

OCTOBER 18, 2011

**MINUTES OF MECKLENBURG BOARD OF COUNTY COMMISSIONERS
NORTH CAROLINA
MECKLENBURG COUNTY**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, October 18, 2011.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

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

(1) REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 11, 13, 18, 20, 21, 22, 23, and 25.

(2) STAFF BRIEFINGS - NONE

(3A, B, C) CLOSED SESSION – A) BUSINESS LOCATION AND EXPANSION, B) CONSULT WITH ATTORNEY, & C) PERSONNEL MATTER

Prior to going into Closed Session, Attorney Bethune said the Board would only need to go into Closed Session for 3A) Business Location & Expansion.

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:25 p.m. and came back into Open Session at 5:45 p.m.

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

-FORMAL SESSION-

Invocation was given by Commissioner Pendergraph, 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) CUSTOMER SERVICE HEROES, TEAM OF THE YEAR AND GERALD G. FOX EMPLOYEE OF THE YEAR AWARD

The Board recognized the following employee award recipients. They were introduced by Blake Hart, Management Analyst.

- 1) The County's Team of the Year Award, sponsored by the County's Diversity Council:
Members of the DSS Compliance and Quality Assurance Team

Note: The Mecklenburg County Team of the Year award is newly introduced in 2011. The purpose of this award is to recognize an outstanding team of employees that has achieved great success demonstrating strong competencies in operating successfully as a diverse work team. The criteria for this new award are Innovation & Creativity, Team Effectiveness, Leadership and Performance.

- 2) The County's 2011 Customer Service Hero Award Winners:
Service Quality: Janice Blackman, Human Services Finance
Ethics: Donnie Munson, Department of Social Services
Timeliness: Gladys Moreno, Park & Recreation
Courtesy & Respect: Michael Sexton, Community Support
Communications: Sgt. Karen McRae, Sheriff's Office

Note: Each year the County recognizes one Customer Service Hero for each of the five Customer Service Standards as identified in the County's Customer Service Philosophy.

- 3) The 2011 Gerald G. Fox Employee of the Year Award:
Audrey Lorraine Terry from Child Support Enforcement - She received a \$600 check from the Employer's Association, sponsor of the award, in recognition of her service.

Note: Kenny Culbert, president of the Employers Association presented the Employee of the Year Award. This is the 51st consecutive year for the award which recognizes employees who go above and beyond in the performance of their duties. Recipients are nominated by co-workers and selected by an independent panel of judges from the Mecklenburg County Personnel Commission. Nominees are evaluated based on their contributions to the goals of the County and the benefit of the community.

Ms. Terry thanked the Board and her department for this recognition.

(2) PUBLIC APPEARANCE

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

Ron Jones addressed the proposed purchase of his property by the County. He lives at 2422 Cloister Drive. Mr. Jones said he was contacted in January by the County regarding the proposed purchase of his property, which is in a floodplain, using 75% FEMA funds and 25% County funds. Mr. Jones said in August he was informed that the County was no longer considering the purchase of his property, which was a surprise to him and his wife. Mr. Jones said their property floods

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regularly. He shared pictures of the home. Mr. Jones asked that the County reconsider purchasing his property.

Chairman Roberts said staff would follow-up with him.

A copy of a handout from Mr. Jones is on file with the Clerk to the Board.

(3A) NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Pendergraph, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint Anthony Keene to the Air Quality Commission as the Industrial representative for a three-year term expiring August 31, 2014.

Note: He is replacing Mark Casper.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint Kristen Shaben to the Park and Recreation Commission as the Southern Town representative for a three-year term expiring June 30, 2014.

Note: She replaces Paul Bailey.

PERSONNEL COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint Chris Byron to the Personnel Commission to fill an unexpired term expiring January 31, 2012 and Kathleen Veal to fill an unexpired term expiring November 30, 2013.

Note: They replace Michael Giddens and Deborah Jackson.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Cogdell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to reappoint Ollie Frazier to the Waste Management Advisory Board for a three-year term expiring October 31, 2014.

The following persons were nominated for appointment consideration to the Waste Management Advisory Board by Commissioner Cooksey: Joe Howarth and Shawn Rogers.

Note: An appointment will occur on November 1, 2011.

(4) PUBLIC HEARINGS – NONE

(5) ADVISORY COMMITTEE REPORTS – NONE

(6) MANAGER’S REPORT – NONE

STAFF REPORTS AND REQUESTS

(7A) FLOODPLAIN ACQUISITIONS – 2011 QUICKBUY

The Board received an update on progress of the 2011 QuickBuy. Dave Canaan, Director of Storm Water Services gave the update.

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.
- On September 7, 2011, the Board of Commissioners approved the quick buy concept, appropriated \$2 million in funding from Storm Water’s available fund balance and adopted the resolution for an Eligibility & Prioritization Plan for a Voluntary Property Acquisition Program.
- The eligibility criteria were reviewed.
- 21 properties qualified.
- Everyone was contacted with the exception of one, who staff has been unable to reach.
- No one has declined to participate to date.
- About 50% of the property owners contacted have been provided offers, six of which are before the Board for consideration.
- 70% of the properties are owner occupied.
- 50% of the property owners have flood insurance and it may go up to 70%.
- Staff is within budget.
- The estimated program cost is about \$1.4 million.

Comments

Commissioner Dunlap asked about the expenditure of the remaining funds. *Director Canaan said staff was not proposing to spend the remaining funds. He said the unused funds would go back into the Rainy Day fund and as a result, it’ll take less time to rebuild the fund back up to \$2.5 million. Director Canaan said if \$1.5 million is allocated each year, then it would only take three years to rebuild the fund. If the fund is depleted, it would take five years to rebuild it.*

Commissioner Dunlap asked about those impacted by previous floods, whose homes were not purchased; and they’ve since rebuilt or made repairs, thus, it may be more costly now for the County to purchase those properties. *Director Canaan said there was a possibility in the future, since the County wasn’t able to acquire these properties 100% with County funds, that these properties may be able to be placed in a grant and get up to 75% in federal funding and 25% local funding. Or, if there’s a Quick Buy in the future, they may qualify for that.*

Director Canaan said he’d received a lot of inquiries from property owners regarding crawl space damage. He said the County would pay a lot more of the percentage of the overall tax

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value of the home if it were to buy crawl space flooded homes versus living space flooded homes.

Commissioner Dunlap said it should be communicated to homeowners what the County's intent is so property owners don't feel they've been neglected or listened to. Commissioner Dunlap said property owners need to understand why the County's interest in purchasing their property changed.

Director Canaan said he agreed with Commissioner Dunlap and that staff does try to communicate the reasoning to property owners.

Commissioner Cooksey asked about flood insurance and what impact that has on the County's purchase of the property. *Director Canaan said having or not having flood insurance does not impact how the offer of purchase is calculated. He said the offer is calculated based on the fair market value the day before the flood and then damages are subtracted and that's the offer. He said if a property owner has flood insurance, they'll receive those proceeds from having the insurance.*

Commissioner Cooksey asked about the other acquisition program, 75% federal dollars and 25% local dollars. He asked if the 25% local funding came from the Rainy Day fund. *The response was no. It's a separate fund.*

Commissioner Cooksey asked about the status of the 75% - 25% flood mitigation program. *Director Canaan said staff was still aggressively going after federal funding, however, the reality is that the County has almost exhausted all properties that qualify for federal funding because the floodplain buyout program has been so successful.*

Commissioner Cooksey encouraged residents to get flood insurance if they're at risk of flooding in their home.

Commissioner James asked about the number of letters sent out, per the August 5, 2011 flood. *The response was approximately 40 but no more than 60.*

Director Canaan explained that per the criteria resolution that was adopted, 21 properties qualified.

Commissioner James asked about the properties that didn't qualify and whether they were still flood prone and on a list. *The response was yes.*

Commissioner James asked would the County buy those properties if funds were available or would they not because of the level of flooding sustained. *Director Canaan said there were several ways to categorized homes that were flooded, which he explained.*

Commissioner James suggested in the future that staff make sure letters sent to property owners make it clear that the receipt of the letter was not a guarantee for purchase of their property.

Commissioner Cogdell asked for clarification on the qualifications for the Quick Buy program, which was addressed.

Commissioner Clarke suggested developing a legend that would be placed on any written communication that staff sends out to anyone regarding the County's possible acquisition of their property. He said the legend should be phrased to make it clear, that events and circumstances change, thus there's no certainty that the offer to purchase will ever be consummated or that there will be an offer.

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Commissioner Clarke asked for clarification on the purpose of the Rainy Day fund, which was addressed.

Commissioner Clarke suggested that at a future Budget/Public Policy meeting the Board discusses in more detail the purpose of the Rainy Day fund and whether changes are needed.

Commissioner Pendergraph asked for clarification in those instances where the property owner's mortgage is more than what the County's offer of purchase is, which was addressed.

This concluded the update. No action was required.

(8) COUNTY COMMISSIONERS REPORTS AND REQUESTS - NONE

CONSENT ITEMS

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

(9) APPROVAL OF MINUTES

Approve minutes of Regular meeting held October 4, 2011 and Closed Session held October 4, 2011.

(10) TAX REFUNDS

Approve refunds in the amount of \$6,037.73 to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

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

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

Recognize and appropriate \$6,000 in deferred revenue from various sponsors for GIS Day.

Note: GIS Day is an international event principally sponsored by the National Geographic Society, the Association of American Geographers, University Consortium for Geographic Information Science, the United States Geological Survey, the Library of Congress, Sun Microsystems, Hewlett-Packard, and the Environmental Systems Research Institute (ESRI). GIS Day is a venue to train the public on Mecklenburg County's on-line GIS applications as well as outreach to area schools. The event increases awareness about other services offered by GIS and Mecklenburg County.

(14) BUDGET AMENDMENT – AREA MENTAL HEALTH (REVENUE INCREASE) – CENTER FOR PREVENTION RESOURCES

A) Recognize, receive and appropriate Federal funds in the amount of \$25,000 for the purpose of the Center for Prevention Resources (CPR) for the Western Region.

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Note: This action is necessary due to funding allocated by the North Carolina Division of MH/DD/SAS. These funds will be used to support the Center for Prevention Resources. Anuvia is the CPR for the Western Region.

B) Reduce federal funding in the amount of \$250 per annual State allocation letter.

Note: This action is necessary due to a reduction of federal PATH funding from the North Carolina Division of MH/DD/SAS for the mental health adult homeless population.

(15) HAZARD MITIGATION PROGRAM – FLOODPLAIN ACQUISITION – 1110 WILLHAVEN DRIVE

1. Accept the “Offer of Sale of Land” from John M. and Katheryn A. Hall, owners of property at 1110 Willhaven Drive (Tax Parcel 185-111-29) for \$235,000.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

(16) HAZARD MITIGATION “QUICK BUY” PROGRAM – FLOODPLAIN ACQUISITIONS

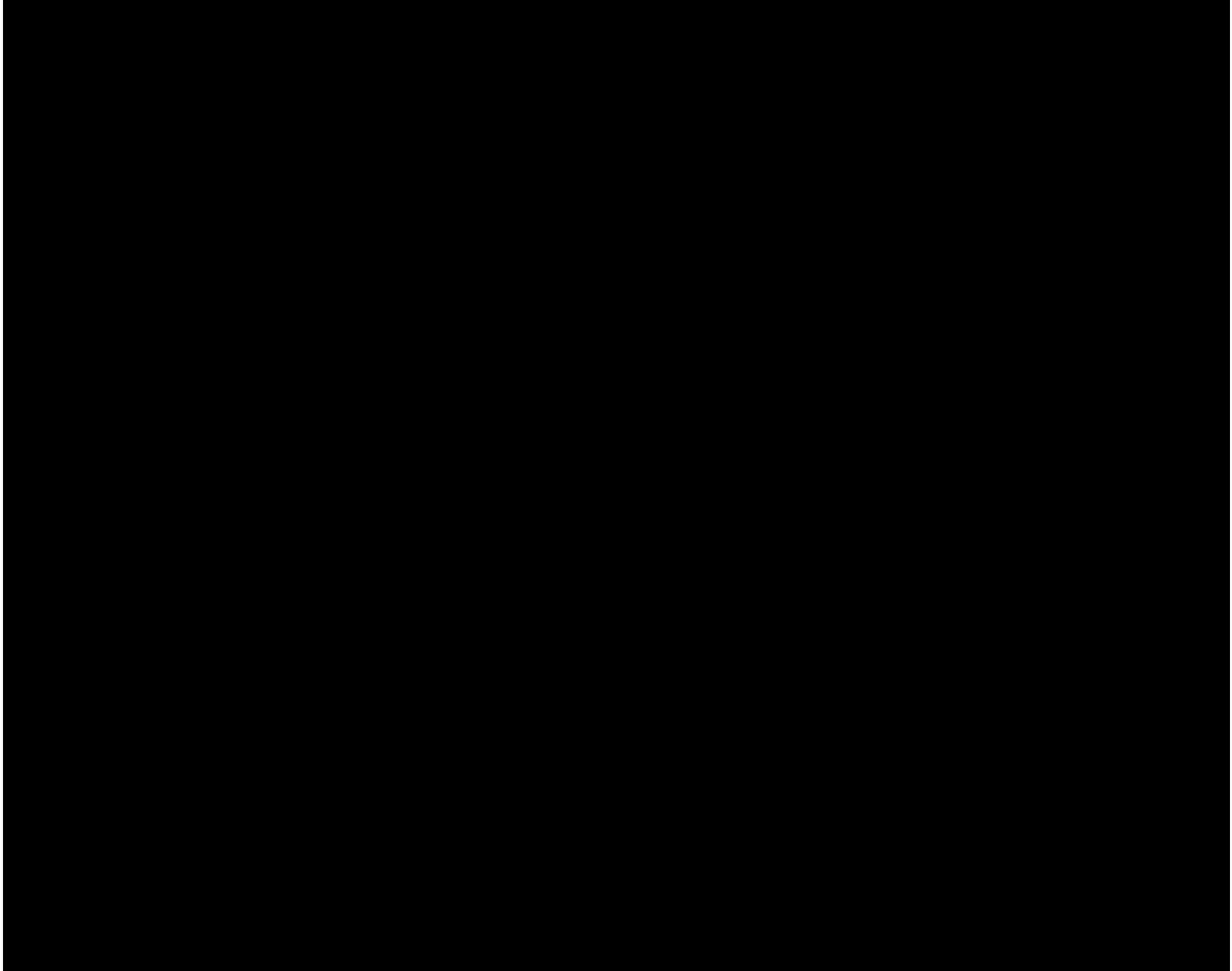
1. Accept the “Offer of Sale of Land” from Emery Zimmerman of 1017 Andrill Terrace (Parcel ID: 07509305) for \$15,289.94.
2. Accept the “Offer of Sale of Land” from Johnny Alponza Beatty of 1035 Andrill Terrace (Parcel ID: 07509309) for \$20,590.95.
3. Accept the “Offer of Sale of Land” from Frontlets LLC of 820 Seldon Drive (Parcel ID: 06905110) for \$16,894.68.
4. Accept the “Offer of Sale of Land” from Peggy H. Howey of 808 Seldon Drive (Parcel ID: 06905112) for \$49,345.
5. Accept the “Offer of Sale of Land” from Larry Hart of 814 Seldon Drive (Parcel ID: 06905111) for \$53,005.
6. Accept the “Offer of Sale of Land” from Jelani J. Patterson of 4041 Whitehurst Road (Parcel ID: 14521207) for \$54,117.
7. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.
8. Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

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

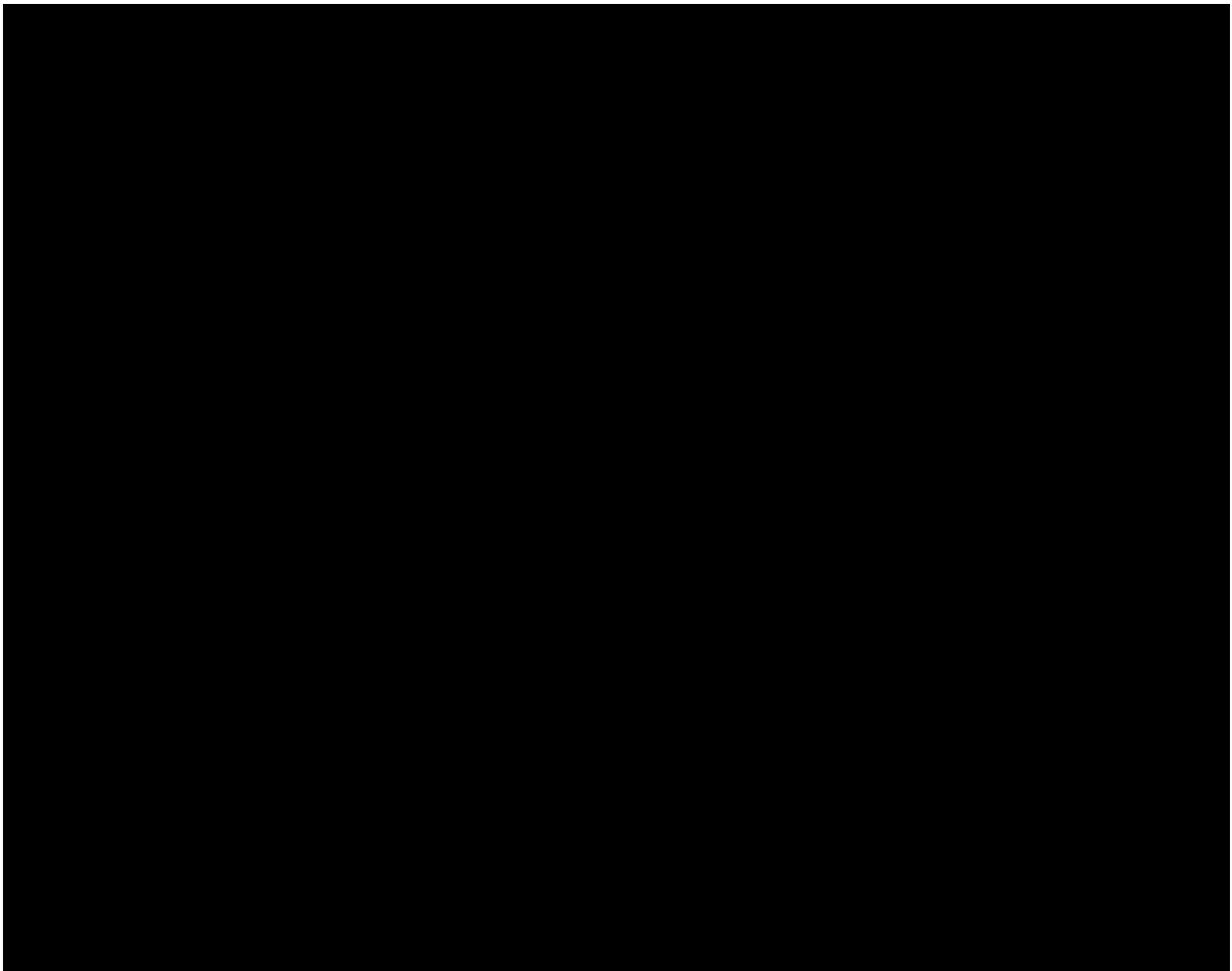
(17) AREA MENTAL HEALTH MONTHLY FINANCIAL REPORTS

Recognize and receive Area Mental Health Monthly Financial Reports for period ending July 2011 and August 2011.

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Note: All revenue received from outside sources plus County revenue covers total expenditures incurred



Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Service, the program director of the county program shall present to each

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member of the Board of County Commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented. The program director of the county program shall provide to the Board of County Commissioners ad hoc reports as requested.

(19) RIGHT-OF-WAY CONVEYANCE TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

(1) Approve the conveyance of a portion of Tax Parcel #037-071-69 (+/- 0.079 acres) to the North Carolina Department of Transportation as right-of-way to facilitate a bridge replacement project on Miranda Road, for \$2,300 from the North Carolina Department of Transportation as compensation for right-of-way and a temporary construction easement.

(2) Accept donation of a portion of Tax Parcel #033-125-15 (+/- 0.012 acres) from the North Carolina Department of Transportation on McIntyre Creek.

(24) CAROLINA THREAD TRAIL GRANT

Recognize, receive and appropriate \$35,000 from a Carolina Thread Trail grant for construction of a natural surface trail and associated amenities at the West Branch Nature Preserve.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(11) NORTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (DJJDP) – MECKLENBURG COUNTY JCPC FUNDING

Commissioner Leake removed this item from Consent in order to find out the status of the Greenville Center Culinary Arts Program. Commissioner Leake said there had been questions regarding the utilization of the facility as it was asked for, which was to upfit Greenville Center and the kitchen to support a culinary program for gang-involved juveniles.

Commissioner Leake said per recent visits to Greenville Center, nothing has been done. The program has not been implemented.

Commissioner Leake said she also heard funds were sent back to the government on two occasions and asked for clarification.

Commissioner Leake questioned why grant funds were being provided for a program that was not implemented.

County Manager Jones reviewed the history of the agenda item and the purpose of the request before the Board.

County Manager Jones said he would find out the status of the upfit and the culinary arts program and report back to the Board.

Motion was made by Commissioner Pendergraph, seconded by Commissioner Clarke, to recognize, receive and appropriate a grant award of \$339,765 from the North Carolina Department Of Juvenile Justice And Delinquency Prevention (DJJDP) to Mecklenburg County Juvenile Crime Prevention Council (JCPC) for Charlotte-Mecklenburg Police Department's Gang of One Program, the Greenville Center Culinary Arts Program; and to authorize the carry

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forward of unspent funds until expended.

Substitute motion was made by Commissioner Leake, seconded by Commissioner Cogdell, to defer taking action on Item 11 North Carolina Department Of Juvenile Justice And Delinquency Prevention (DJJDP) – Mecklenburg County JCPC Funding, until a report is received from the County Manager regarding the status of the upfit and Culinary Arts Program at Greenville Center.

Commissioner James questioned the need to defer and asked about the impact of deferring.

County Manager Jones said per staff, to defer would result in the County's inability to pay some outstanding bills.

Commissioner Cogdell said he wanted more information on the Culinary Arts Program as well, such as when did the funds get forwarded over to the organization that's responsible for operating the program.

Commissioner Cogdell said if the funds were received, he'd like to see the resources being invested and the funding used as intended when the grant was applied for.

Commissioner Cooksey said he would like to know where things stood also and the projection for implementation of the program.

Commissioner Leake asked that staff communicate with the Chief of Police regarding this as well.

Commissioner Clarke asked to what degree was the County responsible for overseeing the expenditure of the grant funds. He asked was it appropriate for the County to be conducting an oversight hearing of a City of Charlotte Police Department program.

Sarah Crowder, chairman of the Juvenile Crime Prevention Council (JCPC) said oversight of the funds was done by the NC Department of Juvenile Justice and Delinquency Prevention through all sorts of monitoring. She said the local JCPC awards the funds under particular grants. She said the funds that were awarded last year that the County voted on was federal funds that came to the NC Department of Juvenile Justice, and was then dispersed throughout the state under a lot of different Request for Proposals (RFPs). The one last year required vocational education to be a part of the grant.

Ms. Crowder said she was not sure to what extent it would be appropriate for the local county to have oversight of this program.

County Manager Jones said the County's oversight was budgetary. He said budget staff monitors the expenditure of funds to ensure that the JCPC is staying within the budgetary authority of the grant.

Commissioner Clarke said he would not want the County getting into something that was not the County's responsibility.

Commissioner Clarke said he would like clarification from staff or the County Attorney on what the County's responsibility was when it comes to these types of grants. Commissioner Clarke said he also wanted to know the County's role and how it's niched together with the JCPC and the state agency that awards the grant.

Commissioner Cogdell said as a result of the County's application and receipt of grants in general, the County becomes the party that receives those resources and was thus, responsible for the adherence to the terms and conditions of the grant. Commissioner Cogdell said he

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didn't know if passing the proceeds on to a third party would alleviate the County from its responsibility to ensure those funds were being administered in compliance with the conditions of the grant. He said the County would probably still be the responsible party if something was not done in compliance with the program.

Commissioner Cogdell said this issue raised a bigger policy question of, to what extent does the County need to look at, if the County is applying for a grant and turning those resources over to the City of Charlotte or the Police Department; he's a little puzzled as to why those entities would not apply directly. He said it may be because of state law or because of the way the JCPC was set up to apply for crime prevention dollars. Commissioner Cogdell said he was not sure if the City of Charlotte or the Police Department could be the party that applies directly.

County Manager Jones said he would provide the Board with information on what the roles and relationships were with respect to this type of grant. County Manager Jones said he would address what the County's oversight was and the role and relationships of the entities that are selected by the JCPC for funding.

Commissioner Leake said she raised this issue out of concern for the children that would benefit from this program, if it were up and running. She said it was not raised to manage or micro-manage the grant funds.

The vote was then taken on the substitute motion as follows:

Substitute motion was made by Commissioner Leake, seconded by Commissioner Cogdell and failed 7-2 with Commissioners Bentley, Clarke, Cooksey, Dunlap, James, Pendergraph, and Roberts voting no and Commissioners Cogdell and Leake voting yes, to defer taking action on Item 11 North Carolina Department Of Juvenile Justice And Delinquency Prevention (DJJDP) – Mecklenburg County JCPC Funding, until a report is received from the County Manager regarding the status of the upfit and Culinary Arts Program at Greenville Center.

The vote was then taken on the original motion as follows:

Motion was made by Commissioner Pendergraph, seconded by Commissioner Clarke and carried 8-1 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Pendergraph, and Roberts voting yes and Commissioner Leake voting no, to recognize, receive and appropriate a grant award of \$339,765 from the North Carolina Department Of Juvenile Justice And Delinquency Prevention (DJJDP) to Mecklenburg County Juvenile Crime Prevention Council (JCPC) for Charlotte-Mecklenburg Police Department's Gang of One Program, the Greenville Center Culinary Arts Program; and to authorize the carry forward of unspent funds until expended.

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

(13) BUDGET AMENDMENT – DSS (REVENUE DECREASE) – PROJECT CARE

Motion was made by Commissioner Leake, seconded by Commissioner Cooksey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to reduce revenue and appropriations in the amount of \$37,489 to reflect actual State and Federal allocations for Project Care.

Note: This funding source provides respite services for a family caregiver to a client that has some form of dementia.

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

(18) RENAMING A PORTION OF INTERSTATE 85 TO JEFF GORDON EXPRESSWAY

Motion was made by Commissioner Pendergraph, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to adopt a Resolution to Request Naming a Portion of Interstate 85 the "Jeff Gordon Expressway."

Note: Mecklenburg County was recently approached by NASCAR to request that the North Carolina Board of Transportation designate a portion of Interstate 85 as the "Jeff Gordon Expressway" for his 85th career NASCAR Sprint Cup Series victory and his humanitarian efforts in Mecklenburg County and the State of North Carolina. The portion of Interstate 85 for which the request is being made (located in the unincorporated area of Mecklenburg County closest to the Charlotte Motor Speedway) is the segment from the City of Charlotte corporate limit line to the Mecklenburg/Cabarrus county line. The Jeff Gordon Foundation, raised over \$7 million for children's charities and continues to work to improve the lives of children in the region facing critical illnesses specifically children with pediatric cancer. The Jeff Gordon Children's Hospital at Carolinas Medical Center – NorthEast opened in Concord, North Carolina in December of 2006, providing a warm, caring atmosphere where the nurses, physicians and support staff are specially trained to care for pediatric patients.

Commissioner Cooksey removed this item from Consent for more information on how the request came about.

The following comments were made prior to the above vote.

Commissioner Cooksey asked the following questions: Does the County make the final decision with respect to the request or was the County making a recommendation to the NCDOT? What's the County's authority in this naming? How did the matter come up and who was the recommendation coming from? Was this something the County does on a regular basis?

Chairman Roberts said this was not a matter under the County's authority. Chairman Roberts said this was a resolution of support that would be sent to the NC Board of Transportation. She said the final decision would be made by the State Board of Transportation.

Chairman Roberts said this was not something that the County did very often or gets asked to do that often.

Chairman Roberts said the NASCAR leadership asked the Board to support the request.

Commissioner Cooksey asked had NASCAR requested other political bodies to support this as well. *Chairman Roberts said she was not sure.*

County Manager Jones said he received a call from the NASCAR headquarters requesting the Board's support.

Commissioner Cooksey said his concern was that there were other NASCAR drivers in Mecklenburg County and he would not want to get into a competition of having to name sections of roads after drivers. Commissioner Cooksey said he was not taking anything away from Jeff Gordon because he had done a lot for the sport.

Commissioner Cooksey said he would be interested in knowing what Jeff Gordon's input has been in terms of being involved in the community and reaching out to the community, his charitable work.

Commissioner Pendergraph said there was a recent article in the newspaper regarding Jeff

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Gordon's community involvement and how much money he's raised for charity.

Commissioner Leake asked where did the request originate. *County Manager Jones said he was contacted by someone from NASCAR and per staff's research, the proposed resolution was appropriate for the Board to consider.*

Commissioner Leake asked about the County's responsibility as it related to this matter. *Chairman Roberts' said the County was only being asked to adopt the proposed resolution of support.*

Jordan Juliaty with NASCAR expressed NASCAR's desire to have this stretch of highway named after Jeff Gordon in recognition of his many accomplishments on and off the track.

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

(20) DISTRICT ATTORNEY OFFICE EXPANSION – PHASE II MECKLENBURG COUNTY HISTORIC COURTHOUSE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to award a construction contract in the amount of \$4,972,221 to Messer Construction Company for the second phase of the renovation and expansion of the District Attorney Offices in the Historic Courthouse.

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

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

(21) GRANT APPLICATIONS – RYAN WHITE PART A

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

- 1) Approve the submission of a grant application for \$7,000,000 in Ryan White Part A funds covering March 1, 2012 through February 28, 2013 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009.
- 2) If awarded, recognize, receive and appropriate such funds, with carry-forward of unspent funds to FY2013
- 3) Approve the allocation process involving regional participation in accordance with HRSA of the US Department of Health and Human Services guidelines.

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

(22) LITTLE SUGAR CREEK SEWER TREATMENT PLANT GROUND LEASE AGREEMENT FOR RECREATIONAL FACILITIES

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

1) Authorize the County Manager to approve and execute a Ground Lease Agreement between Mecklenburg County and the City of Charlotte regarding County use of City property for biking and walking trails.

2) Authorize the County Manager to enter into an agreement with the Tarheel TrailBlazers to create and maintain mountain bike and walking trails subject to the requirements of the Lease agreement with the City.

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

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

(23) TIGER III GRANT APPLICATION-COLLABORATIVE REGIONAL PEDESTRIAN AND BICYCLE FACILITIES-DESIGN AND CONSTRUCTION

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to approve a resolution for Mecklenburg County participation in a Tiger III Grant Application, and authorize the Chairman to send a letter in support of the grant application.

Note: Mecklenburg County is participating in a regional effort to expand greenways, trails, bicycle and pedestrian facilities through a federal grant (Transportation Investment Generating Economic Recovery TIGER III). If funded, this grant would provide a significant route of approximately 29 miles connecting the Town of Davidson, City of Kannapolis, City of Concord, Town of Harrisburg and the City of Charlotte. Five miles of Mecklenburg County greenway facilities are included in the proposed project and are vital to the success of the grant application.

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

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

(25) CAPITAL RESERVE REQUEST – PARK & RECREATION (AQUATIC FACILITIES/OUTDOOR POOLS)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to authorize and appropriate expenditure of \$20,000 from the “Aquatic Facilities / Outdoor Pools” Capital Reserve account to repair a water leak at Double Oaks Pool.

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

ADJOURNMENT

Motion was made by Commissioner Cooksey, seconded by Commissioner Clarke and carried 7-0 with Commissioners 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 7:51 p.m.

OCTOBER 18, 2011

Janice S. Paige, Clerk

Jennifer Roberts, Chairman