

NOVEMBER 1, 2011

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

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, November 1, 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

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**-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 13, 15, 16, 19, 20, 22, 23, 24, and 25.

**(2) STAFF BRIEFINGS - NONE**

**(3A, B, C) CLOSED SESSION - LAND ACQUISITION, PERSONNEL MATTER AND CONSULT WITH ATTORNEY**

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcel #025-291-03 and Tax Parcel #023-201-02.

It was noted that there was no Consult with Attorney matter to be discussed.

Motion was made by Commissioner Pendergraph, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, James, Leake, Pendergraph and Roberts voting yes, to go into Closed Session for the following purposes: A) Land Acquisition and B) Personnel Matter.

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

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*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.*

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**-FORMAL SESSION-**

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

**AWARDS/RECOGNITION**

**(1A) CHARLOTTE-MECKLENBURG STORM WATER SERVICES VOLUNTEERS**

The Board recognized and thanked volunteers involved in protecting and restoring water quality conditions in Charlotte-Mecklenburg.

Rusty Rozzelle, Water Quality Program Manager addressed the volunteer programs and presented the volunteers. He was assisted by Erin Oliverio, Water Quality Educator. The following organizations & individuals were recognized:

Lake Norman Charter School, Auto Bell, United Faith Academy, the Cannon Family, Davidson Day School, Boy Scout Troop 51, the Hawkins Family, Christopher Von Cannon, [Olufemi Aborisade](#), student at UNC-Charlotte, Country Day, the Candlewick Neighborhood, and SGI USA.

*Note: Charlotte-Mecklenburg Storm Water Services (CMSWS) has five volunteer water quality restoration programs:*

- *Adopt-A-Stream Program*
- *Storm Drain Marking Program*
- *Volunteer Monitoring: This is a new volunteer program that includes the collection of qualitative and quantitative water quality data by volunteer groups along specific stream segments a minimum of ten times during the year to assess local stream health.*
- *Big Sweep: An annual, statewide event held on the first Saturday in October that calls volunteers to remove trash and debris from creeks, lakes and rivers.*
- *Creek ReLeaf: A collaborative effort with CPCC and the Sierra Club to plant trees in floodplains and stream buffers in Mecklenburg County.*

**(2) PUBLIC APPEARANCE**

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

[Peggy I. Johnson](#) addressed the impact of foreclosures, which she personally experienced. She provided the Board with copies of documents associated with her experience.

*A copy of the handouts from Ms. Johnson is on file with the Clerk to the Board.*

**(3A) APPOINTMENTS**

**WASTE MANAGEMENT ADVISORY BOARD**

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

Joe Howarth                      Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts

*Voting Ceased*

Shawn Rogers

Chairman Roberts announced the appointment of Joe Howarth to the Waste Management Advisory Board to fill an unexpired term expiring October 30, 2013.

*He replaces Allison Warren.*

## **PUBLIC HEARINGS**

### **(4A) STREET LIGHTING FINAL ASSESSMENT**

Motion was made by Commissioner James, seconded by Commissioner Pendergraph and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to 1) acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions; 2) to open a Public Hearing on Street Lighting Preliminary Assessment Resolution for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods, Coffey Creek/Ayrshire Glen, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

The following person appeared to speak regarding Cardinal Woods: Manuel Rosas.

Mr. Rosas, president of the Cardinal Woods Subdivision, said for some time there's been confusion within the neighborhood as to why some residents were being billed for street lighting and others weren't. Mr. Rosas said per his review of the assessment roll, over 50 homes were missing. Mr. Rosas said he also found out Duke Energy was directly billing the Association for 22 lights and the County was assessing homeowners for 24 lights.

Mr. Rosas said his neighborhood was split on this issue and that the matter needed to be resolved.

County Attorney Bethune asked the Board to continue the public hearing on Cardinal Woods, in order to give staff an opportunity to look into the concerns raised by Mr. Rosas.

Motion was made by Commissioner Cooksey, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to continue the public hearing on the Cardinal Woods Subdivision Street Lighting Assessment until the first meeting in December, December 6, 2011 at 6:30 p.m.

No one was present to speak to the other street lighting assessment projects.

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 close the Public Hearing on the Street Lighting Preliminary Assessment Resolution for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Coffey Creek/Ayrshire Glen, Hearthstone, McGinnis Village,

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Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions; and adopt the Final Assessment Resolution for Capps Hollow, Coffey Creek/Ayrshire Glen, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

*Resolutions recorded in full in Minute Book \_\_\_\_\_, Documents # \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.*

**(5) ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER’S REPORT**

**(6A) VISION 2020: COMMUNITY & CORPORATE SCORECARD**

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve modifications to the Community & Corporate Scorecard.

Associate General Manager Leslie Johnson presented the modifications.

The modifications were as follows and noted in blue.

**Focus Area: Community Health & Safety**

**Focus Area Goal: *Make the community healthier and safer***

**Desired Result 1: Increase Safety & Security of Residents**

Scope: Criminal activity, including the incidence of physical and psychological abuse of children, the elderly, and victims of domestic violence

Strategy: S1: Provide a safe community to all citizens through intervention programs, with a **focus on preventing the re-occurrence of abuse and neglect against children and disabled adults**  
S2: Mitigate the effects of abuse

Measure(s): M1: Child Abuse Rate (tracking purposes only)  
M2: Disabled Adult Abuse & Neglect Rate (tracking purposes only)  
**M3: Abuse & Neglect Re-Occurrence Index**  
M4: Domestic Violence Index  
M5: Violent Crime Rate

**Focus Area: Social, Education, and Economic Opportunity**

**Focus Area Goal: *Create an environment where all Mecklenburg residents can become self-sufficient and have equal access to services***

**Desired Result 1: Increase High School Graduation & Literacy**

Scope: English proficiency in reading, writing, and verbal communication; basic math; and computer skills of **youth in grades Pre-K through high school**

Strategy: **S1: Partner with educational institutions and community stakeholders to ensure a quality continuum of learning with emphasis on fostering student growth, bridging academic achievement gaps and preventing students from dropping out of school**

Measure(s): **M1: High School Graduation Rate**  
**M2: Academic Growth Index**  
**M3: Performance Gap Index**

<b>Desired Result 2:</b>	<u>Increased <b>Independence</b> &amp; Self-Sufficiency</u>
Scope:	Ability to achieve an improved quality of life with any necessary community and government support while fostering greater independence
Strategy:	S1: Support and invest in a continuum of systematically coordinated services that help people transition from various levels of dependency to more independent status and improved well being S2: Encourage community, public and private collaborations and investments in early intervention initiatives and temporary support services <b>S3: Help residents obtain and maintain gainful employment</b>
Measure(s):	<b>M1: Employment Rate</b> <b>M2: Living Wage Employment Rate</b> <b>M3: Self-Sufficiency Progress Index</b>
<b>Focus Area:</b>	<b>Sustainable Community</b>
Focus Area Goal:	<i>Mecklenburg County will have a vibrant and diverse economy while protecting its natural resources and enhancing the quality of <b>neighborhoods</b></i>
<b>Desired Result 1:</b>	<u><b>Sustain and Enhance the Environment</b></u>
Scope:	<b>Clean air, water and land; green spaces and parks; human and environmental health; and ecosystems and natural habitat</b>
Strategy:	S1: Improve the quality of air, water and land by providing leadership in protecting the environment <b>S2: Provide environmental services</b> <b>S3: Inform and educate public and private sectors on environmental sustainability</b>
Measure(s):	<b>M1: Air Quality Index</b> <b>M2: Water Quality Index</b> <b>M3: Solid Waste Disposal Rate</b> M4: Environmental Leadership Index <b>M5: Green Space Index</b>
<b>Desired Result 2:</b>	<u><b>Improve Quality of Life in Neighborhoods</b></u>
Scope:	<b>Quality of Life Components:</b> <b>Property value; public safety; transportation and accessibility; recreation and cultural activities; resource equity; social well-being, and community building</b>
Strategy:	<b>S1: Provide leadership in developing neighborhood-based infrastructure investment model</b> <b>S2: Provide leadership in developing evidence-based strategic collaboration</b> <b>S3: Offer a variety of recreational, cultural opportunities and special events that are of interest to residents</b> <b>S4: Establish public/private partnership for financing capital projects</b> <b>S5: Educate and engage citizens regarding the benefits of building and promoting collaborative communities</b>
Measure(s):	<b>M1: Recreational Amenities Index</b> M2: Park & Recreation Capital Ratio <b>M3: Quality of Life Index</b> <b>M4: Insurance Services Office Rating for Building Regulations</b> M5: Transit Proximity <b>to Public Amenities</b> Index
<b>Desired Result 3:</b>	<u><b>Promote a Vibrant and Diverse Economy</b></u>

Scope: Attract new businesses, support existing businesses **and promote tourism**

Strategy: **S1: Develop and sustain effective partnerships**  
**S2: Manage Business Investment Program grants and economic development agreements**  
**S3: Continue to streamline and improve regulatory process**  
**S4: Inform and educate public concerning economic development strategies**

Measure(s): **M1: Property Growth Rate**  
M2: Job Growth  
**M3: Code Enforcement Performance Index**  
**M4: TBD (measure to gauge the effectiveness of economic development investments)**

**Focus Area: Effective & Efficient Government**

Focus Area Goal: *To be an inclusive, accountable and **high performing organization.***

**Desired Result 1:** High Customer Satisfaction

Scope: The overall quality of service rendered by (or on behalf of) the County

Strategy: S1: Focus on customer satisfaction in design and delivery of County services  
**S2: Leverage technology, especially web-based services, to provide customers with self-service options and other convenient quality service options**

Measure(s): M1: Customer Satisfaction Rating

**Desired Result 2:** Positive Resident Perceptions

Scope: **Stakeholder perceptions on the overall results achieved relative to the cost to achieve these results**

Strategy: **S1: Implement proactive communication outreach at neighborhood level (targeted) and using mass communications tool (emphasizing web-based communication) to inform residents of results and the relative cost of county government (e.g., cost per capita comparisons)**

Measure(s): **M1: Resident Perception Index**

**Desired Result 3:** Increase Resident Awareness of County Responsibilities & Services

Scope: General knowledge of the County's programs, services and responsibilities

Strategy: **Educate and inform residents about the County's responsibilities and services, using the following:**

- 1. Proactive and reactive media relations**
- 2. Mass and targeted communications emphasizing web-based communications, including social media**
- 3. Proactive citizen involvement outreach at the neighborhood level consistent with MeckConnect strategies**
- 4. Internal communications (i.e., with Mecklenburg County employees) using web-based technology and targeted outreach**

Measure(s): M1: Public Awareness Index

**Desired Result 4:** Enhance Citizen Involvement

Scope: **Participation of Mecklenburg residents in the governance of their community.**

Strategies: **S1: Recruit residents by working with existing community groups, networks, and civic organizations to connect demographically diverse residents with each other and with local government**  
**S2: Design and provide multiple forms of citizen involvement opportunities**

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**S3: Institutionalize and sustain citizen involvement structures and processes within the organization**

**S4: Implement multiple methods of mass and targeted communications to involve residents in County policy and decision-making**

Measure(s): M1: Advisory Committee Diversity

**M2: Citizen Engagement Index**

**Desired Result 5: Optimize Business Processes**

Scope: **Interrelated tasks and activities that produce a specific product or service.**

Strategy: S1: Re-examine and/or redesign business processes **by eliminating waste and improving efficiencies.**

Measure(s): **M1: Service Efficiency Ratings**

**M2: Tax Collection Rate**

**Desired Result 6: Improve Financial Management**

Scope: Preserving financial stability, maintaining organizational integrity and fiscal governance and accountability

Strategy: S1: Use best practices to manage Mecklenburg County's operational resources  
**S2: Reducing and avoiding costs**

Measure(s): **M1: Budget Evaluation Survey Tool (BEST) Index**

**M2: Financial Assessment Survey Tool (FAST) Index**

**Desired Result 7: Maintain Triple-A Bond Rating**

Scope: All applicable capital budget and financing policies and practices including the Capital Improvement Program, debt policy and management, and other factors used in evaluating credit-worthiness

Strategy: S1: Maintain the County's credit-worthiness by managing the use of debt: **as it relates to debt per capita, debt as a % of assessed valuation, debt as a % of operating and principle payout ratio**  
**S2: Maintain a future debt service fund for capital expenses**  
**S3: Maintain PAYGO at a minimum of 3 cents of the tax rate**

Measure(s): M1: Bond Rating

**Desired Result 8: Maintain Affordable & Competitive Tax Rate**

Scope: All applicable Mecklenburg County property tax revenue, including real property and automobiles, boats, trailers and income-producing personal property

Strategy: S1: Track average annual household income data in relationship to paid property tax

Measure(s): M1: Property Tax to Household Income

**M2: Cost of County Government**

**Desired Result 9: Increase Employee Knowledge, Skills & Abilities**

Scope: **Competencies** related to job performance

Strategy: S1: Invest in training opportunities to maximize employee performance  
**S2: Utilize individual development plans tailored to the employees' career progression and needs of the organization**

Measure(s): **M1: Training Dollars per Employee**

**M2: Individual Development Plan**

**Desired Result 10:** Increase Employee Motivation & Satisfaction

Scope: Motivation and satisfaction regarding job performance and organizational environment

Strategy: **Effectively manage employee diversity by:**

- S1: Valuing employee as our most important resources, providing flexibility for a work/life balance and opportunities for professional development
- S2: Developing supervisor competencies, especially interpersonal communication skills, understanding and appreciating ethnic and cultural diversity, treating employees with respect and encouraging an open exchange of ideas

Measure(s): M1: Employee Motivation & Satisfaction Index  
M2: Employee Satisfaction Parity (tracking purposes only)

**Desired Result 11:** Recruit & Retain High Performing Employees

Scope: Recruitment of qualified **and diverse applicants and retention of successful and exemplary employees**

Strategy: S1: Offer market-based compensation (pay and benefits)  
S2: Market Mecklenburg County as a great place to work  
S3: Emphasize drivers that increase employee motivation and satisfaction  
**S4: Utilize various recruitment strategies to attract a qualified and diverse candidate pool**

Measure(s): M1: Resignation Rate  
**M2: Applicant Pool Satisfaction**

**Desired Result 12:** Optimize Technology

Scope: Acquisition, replacement and maintenance of computers (hardware and software), equipment, and machinery and the resources and processes to support it when applicable.

Strategy: **S1: Deploy technologies that enable employees to provide quality services by operating effectively, efficiently, and collaboratively**

Measure(s): M1: Employee Satisfaction: Technology-Related Capacities

Commissioner Cogdell asked that science be included in the definition of Performance Gap Index and in the definition of Academic Growth Index.

Associate General Manager Johnson said Charlotte-Mecklenburg Schools collects data with regards to science, so staff doesn't anticipate including that to be a problem.

***A copy of the complete Scorecard is on file with the Clerk to the Board.***

**(6B) UPCOMING BUDGET/ PUBLIC POLICY MEETING TOPICS**

County Manager Jones informed the Board that at the November 8, 2011 Budget/Public Policy meeting, staff would give a presentation on the matter of drug testing recipients that receive economic assistance and on implementation of the Medicaid Waiver.

Commissioner Dunlap with respect to the Medicaid Waiver asked that staff address some of the specific concerns and allegations that have been made relative to how its affected other



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communities. He noted the Board received a correspondence from Billy James regarding this matter.

Commissioner Leake with respect to testing recipients of economic assistance, said she would like to know what other counties and/or states have done with respect to this.

**(3B) CLOSED SESSION – PERSONNEL MATTER – COUNTY MANAGER’S COMPENSATION**

Commissioner Clarke, chairman of the Board’s Compensation Committee addressed the County Manager’s compensation for FY2011-2012.

Commissioner Clarke said the committee had a lot of discussion and took into consideration all of the events of the past year.

Commissioner Clarke said with respect to the County Manager’s performance relative to 1) the Balanced Scorecard, that the goal was to have 50% green lights and that 56% was achieved and closer to 60% for those areas the County Manager was directly accountable for; 2) Demonstrated Leadership was achieved as well. It was noted that the County Manager was elected president of the N. C. City & County Management Association and was recognized as a Distinguish Alumnus of the University of N. C. at Chapel Hill.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to approve a 1.5% increase in the County Manager’s base compensation for FY2011-2012.

*Note: County Manager Jones thanked the Board for its consideration of his compensation.*

**(3A1) CLOSED SESSION – LAND ACQUISITION - LONG CREEK AND DIXON BRANCH GREENWAYS SATELLITE PARKING**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to authorize the County Manager to negotiate and execute necessary documents for the purchase of Tax Parcel #025-291-03 (+/- 3.44 acres) in the City of Charlotte from Reames Investors, LLC for \$10,000.

*Note: The County’s 2008 Parks Master Plan has as one of its goals the expansion of existing park sites to create larger contiguous acreage in combination with protection of tree cover, wildlife corridors and streams. Dixon Branch and Long Creek are identified as priority greenway corridors in the Master Plan. This acquisition accomplishes the Master Plan’s goal by adding additional acreage to the greenway system and increasing public accessibility to the greenway system.*

**(3A2) CLOSED SESSION – LAND ACQUISITION - LATTA PLANTATION NATURE PRESERVE EXPANSION**

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to authorize the County Manager to negotiate and execute necessary documents for the purchase of Tax Parcel #023-201-02 (+/- 114.99 acres) in the Town of Huntersville’s Extra-Territorial Jurisdiction from Faison-Sample Road, LLC for \$2,184,810.

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*Note: The County's 2008 Parks Master Plan has as one of its goals the expansion of existing park sites to create larger contiguous acreage in combination with protection of tree cover, wildlife corridors and streams. This acquisition accomplishes that goal by increasing the size of Latta Nature Preserve to nearly 1,500 acres and increasing the amount of contiguous natural habitat.*

## **STAFF REPORTS AND REQUESTS**

### **(7A) CHILD SUPPORT ENFORCEMENT OPERATIONAL HIGHLIGHTS AND FY2011 ACCOMPLISHMENTS**

The Board received a presentation on operational highlights and accomplishments of Child Support Enforcement's (CSE) first year as a County department. The presentation was done by CSE Director Joan Kennedy. She was accompanied at the podium by Tameika Leslie and Jim Wright of her staff. The following was covered:

- Services Provided
- Typical Family Served
- Case Management
- Performance Management
- Incentive Funding
- Collaborations and Outreach
- Economic Impacts on Child Support Enforcement
- Key Accomplishments
- Challenges & Opportunities

It was noted that Mecklenburg County CSE lead the state this year in Medicaid cost avoidance, over \$850,000 in costs were avoided through the enforcement of child support orders.

Mecklenburg County CSE received an exemplary cost effectiveness ratio of 6.65 for FY11, which means for every \$1 the County invested in CSE, staff collected \$6.65 in return. Thus, for an investment of \$1.5 million, staff collected nearly \$50 million that went to children and families in Mecklenburg County.

Mecklenburg County CSE also achieved the highest total net collections of any jurisdiction in the state, \$46.5 million in FY11.

Director Kennedy noted that one of the challenges CSE was facing was the need for additional space. Also, per an analysis that was done, the majority of their clients do not live in the vicinity of their current location. Most of their clients live west of I-77.

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

#### Comments

Commissioners complimented Director Kennedy and her staff for the wonderful job they're doing.

Commissioner Cogdell suggested Director Kennedy share their accomplishments with respect to their filing system with other agencies, such as the district attorney's office and others in the criminal justice area.

Director Kennedy said CSE has begun discussions with the courts regarding their filing system.

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Commissioner James asked if the County received a percentage of the funds collected. *The response was no.*

Commissioner James asked about cost increases in court filing fees, paternity DNA testing and with the Call Center, which was addressed.

Commissioner James said consideration may need to be given to changing the current collection model.

Commissioner James said he would like to know if there's something prohibiting the County from receiving a percentage of the funds collected.

Commissioner Leake asked about CSE's court involvement with parents, which was addressed.

Commissioner Cooksey said he would like to know how the County ranks with regards to the satisfaction measures that were talked about when the County was analyzing whether to privatize this service or not.

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

Commissioner Dunlap asked about the availability of space at the County's Freedom Drive site, in light of Director Kennedy's comment regarding the need for more space and being in the vicinity of their clients. Commissioner Dunlap said he would like to know the cost associated with building the Freedom Drive facility out versus the cost and increased cost of having sufficient space for CSE.

**(8) COUNTY COMMISSIONERS REPORTS AND REQUESTS - NONE**

**CONSENT ITEMS**

*Note: Consent Items 20 & 24 were not pulled from Consent, even though it was noted during Informal Session that they would be.*

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

***Note: Commissioner Dunlap left the dais after making the motion and before the vote was taken. He was absent for the remainder of the meeting.***

**(9) APPROVAL OF MINUTES**

Approve minutes of Regular meeting held October 18, 2011 and Closed Session held October 18, 2011.

**(10) APPOINTMENT OF REVIEW OFFICERS**

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2" to add the name of Leisa M. Sossamon.

***Resolution recorded in full in Minute Book \_\_\_\_ Document # \_\_\_\_\_.***

**(11) TAX REFUNDS**

Approve refunds in the amount of \$24,633.21 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) GRANT APPLICATIONS - NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT, HAZARD MITIGATION ASSISTANCE**

1. Authorize the County Manager to submit a Pre-Disaster Mitigation (PDM) grant application up to \$800,000 to the North Carolina Division of Emergency Management for the acquisition of flood-prone properties.

2. Authorize the County Manager to submit a Flood Mitigation Assistance (FMA) grant application up to \$90,000 to the North Carolina Division of Emergency Management for the elevation of one flood-prone structure.

**(14) SOLE SOURCE APPROVAL FOR ENTERPRISE KNOWLEDGE PLATFORM (EKP) EXPANSION AGREEMENT WITH INTELLADON CORPORATION**

Approve sole source agreement for Intelladon Corporation to expand Enterprise Knowledge Platform (EKP) software from one department to all county departments.

*Note: Currently, the Department of Social Services (DSS) uses the EKP software for online employee training, providing a consolidated and centralized repository for staff to learn about and keep current on policies and compliance requirements. Expansion of the software to all County departments will increase training capacity and ease of staff access to information on policies and compliance, enhance tracking and documentation for compliance, and automate a manual process using an online, secure, training/knowledge system that is available 24 hours a day, seven days a week.*

**(17) DONATIONS TO PARK AND RECREATION FOR THERAPEUTIC RECREATION'S PARALYMPICS SPORTS CLUB - METROLINA PROGRAM**

Recognize, receive and appropriate a \$10,000 donation from BP / Fueling Communities initiative and a \$10,000 donation from Mark Oil for the enhancement of the Paralympic Sports Club – Metrolina, a program of Mecklenburg County Park and Recreation / Therapeutic Recreation Section.

**(18) HAZARD MITIGATION "QUICK BUY" PROGRAM - FLOODPLAIN ACQUISITIONS**

1. Accept the "Offer of Sale of Land" from Ricky Crawford of 1048 Andrill Terrace (Parcel ID: 07509314) for \$20,998.
2. Accept the "Offer of Sale of Land" from Key, LLC of 831 Norwood Drive (Parcel ID: 06511110) for \$22,113.00.
3. Accept the "Offer of Sale of Land" from James McNeff of 2922 October Court (Parcel ID: 07113127) for \$33,113.00.
4. Accept the "Offer of Sale of Land" from Clevetta Ward of 800 Seldon Drive (Parcel ID:

06905113) for \$121,032.00.

5. Accept the "Offer of Sale of Land" from Rafael Camilo of 4115 Whitehurst Road (Parcel ID: 14521210) for \$25,398.00.
6. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

**(20) AWARD OF CONTRACT - ENERGY SERVICES COMPANY**

Adopt Resolution entitled: RESOLUTION AUTHORIZING AND APPROVING AN ENERGY SAVINGS CONTRACT AND A RELATED INSTALLMENT FINANCING.

**RESOLUTION AUTHORIZING AND APPROVING AN ENERGY SAVINGS CONTRACT AND A RELATED INSTALLMENT FINANCING**

**WHEREAS**, the County of Mecklenburg, North Carolina (the "County") wants to enter into a guaranteed energy savings contract (the "Energy Services Agreement") for the purpose of acquiring and installing energy savings equipment in the County's jail facilities (Jail Central and Jail North) (the "Project") so as to reduce energy consumption and/or energy-related operating costs; and

**WHEREAS**, the County wants to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

**WHEREAS**, the term of the Energy Services Agreement does not exceed twenty years from the date of the installation and acceptance by the County of the energy conservation measures provided under the Contract; and

**WHEREAS**, the energy savings resulting from the performance of the Energy Services Agreement will equal or exceed the total cost of the Contract; and

**WHEREAS**, the energy conservation measures to be installed under the Energy Services Agreement are for existing buildings; and

**WHEREAS**, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed financing contract; and

**WHEREAS**, financing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met; and

**WHEREAS**, the Board of Commissioners of the County has duly conducted a public hearing regarding an installment financing contract to finance the Project; and

**WHEREAS**, there have been available at this meeting drafts of the forms of the following:

- (1) Energy Services Agreement (the "ESA") between the County and Ameresco, Inc. (the "ESCO"), including all schedules, attachments and exhibits thereto;
- (2) Installment Financing Contract between the County and ESCO (the "Financing Contract");

**WHEREAS**, the Board of Commissioners of the County wants to approve the ESA and the Financing Contract and to authorize other actions in connection therewith; and

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

1. The Board hereby finds and determines in connection with the Financing Contract that (a) the Financing Contract is necessary or expedient for the County, (b) the Financing Contract, under current circumstances, is preferable to a bond issue of the County for the same

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purpose, (c) the sums estimated to fall due under the Financing Contract are adequate and not excessive for their proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under the Financing Contract will not be excessive and (f) the County is not in default regarding any of its debt service obligations.

2. The Board hereby requests the Local Government Commission of North Carolina to approve the Financing Contract under Article 8 of Chapter 159 of the General Statutes of North Carolina.
3. The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of the Financing Contract with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation of the Financing Contract and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.
4. Each of the Financing Contract and the ESA, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
5. The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution and to effect the installment financing and the energy savings contract. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the installment financing and the energy savings contract. Execution of the Financing Contract and the ESA by the Chairman of the Board, the County Manager, the Director of Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the installment financing and energy savings contract.
6. All actions of the County effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transaction contemplated by the documents referred to above.
7. This Resolution shall become effective immediately upon its adoption.

***Extract and Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.***

**(21) BUDGET AMENDMENT – DSS (REVENUE INCREASE)**

Recognize, receive and appropriate additional revenue of \$193,613 to reflect actual State, and Federal allocations.

*Note: The North Carolina Division of Aging and Adult Services is providing funding in the amount of \$187,873 for the Home and Community Care Block Grant and \$5,740 for the Family Caregiver Support program above budgeted amounts for these services for the elderly and disabled of Mecklenburg County. These funds will provide services for an estimated additional 25 people.*

**(24) PROCLAMATION - AMERICAN INDIAN HERITAGE DAY**

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Adopt a joint proclamation designating November 5, 2011 as American Indian Heritage Day in Charlotte/Mecklenburg County.

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

**(26) PROCLAMATION - GIS DAY**

Proclaim Wednesday, November 16, 2011 GIS Day in Mecklenburg County.

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

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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***Commissioners James and Cooksey left the meeting and were absent for the remainder of the meeting.***

**(13) GRANT APPLICATION – COMMUNITY FOCUSED FOR ELIMINATING HEALTH DISPARITIES INITIATIVE**

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to approve submission of a \$390,000 grant application for the Community Focused for Eliminating Health Disparities Initiative from the NC Department of Health and Human Services, Office of Minority Health; and if awarded, recognize, receive and appropriate such funds.

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

**(15) HEALTH DEPARTMENT YOUTH FOOD COUNCIL HONORARIUM**

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to recognize, receive and appropriate \$1,500 from the North Carolina Youth Food Council for the Health Department's childhood obesity efforts.

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

**(16) DONATIONS FOR WOMEN'S EQUALITY DAY**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to recognize, receive and appropriate \$750 in donations received to support Women's Equality Day.

*Note: The Donors were: League of Women's Voters \$350.00; Deltas of Charlotte/Delta Sigma Theta \$300.00; Charlotte Links \$100.00.*

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

**(19) CAPITAL RESERVE REQUEST – PARK AND RECREATION (TENNIS COURT RENOVATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 5-0

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with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to authorize and appropriate expenditure of \$35,000 from the "Recreation Facility" Capital Reserve account to excavate and replace unsuitable soil at the Latta Park tennis courts.

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

**(22) BUDGET AMENDMENT – DSS (REVENUE INCREASE) JOB BOOST PROGRAM**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to amend the Department of Social Services (DSS) FY12 Budget to recognize, receive and appropriate \$280,503 additional Federal revenue for the Job Boost program.

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

**(23) BUDGET AMENDMENT – DSS (REVENUE DECREASE) COMMUNITY TRANSPORTATION GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to reduce the Department of Social Services FY2012 Budget by \$187,418 for the NC Department of Transportation (NCDOT) Community Transportation Grant.

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

**(25) PROCLAMATION - NATIONAL ADOPTION AWARENESS MONTH**

Motion was made by Commissioner Cogdell seconded by Commissioner Pendergraph and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, to adopt a proclamation designating November 2011 as "National Adoption Awareness Month" in Mecklenburg County.

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

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

**ADJOURNMENT**

Motion was made by Commissioner Pendergraph, seconded by Commissioner Cogdell and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:59 p.m.

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Janice S. Paige, Clerk

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Jennifer Roberts, Chairman