its operating rules and procedures, which is currently by lot. If the book-entry system through DTC for determining beneficial ownership of the Bonds is discontinued and less than all the Bonds of any maturity are called for redemption, the Bonds of such maturity to be redeemed will be selected by the Bond Registrar on a pro rata basis among all the holders of the Bonds of such maturity based upon the principal amount of Bonds owned by such holders, provided that the portion of any Bond to be redeemed will be in an authorized denomination.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for

SEPTEMBER 7, 2011

redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

Section 8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or

SEPTEMBER 7, 2011

redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 9. The Issuer hereby requests that the Local Government Commission of North Carolina sell the Bonds at private sale without advertisement at prices and interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Issuer. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

Section 10. The Director of Finance is hereby authorized to determine and approve any details necessary in connection with the sale of the Bonds, including without limitation interest rates, maturity years and amounts, and redemption provisions. Such details shall be reflected in the Bond certificates.

Section 11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

Section 12. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 13. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver a Sinking Fund Escrow Agreement, Bond Purchase Agreement and Official Statement relating to the Bonds in such forms as may be approved by them, their execution thereof constituting conclusive evidence of such approval. The Preliminary Official Statement and the Official Statement are hereby authorized for use in connection with the sale of the Bonds. Pursuant to the Sinking Fund Escrow Agreement the County will periodically deposit moneys in a fund to be held and invested by an escrow agent and used to pay debt service on the Bonds.

Section 14. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

SEPTEMBER 7, 2011

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

SEPTEMBER 7, 2011

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) The information to be provided, as modified, would have complied with the requirements of rule 15c2-12 issued under the securities exchange act of 1934 ("rule 15c2-12") as of the date of the official statement relating to the bonds, after taking into account any amendments or interpretations of rule 15c2-12, as well as any changes in circumstances; and

(c) Any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., Neil Cooksey, George Dunlap, Vilma Leake, Jim Pendergraph, and Jennifer Roberts

Nays: None

Resolution and Extracts recorded in full in Minute Book _____, Documents # _____.

(7D) ACQUISITION OF AUGUST 5, 2011 FLOOD-DAMAGED STRUCTURES

Tim Trautman with Storm Water Services addressed the acquisition of August 5, 2011 flood damaged structures. The following was noted:

- On August 5, 2011, Charlotte-Mecklenburg experienced significant rainfall that resulted in the floodwater impacting approximately 160 homes/dwellings/commercial structures located in or near the floodplain.
- Approximately 50-60 structures flooded within the finished living space.
- Nearly all the damaged structures were within the Irwin and Sugar Creek watersheds, just west of Interstate 77.
- This proposed "Quick Buy" concept uses Storm Water's available fund balance ("Rainy Day" funding) as pay-as-you-go capital funding.

Mr. Trautman reviewed the Eligibility & Prioritization Plan for Voluntary Acquisition.

The following persons appeared to speak regarding this matter:

Bob Lilien, who resides at 1533 Queens Road West, said his home has never flooded, but he had concerns regarding the "Quick Buy" program. He questioned the rationale and the reasoning behind the qualifications for entry into the program, the criteria used for entry and prioritization. Mr. Lilien said he felt both criteria were "flawed."

Mr. Lilien said per the program criteria, there has to be damage to the living space in order to qualify. Mr. Lilien said it should also include the crawl space because homes could also have substantial damage due to flooding that's not in the living space. He questioned the definition

SEPTEMBER 7, 2011

of “substantial” damage. Mr. Lilien cited as an example a home at 3101 Dunlavin Way and shared a photograph of flooding that occurred in 2008 and a map showing the property location being near a drainage ditch constructed by the County in 1950. Mr. Lilien acknowledged that the property at 3101 Dunlavin Way was that of his mother-in-law and that she moved out of it last year. He said his mother-in-law’s property flooded routinely, 12 to 24 inches of water in the crawl space, but it never got to the living space. He said the damage in the crawl space caused mole, mildew, HVAC damage, duct work damage, etc. which in his view makes the living space damaged.

Mr. Lilien said under the 2008 program, the property at 3101 Dunlavin Way qualified but under the 2011 program it doesn’t. He said the County was unable to purchase the property in 2008 because funds for the program ran out.

Alphonza Davis said he lived on Andrill Terrace and that his home was severely impacted by the recent flooding. Mr. Davis said he lost everything. He spoke in support of the program. He asked the Board to do whatever needed to be done to assist him with finding another place to stay. Mr. Davis said he was not aware when he purchased his home that it was in a flood zone and didn’t know he needed to obtain flood insurance.

Comments

Commissioner Cogdell asked what happens to homes that fall in the category as described by Mr. Lilien, where they at one time qualified but because of the lack of funds were not purchased at that particular time and weren’t affected by the latest flooding. *The response was that the “Quick Buy” program was only one element of the storm water capital program. There’s an on-going capital program that buys homes that aren’t currently damaged by flooding. The on-going capital program has been solely driven on staff’s ability to get FEMA grant funds through the National Flood Insurance program.*

Mr. Trautman said the County had looked at Mr. Davis’ home in the past and the home referenced by Mr. Lilien, but that as part of the annual operating program they were not eligible for FEMA funding, which is why they weren’t bought in the past.

Mr. Trautman said the County had basically acquired almost all the homes in Mecklenburg County that are eligible for FEMA funding. Further, for the past year staff has been working on updating the flood mitigation plan and strategies. A citizen review committee was also established and two of its members live on Dunlavin Way, the street referenced by Mr. Lilien. The committee is addressing where the program should go, to address not just properties that flood significantly enough for FEMA funding, but homes that flood very frequently in the crawl space that impact “the quality of life.”

Mr. Trautman said staff would be coming back to the Board as part of the FY2013 budget to present a revamped flood mitigation capital program to address the thousands of homes that were in similar situations as addressed by Mr. Lilien.

Commissioner Cogdell asked was it correct that the thousands of homes falling in this category do not meet FEMA guidelines. *The response was yes that’s correct.*

Commissioner Pendergraph asked how many of the homeowners proposed in this “Quick Buy” program were renters. *The response was that it was a mixture, about 50 – 50.*

Commissioner Pendergraph asked if persons living in these areas knew they were in a floodplain. *The response was staff can’t say if they knew or not, but that Mecklenburg County has some of the “best” floodplain maps in the country. Further, staff does “significant” outreach every year to let people know about their floodplain status.*

SEPTEMBER 7, 2011

Commissioner Pendergraph asked whether persons are advised by staff to purchase flood insurance. *The response was yes.*

Commissioner Pendergraph asked was flood insurance so expensive that persons can't always afford it. *The response was that it's highly variable and that it does become an affordability issue for some people.*

Mr. Trautman said many of the residents in these flood areas have lived there for thirty or forty years and may not have mortgages, so it's not a requirement to have flood insurance.

Commissioner Cooksey asked what was being done to prevent these types of floods.

Mr. Trautman said he couldn't speak for everyone involved in the entire building and land development process, but for the last five – ten years, both the City of Charlotte and Mecklenburg County have developed significant detention/retention requirements that reduce the impact of those growing, changing streams.

Mr. Trautman said the general philosophy is that those floodplain areas have always been there; "they're meant to flood;" "that's what nature intended, is for the creeks to flood those areas." Further, that unfortunately those areas were developed before anyone "knew any better," and as development occurs the watershed can change and the floods can become more severe and intense.

Commissioner Cooksey asked whether the County had ever looked at whether it would be cheaper to set up some kind of program to help people that are "kind of on the edge" of qualifying for the "Quick Buy" program that don't have the economic means to buy flood insurance and have the County buy insurance for them. *The response was that staff has not looked at that through its storm water utility. Mr. Trautman said that might get more into a social issue.*

Mr. Trautman said at the federal level the National Flood Insurance program expires on September 30th and currently the Senate and the House were working on changes to extend the program out five years. He said affordability and voucher programs were being discussed on the national level.

Commissioner Clarke asked was it correct that the Briar Creek area was also impacted by the recent rainfall. *The response was that the map shown was where the rain fell heaviest. Mr. Trautman said it's difficult to interpret from the map where the flooding was because the flooding usually occurs downstream. He said there was very moderate flooding on Briar Creek. He said there was one home in the Shannon Park area that is eligible for the "Quick Buy."*

Commissioner Clarke asked about the issue raised by Mr. Lilien regarding flooding in the crawl space. Commissioner Clarke said he would consider crawl space flooding to be on the same level as in the living space.

Commissioner Clarke asked how and why does staff draw a distinction between the living space and the crawl space. *The response was that the criteria was developed based upon three driving factors: 1) To be generally consistent with what was done in the past, 2) to work within the available reserve fund balance, 3) if the eligible criteria was expanded to other levels, staff knew there would not be enough funding to acquire all the properties.*

Commissioner Clarke asked staff to clarify the eligibility of the home on Dunlavin Way in 2008.

Mr. Trautman said he was not fully prepared to comment, but that he recalled the home referenced by Mr. Lilien and it would not have qualified for the Storm Water portion because looking at the map it's not in the encroachment area and didn't have living space flooding.

SEPTEMBER 7, 2011

However, in 2008, Storm Water Services partnered with Park and Recreation to increase the amount available for the "Quick Buy" program and the Park and Recreation funding went to acquiring homes that were right next to the one's Storm Water was buying but didn't have living space flooding. Mr. Trautman said it's possible that Mr. Lilien was waiting to see whether or not Park and Recreation funds that were a part of that program would continue up the street to Dunlavin Way. He said the home could have been in limbo because of that partnership.

Commissioner Clarke asked about Park and Recreation funds used in 2008 which was addressed.

Commissioner Clarke asked that staff report back by the first meeting in October and inform the Board of how much of the \$2 million available has been spent, what's available, and how can it be stretched as far as possible to assist those that had flooding in the crawl space.

Commissioner Leake asked about the issuance of building permits in areas that were known to flood, which was addressed.

Commissioner Leake asked about housing assistance to those that were displaced which was addressed.

Commissioner Leake asked how the purchase process worked through the "Quick Buy" program which was addressed.

Commissioner Cogdell asked had contact been made with homeowners that qualify for the "Quick Buy" program. *The response was yes.*

Commissioner Cogdell said he was concerned about the fairness of the program with respect to persons impacted by previous flooding that did not get assistance and can't get assistance this go around because their home wasn't impacted on August 5, 2011.

Commissioner Cogdell suggested sending this matter to one of the Board's committees to review whether or not there were other methods that could be used to help more people; and to ultimately move toward taking some of those homes that were in a floodplain, known to flood and try to address that as a community. He said they could address questions such as are we looking at the bigger picture causes of the flooding. Are there efficiencies that can be realized between departments working together.

Chairman Roberts encouraged the Board to move forward with approval of what's been presented. She said this would not prevent the Board from reexamining the current program.

Chairman Roberts acknowledged the County's Storm Water Advisory Board and their role and expertise. She said they should be asked to work with staff to reexamine the program and to explore how it could be expanded.

Commissioner Dunlap said he was concerned also about assistance being event related. He said he understood how those impacted on August 5, 2011 were in need of assistance, but that he also could understand the feelings of others who weren't impacted this time but were impacted at another time and weren't able to get assistance.

Commissioner Dunlap said a fairer analysis perhaps would be to look at areas that were prone to flood, had evidence of flooding in the past and use the available resources for these areas.

Motion was made by Commissioner Leake, seconded by Commissioner Cooksey to:

SEPTEMBER 7, 2011

1. Approve the concept of the County acquiring floodplain structures that sustained damage in the August 5, 2011 storm;
2. Adopt the Resolution for an Eligibility & Prioritization Plan for a Voluntary Property Acquisition Program for Flooded Structures from the August 5, 2011 storm;
3. Appropriate \$2,000,000 from Storm Water Fund Balance for the acquisition of flood prone structures; and
4. Authorize staff to negotiate purchase contracts using Storm Water Funds, not to exceed a total of \$2,000,000, and return to the Board for approval.

Commissioner Pendergraph asked was it permissible for the County to send notices to persons that live in the floodplain and state to them that “this is a warning that you have six months to purchase flood insurance because you are in a known flood zone and if you fail to do that and your home is flooded out, the County will not pay for it.”

County Attorney Bethune said if the Board wanted to set as a policy, it will not buy properties that do not have flood insurance, that’s something staff could evaluate.

Commissioner Pendergraph said he would like this matter looked into. *County Attorney Bethune said staff would refer this to the Storm Water Advisory Committee and would report back.*

County Attorney Bethune said it should be kept in mind that under the current program, whether or not someone had flood insurance did not affect the price they get for their home.

Commissioner Clarke asked was Mr. Davis’ home eligible for participation in the proposed “Quick Buy” program. *The response was yes.*

Commissioner Clarke asked for clarification on the following Eligibility Criteria:

- Extent to which the structure is Damaged or Substantially Damaged as such terms are defined in the City of Charlotte Floodplain Ordinance. The structure has either flood damage within the living space, or flood damage of 25% or greater than the value of the structure prior to the flood event. The Substantial Damage definition in the Floodplain Ordinance states if repairs to the structure are 50% or greater than the value of the structure prior to the flood event, or if repairs/improvements in two separate occasions (each 25% or greater) during a 10-year period, then the structure has suffered Substantial Damage;

The response was that the criteria really begins and ends with the second sentence.

Commissioner Clarke said it appeared that process statements fall within the criteria.

County Attorney Bethune said when this is reviewed again, staff will work to remove non-criteria statements and place them in a different category, perhaps in a definition category.

Commissioner Dunlap asked could the definition be expanded to include any portion of the house flooding. *The response was yes and that it would be a matter of the amount of funding available.*

Commissioner Cogdell offered a friendly amendment to Commissioner Leake’s motion, which she and the seconder accepted. The friendly amendment was as follows: To refer the matter of the acquisition of flood damaged structures to the Board’s Natural Resources Committee for a review of the entire program, including the eligibility criteria, and that the committee report

SEPTEMBER 7, 2011

back to the full Board with possible recommended changes to the program that would better address the underlying issues that the County is trying to address, taking into account the concerns that have been expressed. Further, that the Board's Natural Resources Committee work collectively with the County's Storm Water Advisory Committee and staff in evaluating the program.

The vote was then taken on the motion as amended and noted below.

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

1. Approve the concept of the County acquiring floodplain structures that sustained damage in the August 5, 2011 storm;
2. Adopt the Resolution for an Eligibility & Prioritization Plan for a Voluntary Property Acquisition Program for Flooded Structures from the August 5, 2011 storm;
3. Appropriate \$2,000,000 from Storm Water Fund Balance for the acquisition of flood prone structures; and
4. Authorize staff to negotiate purchase contracts using Storm Water Funds, not to exceed a total of \$2,000,000, and return to the Board for approval.
5. To refer the matter of the acquisition of flood damaged structures to the Board's Natural Resources Committee for a review of the entire program, including the eligibility criteria, and that the committee report back to the full Board with possible recommended changes to the program that would better address the underlying issues that the County is trying to address, taking into account the concerns that have been expressed. Further, that the Board's Natural Resources Committee work collectively with the County's Storm Water Advisory Committee and staff in evaluating the program.

Resolution recorded in full in Minute Book _____ Document #_____.

(7E) CENTER CITY 2020 VISION PLAN

The Board received a presentation of the draft Center City 2020 Vision Plan. The presentation was made by Mark Hahn, director of Real Estate Services, Debra Campbell, director of Charlotte-Mecklenburg Planning Commission, and Michael Smith, president of Center City Partners.

Note: Mecklenburg County, the City of Charlotte, and Charlotte Center City Partners have been working with a consulting team lead by urban planning and design firm MIG, Inc. to create the Center City 2020 Vision Plan that will guide growth and development of Charlotte-Mecklenburg's urban core over the next decade and beyond. The 2020 Plan builds on the 2010 Plan and serves as the vision for future development. The study area extends beyond the boundaries of previous vision plans to include Uptown plus the neighborhoods that are adjacent to the I-77/I-277 freeway loop and beyond. The plan's vision is for Charlotte's Center City to be a viable and livable community whose extraordinary built environment, interconnected tapestry of neighborhoods and thriving businesses create a memorable and sustainable place. The City Council will consider final adoption of the plan on September 12.

Comments

SEPTEMBER 7, 2011

Commissioner Cooksey asked what would be the response to those that say they don't live or work downtown, so why should they care about the Plan. Commissioner Cooksey said the Plan appeared to be very center city focused. He asked what was being done to look at planning from a broader perspective for the City of Charlotte to look outside the 277 beltway and to connect the center city.

Mr. Smith said the Plan was not a Charlotte Plan or a Center City Partners Plan, but Charlotte's Plan for the middle of its region. He said the scope of the Plan was changed, so that it wasn't just inside of I-277, but was uptown, which is inside I-277 and the adjacent neighborhoods. Mr. Smith said they put together a community input process that involved going out to the south, north, and eastern parts of the County, in order to hear from the community what they wanted the middle of their region to be for them.

Director Campbell said the role of the center city was that it was the economic engine and hub of not just Charlotte, but the entire region.

Commissioner Cooksey suggested thought be given to having a kind of a parallel effort that ties some of the regional plans into the Center City Plan, so there's not a Center City Plan and seven or eight different, disparate, unconnected plans.

Director Campbell said the reason the boundaries were changed for the 2020 Plan from the 2010 Plan was to get outside of the I-277 loop because in people's minds they relate to uptown as that barrier of I-277. Thus, the scope was broaden to include neighborhoods that rim to 77. Further, that the basis for a lot of the recommendations in the 2020 Plan related to neighborhoods and connectivity to the neighborhoods, were actually plans that have already been adopted. Director Campbell said there was already a lot of continuity between already adopted City policy and what's been done with the 2020 Plan.

Director Campbell said what they've done with the 2020 Plan was to kind of "knit the fabric" in order to not have disparate, independent plans without having them be connected to what's happening around it.

Commissioner Cooksey asked what was the expectation of the County with respect to the Plan.

Director Hahn said generally there were areas where the County has a scope of responsibility that's included in the Plan, such as urban parks and greenways. He said there were various places in the Plan where the County was connected and that there were focus areas in the Plan as well, where the County owned land in those areas. Director Hahn said these things would be more flushed out in the implementation strategies or timing of the implementation.

Commissioner Cooksey asked was the Board being asked to adopt the Plan in total. *Director Hahn said no.*

Commissioner Leake asked about a Second Ward High School downtown, which she said had been mentioned in previous plans and what kind of assurance there was that this would indeed occur.

Commissioner Leake said there was concern in the community regarding the Westside Corridor and suggested it be revisited. She also noted a concern expressed to her by persons in the Westside Corridor area regarding the failure to acknowledge the Westside Corridor in a publication entitled Urban Adventures 101 New Exciting Things to Discover – Charlotte An Official Visitors Guide and Map. *Mr. Smith said he was not sure who produced that publication.*

Commissioner Dunlap asked would there be any financial obligation on the part of the County for the implementation of the Plan. *Mr. Smith said the Plan did not obligate the County or City*

SEPTEMBER 7, 2011

of Charlotte. He said there's no obligation and no implementation plan. He said the Plan was intended to inspire public investment and private investment. He said it was a thorough community input process to try and identify the goals of the community, in order to have this as a tool to evaluate future capital investment opportunities, which would be the responsibility of the Board and/or future boards. He said it was a multi-decade plan.

Commissioner Dunlap asked about the Board of Education's involvement and suggested this presentation be made to them as well. He said all elected bodies should have buy-in to the Plan.

Director Campbell said if Charlotte City Council adopts the Concept Plan on September 12, 2011, it would not adopt all of the implementation strategies. She said they would adopt a vision and through implementation teams and coming to bodies on a case by case basis for projects was how the Plan would be implemented in terms of the public sector investments.

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

Chairman Roberts said she would like for the Board to be asked to adopt the Plan because she feels it becomes a better Plan. She said the Board would not be obligating any funds.

Director Campbell said they would be happy to come back at a later date and have the County vote on the Plan.

Motion was made by Commissioner Cogdell but died for lack of a second, to adopt the 2020 Center City Vision Plan.

Commissioner Dunlap said he felt Board members needed time to further review and absorb the Plan.

Chairman Roberts thanked the presenters for the presentation.

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

(7F) BUSINESS INVESTMENT PROGRAM GRANT: TIME WARNER CABLE, PHASE 3 – ITEM WAS REMOVED FROM THE AGENDA

CONSENT ITEMS

Motion was made by Commissioner Dunlap, 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

- 1) Approve minutes of Regular meeting held August 2, 2011; Special Meeting held July 12, 2011; and Closed Sessions held August 2, 2011 and July 12, 2011.
- 2) Authorize the Clerk to the Board to amend the minutes of Regular meeting held June 21, 2011 to correct the wording of the motion for Item (8c) Women's Equality Day Funding.

Note: The motion should have read as follows and should have included the wording that's in red.

SEPTEMBER 7, 2011

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-2 with Commissioners Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes and Commissioners Bentley and Pendergraph voting no, to appropriate *and carry-forward to FY2012*, \$1,500 from FY2010-2011 Unrestricted Contingency *to Community Support Services*, to fund the Women's Equality Day event to be held in August 2011.

(10) TAX REFUNDS

Approve refunds in the amount of \$29,313.32 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 Board.

(11) INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate funds in the amount of \$28,408 for Real Estate Services, \$43,293 for Park and Recreation and \$1,525 for Information and Services Technology.

Note: All reimbursements are for stolen and damaged items.

(12) AREA MENTAL HEALTH FOURTH QUARTER FY 2011 REPORT

Receive the Fourth Quarter 2011 Area Mental Health Report.

Note: In accordance with General Statute 122C-115.1(e), within 30 days of the end of each quarter of the fiscal year, the program director of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners.

FINANCIAL MANAGEMENT

	<u>Budget</u>	<u>Actual</u>	<u>% Received</u>
Revenue Source			
Medicaid & CAP	9,842,149	7,461,022	75.81%
State and Federal	34,286,574	30,009,741	87.53%
Third Party/Other	97,293	52,594	54.06%
County	40,498,282	32,191,689	79.49%
Total Revenues	84,724,298	69,715,046	82.28%

	<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>
Service Continuum			
Children's Developmental Services	7,154,020	6,134,852	85.75%
Child & Adolescent Services	13,464,516	9,106,423	67.63%
Adult Mental Health	7,366,027	4,422,445	60.04%
Adult Substance Abuse	14,399,083	13,015,166	90.39%
Local Management Entity	8,621,876	7,277,778	84.41%
BHC Randolph	22,494,903	20,522,300	91.23%

	SEPTEMBER 7, 2011		
Developmental Disabilities	11,223,873	9,236,082	82.29%
Total Expenditures	84,724,298	69,715,046	82.28%
Net (Revenues - Expenditures)	0	0	100%

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

(13) AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

- 1) Approve the attached list (Exhibit A) as surplus, and
- 2) Adopt a resolution authorizing sale of surplus personal property by public auction on September 24, 2011 at 10:00 a.m. at 3301 Rotary Drive, Charlotte, NC.

Resolution including Exhibit A recorded in full in Minute Book _____ Document #_____.

(18) GRANT APPLICATION – FEMA – LUESA

- 1) Authorize the County Manager to submit a grant request in the amount of \$20,000 with the Federal Emergency Management Agency.
- 2) If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement.
- 3) Authorize the carry-forward of unspent funds for the duration of the grant.

(19) POSITION CHANGE REQUEST – AREA MENTAL HEALTH

Approve converting 1 part-time Sr. Quality and Training Specialist position to a full-time position in the Jail Diversion and Trauma Recovery Program.

(20) ABERSHAM EASEMENT

Approve the following two easements in connection with the Abersham property:

After the County’s acquisition of the former Abersham Subdivision, authorize the conveyance by the County of (1) a 30 foot wide Access Easement on Greenwold Drive, the northerly part of the Abersham Loop Road and the easterly part of Pleasant Garden Drive to and from Tax Parcel #003-331-49 and (2) an exclusive 100 foot wide Buffer Easement around the northerly part of the Abersham Loop Road and Tax Parcel #003-331-49 to Jason E. and Rachel R. Karo and Suntrust Mortgage, Inc. in exchange for Jason E. and Rachel R. Karo, and Suntrust Mortgage, Inc., agreeing to changes to the subdivision plats needed by the County. The County Manager is authorized to execute all documents necessary to accomplish this.

(21) SET PUBLIC HEARING – NCDOT RURAL OPERATING ASSISTANCE PROGRAM GRANT

APPLICATION

Set a public hearing for the September 20, 2011 Board of County Commissioners meeting to receive comments on the Mecklenburg County Department of Social Services' grant application for the NC Department of Transportation's Rural Operating Assistance Program for Fiscal Year 2011-2012, and direct the Clerk to publish notice of intent to hold a public hearing.

(22) UNION COUNTY RADIO SERVICE INTERLOCAL AGREEMENT AMENDMENT

Approve a resolution Authorizing Execution Of An Amendment To The Interlocal Agreement For Access To And Service Of Radio System Between The City Of Charlotte, Mecklenburg County And Union County for Public Safety Radio System Interoperability and Infrastructure Services.

**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
AUTHORIZING EXECUTION OF AN AMENDMENT TO THE
INTERLOCAL AGREEMENT FOR ACCESS TO AND SERVICE OF RADIO SYSTEM BETWEEN
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY AND UNION COUNTY**

WHEREAS, under North Carolina General Statutes §160A-461 and §153A-445, as amended, cities and counties are authorized to enter into interlocal cooperation undertakings with other local governments for the joint exercise of any power, function, public enterprise, right, privilege, or immunity of local governments in North Carolina; and

WHEREAS, on or about February 20, 2008, the City of Charlotte, Mecklenburg County and Union County entered into an Interlocal Agreement for Access To and Service of Radio System with approval of their respective governing boards (the "Agreement"); and

WHEREAS, the Agreement specifies the details under which the City of Charlotte will provide radio service to Union County through the consolidated regional radio system shared with Mecklenburg County, all for the purpose of ensuring that public safety agencies of both units of local government have the communications infrastructure and regional integration to respond in a coordinated manner to local and regional emergencies; and

WHEREAS, the City, Union County and Mecklenburg County now desire to amend the Agreement to add the servicing of Union County's radios to the services currently being provided by the City in accordance with the terms of the amendment attached to this resolution as Exhibit A (the "Amendment"), and to authorize their respective City and County Managers to amend the Agreement to incorporate any future changes that the parties may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on Mecklenburg County; now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Amendment is hereby approved, that the County Manager is hereby authorized to execute such Amendment in substantially the form attached to this Resolution, that this Resolution shall be spread upon the minutes, and that the County Manager is authorized to amend the Agreement to incorporate any future changes that the County Manager, Union County and City of Charlotte may agree to from time to time regarding the radio service or support provided under the Agreement, so long as such changes do not impose any costs on Mecklenburg County.

Resolution & Agreement recorded in full in Minute Book ____ Document # ____.

(23) CONTRACT FOR THE DISPOSAL OF SOLID WASTE AT THE SPEEDWAY LANDFILL

Approve the Second Amended and Restated Contract for Disposal of Solid Waste By and Between Mecklenburg County and BFI Waste Systems of North America, Inc.

NOTE: Mecklenburg County and the seven municipalities with which it has Solid Waste Interlocal Agreements -- the City of Charlotte and the Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill and Pineville -- currently dispose of residential solid waste at the Speedway Landfill in Concord, NC in Cabarrus County. These disposal arrangements are provided through a contract between Mecklenburg County and BFI Waste Systems of North America, the owner and operator of the Charlotte Motor Speedway Landfill. The parent company of BFI Waste Systems of North America, Inc. is Republic Services, Inc., a national waste services provider.

The initial term of this disposal contract began on July 1, 2001 and continued for six years. On May 1, 2007, the BOCC approved an amendment to the Speedway Landfill disposal contract that extended the term of the contract for an additional five years, through June 30, 2012. On June 7 of this year the BOCC confirmed staff recommendation to pursue another multi-year extension to the Speedway Landfill disposal contract. This Board action further amends the Speedway Landfill disposal contract and extend its term for an additional eight years, through June 30, 2020. While the Second Amended and Restated Contract retains most of the provisions of the current contract, there are several notable changes in addition to the extended term of the contract. As before, there is no minimum quantity of waste that must be disposed, the County is free to remove all of the recyclables it chooses from the waste. With this amended contract, food and organic wastes are additionally included as recyclables, enabling their recycling should the County institute a program for recovering these materials. Also, the potential for additional "local" fees assessed to the Speedway Landfill being passed through to the County has been removed. The County and the Speedway Landfill recently went to arbitration on host fees assessed by the City of Concord which resulted in an additional \$0.50 per ton being charged to the County. The fee paid to the Speedway Landfill for disposing the waste ("Use Fee") will be set at \$24.50 per ton for FY 2013 and then will be adjusted annually by the change in the Consumer Price Index (CPI). An additional fee ("Transfer Fee") is paid for any waste first delivered to Republic's Ft. Mill Transfer Station before being transported to and disposed at the Speedway Landfill. In the last fiscal year less than one-half of one percent of the total waste handled was received at the Ft. Mill Transfer Station. The Transfer Fee will be set for \$18.00 per ton for FY 2013 and also will be adjusted annually by the change in the CPI. This contract amendment provides continued economical and environmentally sound residential waste disposal for our partnering municipalities at disposal fees well below market rates for this area. At the same time, the County preserves the permitted disposal capacity at the Foxhole Landfill for future use. The Waste Management Advisory Board recommended pursuing this eight-year contract at its July 19, 2011 meeting and further unanimously recommended at its August 16, 2011 meeting that the BOCC approve the attached Second Amended and Restated Contract. The Foxhole Advisory Council was presented with the framework of the proposed eight-year contract at its July 25, 2011 meeting.

(25) AGREEMENT - PROTECTION, DEVELOPMENT AND IMPROVEMENT OF FOREST LAND IN MECKLENBURG COUNTY

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

Note: Approval of this request will enable the reoccurrence of a one-year agreement with a 40% County and 60% State funding split establishing a County Office of the North Carolina Forestry Service with duties and responsibilities as specified in the agreement.

Agreement recorded in full in Minute Book _____ Document #_____.

SEPTEMBER 7, 2011

(28) CAPITAL RESERVE REQUEST - PARK & RECREATION (CAMPGROUND PLUMBING INFRASTRUCTURE UPGRADE, MCDOWELL NATURE PRESERVE)

Authorize and appropriate expenditure of \$69,500 from the Park & Recreation McDowell Capital Reserve account to upgrade the plumbing infrastructure at the McDowell Nature Preserve Campground.

(29) INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE

1) Authorize the County Manager to negotiate and execute a funding agreement with the City of Charlotte.

2) Execution of Resolution authorizing Interlocal Agreement for funding of McAlpine Creek Stream Restoration Project.

Note: This Agreement is the second of two funding agreements between the City of Charlotte and Mecklenburg County for funding of a joint storm water, water quality project on and adjacent to McAlpine Creek between Sardis and Providence Roads. The first Agreement, in the amount of \$350,000 and approved by the Board on June 17, 2008, was for funding of planning and engineering. The second agreement is for compensation to the County from the City for its portion of construction in the amount of \$1,000,000. The County's portion of the project is being funded by Mecklenburg County Storm Water capital improvement funds and the NC Clean Water Management Trust Fund (grant approved by the Board on November 15, 2005). All funds were approved by the Board on December 15, 2009.

Resolution and Agreement recorded in full in Minute Book _____, Document # _____.

(30) BUSINESS INVESTMENT PROGRAM GRANT: SPX CORPORATION (REVISED)

Adopt Resolution approving a revised Business Investment Program Grant to SPX Corporation for a total estimated amount of up to \$3,796,070 and authorize the County Manager to negotiate and execute a contract.

Note: In Charlotte, SPX employs 255 people at its corporate headquarters in Ballantyne, but expects to add 180 new jobs within the next five years. To accommodate this growth, SPX plans to build a new 230,000 square foot office building in Ballantyne, after initially considering sites in South Park and Lancaster County, SC.

The project will include a capital investment of \$65 million in real estate and business personal property, beginning in 2011. It will create 180 new jobs over the first five years with a projected average annual salary of approximately \$82,000. The company will also invest \$68 million in the acquisition of two new aircraft, which will be hangered in Charlotte.

Resolution recorded in full in Minute Book _____ Document #_____.

(32) IEDC ANNUAL MEETING REGISTRATION AND RECOGNITION DINNER

Approve County Commissioner and Staff registrations for the International Economic Development Council Annual Meeting and Chairman's attendance at IEDC Recognition Dinner.

Note: The International Economic Development Council will hold its annual conference in Charlotte in September 2011.

(33) ABC BOARD TRAVEL POLICY

Approve the Alcoholic Beverage Control Board Travel Policy as required by G.S. 18B-700(g) (2).

Note: G.S. 18B-700(g) (2) requires the local ABC Board to annually provide the appointing authority's written confirmation of its travel policy to the NC ABC Commission.

The ABC Board's travel policy was adopted in February, 2010, and was originally approved by the Board of Commissioners September 8, 2010. The ABC Board's travel policy has not been amended since that time, except to reflect updated subsistence rates that were adopted by the NC Office of State Budget & Management July 1, 2011. The updated subsistence rates were approved by the Mecklenburg ABC Board on 8/16/11. The changes were as follows:

<i>Breakfast</i>	<i>\$7.75 to \$8.00</i>
<i>Lunch</i>	<i>\$10.10 to \$10.45</i>
<i>Dinner</i>	<i>\$17.30 to \$17.90.</i>

A copy of the policy is recorded in Minute Book _____, Document # _____.

(34) REVISION TO LUESA FEE ORDINANCE

Amend the LUESA Fee Ordinance to delete the charge for seminars sponsored by the Department.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(14) BUDGET AMENDMENT – SHERIFF'S OFFICE (REVENUE INCREASE) REALITY PROGRAM AND TEEN SUMMIT

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, to recognize and appropriate a \$10,000 donation to support expenses related to the Mecklenburg County Sheriff's Office Reality Program and the Teen Summit.

Note: The Mecklenburg County Sheriff's Office Reality Program was recently featured on the A&E TV network program, "Beyond Scared Straight." The producer, Arnold Shapiro Productions, Inc., made a \$10,000 honorarium to support unfunded expenses associated with the Reality Program as well as the follow-up Teen Summit for the next three years.

Commissioner Leake removed this item from Consent in order to find out when the event would be taking place and for more public awareness.

(15) BUDGET AMENDMENT – SHERIFF'S OFFICE SPECIAL REVENUE FUND (REVENUE INCREASE)

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

SEPTEMBER 7, 2011

1. Recognize and appropriate for the Sheriff's Special Revenue Fund, \$98,000 from Inmate Commissary.
2. Recognize and appropriate for Sheriff's Special Revenue Fund, \$32,000 from Vocational Facility Telephone Revenue.

Note: 1. All funds collected through Jail commissary operations will be used for inmate education, library and self-sufficiency programs as well as supplies and equipment to support programs. 2. All funds received from 16.8 percent of commissions from the inmate telephone system will be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more public awareness. She also wants to know how these funds are supporting programs for teens and the outcomes of those programs.

(16) BUDGET AMENDMENT – DSS (REVENUE INCREASE) LIEAP/CIP

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 amend the Department of Social Services (DSS) FY12 Budget to recognize, receive and appropriate \$55,475 of Federal revenue for the Low Income Energy Assistance and Crisis Intervention Program Administration (LIEAP/CIP).

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

Commissioner Cooksey returned to the dais.

(17) BUDGET AMENDMENT – DSS (REVENUE INCREASE) TANF

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to increase and appropriate FY12 TANF Domestic Violence Funds in the amount of \$1,420.

Commissioner Leake removed this item from Consent for more public awareness and in order to ask for additional information. She requested the total budget for domestic violence funding.

(26) LITTLE SUGAR CREEK GREENWAY – MIDTOWN PARK – CONSTRUCTION CONTRACT

Motion was made by Commissioner Cooksey, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to authorize the County Manager to award a construction contract to Sealand Contractors Corporation for a total amount of \$889,000 for the construction of the Little Sugar Creek Greenway-MidTown Park.

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

SEPTEMBER 7, 2011

(27) CAPITAL RESERVE REQUEST – PARK & RECREATION (SYNTHETIC TURF ATHLETIC FIELDS)

Motion was made by Commissioner Leake, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to authorize and appropriate expenditure of \$50,000 from the “Synthetic Turf Field” Capital Reserve account to replace rubber infill at Revolution Park.

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

(31) DONATIONS FOR THE 2011 MECKLENBURG COUNTY HOMELESS VETERANS STAND DOWN

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to recognize, receive and appropriate \$1,092 of donations received to support the operation of the 2011 Homeless Veterans Stand Down.

Note: Golf Tournament - Various Donors \$417.00; Law Offices of Paul Goodson \$600.00; Metrolina Ex-POW \$75.

Chairman Roberts removed this item from Consent for more public awareness.

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(8A) DISTRICT TWO UPDATE – COMMISSIONER LEAKE

The Board received a District Two update from Commissioner Leake. Commissioner Leake informed the Board of an upcoming event in Lincoln Heights and events she attended recently. She thanked General Manager John McGillicuddy for assisting her with getting an issue resolved that dealt with Bruns Avenue Recreation Center. She also acknowledged Carol Lilly whom she said was active in the community and acknowledged the death of Mr. Washington, who worked for the Sheriff’s Office.

Commissioner Leake also encouraged commissioners to attend Board Committee meetings as assigned. She specifically, asked those that were members of the Community Health & Community Support Committee, which she chairs.

Commissioner Pendergraph expressed concern for the district updates given by Commissioner Leake. Commissioner Pendergraph said he’d received feedback from residents on the south side of District 2 questioning why Commissioner Leake never recognized anything in that area of District Two when giving updates. He said Commissioner Leake needed to realize there were other people in district two, other than the ones she “constantly” speaks of and were also badly in need of jobs and employment.

Commissioner Leake said she had attended and attends activities in the southern part of District Two, when invited and on her own.

Commissioner Cogdell asked that an item be placed on the September 20, 2011 agenda under his name regarding how items are placed on the agenda by commissioners.

SEPTEMBER 7, 2011

ADJOURNMENT

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:32 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman