

SEPTEMBER 18, 2012

**MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS**

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, September 18, 2012.

**ATTENDANCE**

**Present:** Chairman Harold Cogdell, Jr. and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Bill James, Vilma Leake, Jim Pendergraph and Jennifer Roberts  
General Manager Bobbie Shields  
County Attorney Marvin A. Bethune  
Clerk to the Board Janice S. Paige

**Absent:** Commissioner Neil Cooksey

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**-INFORMAL SESSION-**

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 12-0490, 12-0499, 12-0509, 12-0510, 12-0512, 12-0524, 12-0525, 12-0530, 12-0535, 12-0513, 12-0539, and 12-0540.

**STAFF BRIEFINGS - NONE**

**CLOSED SESSION – (12-0544) BUSINESS LOCATION AND EXPANSION, (12-0545) LAND ACQUISITION AND, (12-0546) CONSULT WITH ATTORNEY**

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

- 318 East Matthews Street, Matthews, NC
- Jerry Alan Reese vs. Mecklenburg County and the City of Charlotte
- Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC.

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

***The Board went into Closed Session at 5:11 p.m. and came back into Open Session at 6:12 p.m.***

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

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**-FORMAL SESSION-**

*Chairman Cogdell called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Roberts, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.*

**AWARDS/RECOGNITION - NONE**

**(12-0542) PUBLIC APPEARANCE**

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

Nancy Plummer and granddaughter Elizabeth Plummer extended an invitation to the Board and the community to the upcoming "Taste of the World" event.

Wayne Powers addressed the review of the 2011 Mecklenburg County Revaluation process by Pearson's Appraisal Service. Mr. Powers said he attended all of the workshops. Mr. Powers said he was aware of a letter Commissioners received from N.C. Speaker of the House Thom Tillis regarding the County's revaluation process that basically said if the problem didn't get fixed locally, then it would be done on the state level, which the County may not like. Mr. Powers said it was incumbent upon the County to fix the revaluation problem. He said in 2008 the world changed, but the County's revaluation process did not. He said the revaluation process was seriously broken. Mr. Powers said there were issues of data integrity, equity, and market value. Further, that the appeals process was inaccessible for many people, especially senior citizens, and was dysfunctional. Mr. Powers said he would write the Commissioners a letter to further express his views on this subject.

**(12-0514) APPOINTMENTS**

**CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE**

The vote was taken on the following nominees for appointment to the Charlotte-Mecklenburg Community Relations Committee:

Mable Hemphill	Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts
Melandee Jones	None
Valarie Reed	Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts
	<i>Voting Ceased</i>

Nadia Vanderhall

Chairman Cogdell announced the appointments of Mable Hemphill and Valarie Reed to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring August 31, 2015.

*They replace Kaz Muhammad and Michelle Sterling.*

**(12-0515) NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Roberts, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint John Burling to the Adult Care Home Community Advisory Committee for a one-year term expiring September 30, 2013.

*He replaces Margaret Moreland.*

**ALCOHOLIC BEVERAGE CONTROL BOARD**

Commissioner Dunlap nominated all applicants for appointment consideration to the Alcoholic Beverage Control Board: Ernest Barry, Malachi Greene, Chris Price, Lloyd Scher, and Jennifer Stanton.

*Note: An appointment will occur following interviews of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Alcoholic Beverage Control Board must undergo an interview process.*

*Commissioners Clarke, Cogdell, and Leake volunteered to serve on the ad hoc committee.*

**INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY**

Motion was made by Commissioner Roberts, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint Luther Moore to the Industrial Facilities & Pollution Control Financing Authority for a six-year term expiring October 31, 2018.

*He replaces Cary Nadelman.*

**INFORMATION SERVICES & TECHNOLOGY COMMITTEE**

Motion was made by Commissioner Roberts, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to nominate and appoint Lawrence LaSalle to the Information Services & Technology Committee for a three-year term expiring February 28, 2015.

*He replaces Tomeko Smith.*

**(12-0547) APPOINTMENT**

**AIR QUALITY COMMISSION CHAIRMAN**

Motion was made by Commissioner Dunlap, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to appoint Keith Long as Chairman of the Air Quality Commission for the duration of his term.

**PUBLIC HEARINGS - NONE**

**ADVISORY COMMITTEE REPORTS - NONE**

**MANAGER'S REPORT**

**(12-0496) LIBRARY CEO REPORT**

The Board received a verbal report from Lee Keesler, CEO of the Charlotte Mecklenburg Public Library. Mr. Keesler addressed the status of the Future of the Library Task Force Report recommendations, the Library's relationship with the County, how the community was being served by the Library, and issues that need addressing in order to meet community demand. The following was noted:

***Commissioner Bentley left the meeting and was away until noted in the minutes.***

Status of the Future of the Library Task Force Report Pending Recommendations

- Create a new Foundation for the Library to help raise private funds for the library
  - The Charlotte-Mecklenburg Library Foundation has been formed and will be partnering with the Foundation for the Carolinas to establish and govern the new foundation.
  - The new foundation master accounts will be set up and funded hopefully in the next two-three weeks.
  - The Founding Board will meet for the first time in October.
  - A development plan for the Charlotte-Mecklenburg Library Foundation is currently being worked on.
- Develop a strategic planning process
  - The Library is doing a three year strategic plan with the intention of it being aligned with County planning processes as they develop.
  - The planning process has been designed.
  - The project management team has met.
  - The steering committee has been recruited and will meet in October. The hope is to complete this work in time for next spring's budget discussions with the Board.

It was noted the Library Board of Trustees recruited two persons that served on the Future of the Library Task Force to be on the Library Board of Trustees and one task force member was hired to be a part of the senior staff at the Library. Mr. Keesler said having these individuals involved with the Library provided continuity and it keeps the task force effort, which the Board was a part of, alive.

Status of the Library's Relationship with the County

- The partnership is working very well.
- The following Library functions have been outsourced to the County: Human Resources, Security, Facility Maintenance, Real Estate Capital Activity, and Information Technology (IT), with the exception of a few propriety IT systems, that are library specific and will remain with the Library.
- There is daily interaction between Library staff and County staff with respect to these areas.

Highlights of How the Community was Being Served

The Library system is busy. In FY 2012 there were 180,000 unique individual users of the library.

September is National Library Card Sign Up Month and in FY 2012 more than 40,000 library cards were issued.

Library programming is focused on Early Childhood Literacy, Educational Success, and Workforce Development.

The Library has developed a proprietary programming model that allows the Library to plan and fully costs and track its programming.

The Urban Library Council awarded the Library with its 2012 Innovator Award for the changes the Library made to its programming model coming out of the funding challenges of 2010 and 2011.

The Library was the subject and presenter on a nationwide webinar where it shared its story of why and how it changed its methods for programming during and coming out of financial challenges.

There were 440,000 participants in last year's programs, which was almost to the levels of pre-financial challenges.

The Summer Reading Program was a big success. It was also available on-line for the first time.

The Story Time program is doing very well.

Parent/Child Early Literacy Workshops were held this past year. The program will be expanded in 2013.

Tutor.com is a third party on-line professional tutoring provider that the Library has partnered with.

The most recent composite Customer Service satisfaction score was 97%.

The Jobs Help Center is doing well

Issues that will be addressed in order to meet community demand:

Library hours

The library collection

E-Books

Mr. Keesler thanked the Board for its continued support.

Comments

Commissioner Leake commented on the Beatties Ford Road Library and how valuable it was to the community.

Commissioner Leake asked how was the Library working with the School System as it related to assisting with reading programs. *Mr. Keesler referenced the Summer Reading Program. He said there were a number of other programs that the Library provides in the K-5 space and that he would provide the Board with a list of those programs.*

Commissioner Roberts asked about the Library's collection and when would it reach a critical point and how would resources be channeled into that area. *Mr. Keesler said he could not pinpoint a specific fiscal year, but that the Library's collection staff was monitoring this issue very closely. Mr. Keesler said he would address that issue the next time he provides an update to the Board.*

Chairman Cogdell thanked Mr. Keesler for his report.

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Motion was made by Commissioner Dunlap, seconded by Commissioner Roberts and carried 7-0 with Commissioners Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to adopt a resolution authorizing changes to the existing interlocal agreement signed on June 7, 2011 to reflect additional services provided by the County.

**MECKLENBURG COUNTY  
BOARD OF COMMISSIONERS**

**RESOLUTION AMENDING THE  
INTERLOCAL AGREEMENT  
WITH THE PUBLIC LIBRARY OF CHARLOTTE  
AND MECKLENBURG COUNTY**

**WHEREAS**, N.C. General Statute 160A-460, *et seq.*, authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted to power to exercise alone, and to enter into contracts and agreements to specify the details of these undertaking; and

**WHEREAS, THE PUBLIC LIBRARY OF CHARLOTTE AND MECKLENBURG COUNTY** (hereinafter "Library"), a body corporate created by the North Carolina General Assembly, and **MECKLENBURG COUNTY** (hereinafter "County"), a political subdivision of the State of North Carolina, have negotiated and executed an Interlocal Agreement effective June 30, 2010 for the provision of Facility Management and Security Services by the County for the Library as more particularly described in the Interlocal Agreement; and

**WHEREAS**, the Library and the County have now negotiated for the County to provide the additional services of Capital Project Management, Human Resources, and Information Technology Services for the Library; and

**WHEREAS**, in order to formalize this relationship, the Library and the County will need to enter into an Amended Interlocal Agreement pursuant to N.C.G.S. 160A-461; now, therefore, be it

**RESOLVED** by the Mecklenburg Board of County Commissioners, in regular session duly assembled, that that the Chairman of the Board of County Commissioners is hereby authorized to execute the Amended Interlocal Agreement with the Library in substantially the form attached to this Resolution, and that this Resolution shall be made a part of the minutes of the Board of Commissioners.

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

**STAFF REPORTS & REQUESTS**

**(12-0516) 2012 NCACC LEGISLATIVE AGENDA PROPOSALS**

Motion was made by Commissioner Roberts, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to adopt the following 2013 Legislative goals for submission to the North Carolina Association of County Commissioners as presented by staff.

1. Protect county revenues during consideration of comprehensive tax reform.
2. Restructure the means for distributing 911 fees to insure local emergency responders have the resources necessary to protect the public.
3. Allow electronic notification of public notices in lieu of compulsory advertising purchases.
4. Support incentives and programs designed to attract jobs, such as the Job Development Investment Grants, One North Carolina Fund, film incentives.

*Note: The North Carolina Association of County Commissioners (NCACC) has requested that*

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*counties submit legislative proposals for consideration in its 2013 legislative agenda. Proposals will be vetted by NCACC committees and a 2013 legislative agenda will be adopted during its January 2013 legislative conference.*

Brian Francis, Assistant to the County Manager presented the 2013 NCACC Legislative Agenda Proposals prior to the above vote.

Prior to the above vote, Commissioner Dunlap asked about the 911 fees, which was addressed.

Commissioner Dunlap with respect to electronic notification of public notices, said he hoped the County was not asking for permission to do this in lieu of published notices because there were people who do not access information by electronic means.

Assistant Francis said the request was to do it in lieu of published notices, but specifically, the County wants to have the flexibility to make that decision locally as to what's the best means of notifying the public.

Commissioner Leake asked prior to the above vote about job development on the state level, which was addressed.

**(12-0517) BUSINESS INVESTMENT PROGRAM GRANT: BEARDOW ADAMS, INC.**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 6-1 with Commissioners Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes and Commissioner James voting no, to adopt Resolution approving a Business Investment Program Grant to Beardow Adams, Inc. for a total estimated amount of up to \$50,907 and authorize the County Manager to negotiate and execute a contract.

*Note: Beardow Adams, Inc. is a hot-melt adhesives manufacturer based in the United Kingdom. Its products are used in a variety of applications including packaging, labeling, bookbinding and woodworking. The company currently has 130 employees in Europe, and was recently named one of the UK's top ten fastest growing manufacturers. Beardow Adams historically exports all its products sold in North America, but recently decided to open a North American manufacturing facility. The project will include a capital investment of approximately \$3 million. It will create 20 new jobs over three years with a projected average annual salary of approximately \$61,579. The County's grant is equal to 90% of the net new taxes that will be paid by Beardow Adams over three years and will be subject to the County's standard contract conditions setting compliance requirements on the part of the company, including clawback provisions. A fiscal impact analysis shows a present value of net benefits to the County of \$45,767 over six years. The City of Charlotte and the State of North Carolina will also provide financial assistance to this project.*

John Allen, Economic Development Director presented this matter to the Board.

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

**(12-0520) AMENDMENT TO THE ELIZABETH AVENUE DEVELOPMENT AGREEMENT**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to 1) approve an Amendment to the Development Agreement with the City of Charlotte (City), Providence Road Land Partners, Grubb Properties, Novant Health and East Park LLC (collectively, Developer) extending the parking financing commitment date for the development and funding of up to 1,000 public parking spaces in the Elizabeth Avenue redevelopment from September 15, 2014 to September 15, 2020 and adding MWSBE goals;

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and, 2) adopt a resolution amending an Interlocal Agreement with the City of Charlotte that provides for the financing, ownership and operation of these public parking spaces to extend its term by six years.

RESOLUTION  
AUTHORIZING EXECUTION OF AN AMENDMENT TO  
AN INTERLOCAL AGREEMENT BETWEEN  
THE MECKLENBURG COUNTY AND CITY OF CHARLOTTE

*WHEREAS*, under Article 20 of Chapter 160A of the North Carolina General Statutes, 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*, Mecklenburg County and the City of Charlotte have entered into a Development Agreement among the County, the City, Developers, Owners, and Guarantors dated September 15, 2004 for a project referred to as the Elizabeth Avenue Redevelopment project; and

*WHEREAS*, the Development Agreement contemplates certain public participation in the Elizabeth Avenue Redevelopment project; and

*WHEREAS*, the County and the City have entered into an Interlocal Agreement dated April 20, 2004 ("Interlocal Agreement") that establishes the rights and responsibilities of the County and the City with respect to the public participation in the Elizabeth Avenue Redevelopment project; and

*WHEREAS*, the Developers have requested an extension of six (6) years to September 15, 2020 by which the parking financing must be in place, citing delays to their project schedule and the Interlocal Agreement needs to be amended to accommodate that change in the Development Agreement; and

*WHEREAS*, G.S. § 160A-461 requires that such agreement "...shall be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

*RESOLVED* by the Mecklenburg County Board of Commissioners that an amendment to the Interlocal Agreement to extend its term by six (6) years is hereby approved and the County Manager is hereby authorized to negotiate and execute such an Amendment to the Interlocal Agreement, and that this resolution shall be spread upon the minutes.

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

John Allen, Director of Economic Development presented this matter to the Board.

Prior to the above vote:

Commissioner James asked whether the MWSBE goal referenced in the agreement in keeping with the County's definition of MWSBE goal, which he said was an aspirational goal, that's not enforceable and not a "fixed" requirement.

Director Allen said it was his understanding the developer would follow the County's current guidelines with respect to MWSBE participation; thus the developer had to show a "good faith effort" to meet the goal, even if it's not met.

Commissioner Dunlap asked had a cost benefit analysis been done or would there be any additional costs to the County to extend the agreement. *Director Allen said no, because it was all performance based. He said if the developer didn't construct enough taxbase to equal 110% of the debt service and or at least equal \$25 million, there wouldn't be any payments. He said the cost benefit analysis was essentially built into it because of that.*



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Todd Williams with Grubb Properties addressed the project's affordable housing component, prior to the above vote. Mr. Grubb's said the commitment to affordable housing was 5% of the total rental housing pool.

Commissioner Leake asked about the proposed hotel. *Mr. Grubbs said to date nothing had been negotiated with a hotel owner or developer, so it's unknown at this time what hotel it would be.*

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

**(12-0538) 2012 EMPLOYEE CLIMATE SURVEY RESULTS**

The Board received a report on the 2012 Employee Climate Survey Results.

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

*Note: Each year, the Office of Management and Budget staff conducts the annual Employee Climate Survey (ESC) to collect data on employee opinions regarding Mecklenburg County as a workplace. The ESC results are tied to the County's balanced scorecard and used by the County Manager, executive team, department/agency directors and other staff in evaluating the County's policies and procedures that influence employee motivation and satisfaction, workplace safety and other aspects of employee morale. The 2012 ESC marks the tenth consecutive year the survey has been conducted.*

Performance and Evaluation Manager Monica Allen presented the report. The report covered the following:

- Survey Background
- Survey Methodology
- Corporate Results
- Department Results
- Summary and Next Steps

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

Comments

Commissioner Dunlap asked about the six departments that had no red lights, which was addressed. The departments were Area Mental Health, Finance, Geospatial Information System (GIS), LUESA, Park and Recreation, and the Medical Examiner's Office.

Commissioner Dunlap asked how many departments were there. *The response was somewhere between 15-17.*

Commissioner Dunlap asked about those departments that had a red light(s) and was there anything that "stuck out" amongst those departments, primarily as it related to management. *Director Allen said there were no management concerns that "jumped out." Director Allen said when you looked at the individual items within the index there may have been a concern about supervisors communicating performance or something of that nature to an employee, but there was nothing across all of those departments that would alert staff to management concerns or anything that needed responding to immediately.*

Commissioner Dunlap asked was it fair to say the concerns expressed were things that Director Allen felt confident the County could address, so that next year the Board would see an improvement in that area on the department level. *The response was yes.*

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Commissioner Leake asked about the process involved in developing an individual development plan. *It was explained that an individual development plan did not necessarily mean it's in response to employee performance issue. Director Allen said an individual development plan was a plan that's basically trying to get ahead of any potential performance issue or problem that an employee could experience. Director Allen said it was a proactive measure.*

Commissioner Leake asked if employee evaluations played any role in the survey as it related to employee responses. *Director Allen said not directly, not that staff could assess.*

Commissioner Leake asked was there questions relating to the employee evaluation process. *The response was no.*

Commissioner Leake asked was it correct that all departments came in well. *The response was yes.*

Commissioner Leake asked was it correct that no departments came in below standards. *The response was not at the aggregate level. Director Allen said there may have been specific components within the survey that showed a decline from last year, but in terms of wholistically, all departments "pretty much" did better than last year.*

Commissioner Leake asked about workplace safety which was addressed.

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

Chairman Cogdell thanked Director Allen for the report.

**COUNTY COMMISSIONERS REPORTS & REQUEST – NONE**

**Consent Items**

**Motion was made by Commissioner Pendergraph, seconded by Commissioner Roberts and carried 6-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, Pendergraph and Roberts voting yes, to approve the following item(s):**

**(12-0504) REGISTER OF DEEDS ENHANCEMENT/PRESERVATION SPECIAL REVENUE FUND**

Recognize and appropriate \$850,000 in fee revenue in the Register of Deeds Enhancement/Preservation Special Revenue Fund for automation and preservation enhancements.

**(12-0505) MECKLINK BEHAVIORAL HEALTHCARE MONTHLY FINANCIAL REPORT**

Recognize and receive MeckLINK's (formerly Area Mental Health) Monthly Financial Report.

**Note:  
MeckLINK Behavioral Healthcare  
Statement of Revenues and Expenses  
FY 2013, For the period ending July 2012**

	Budget	Actual	Received	%
<b>Revenue Source</b>				
Medicaid & CAP	\$ 7,047,768	\$ 282,141		4.00%
State and Federal	26,554,615	5		0.00%
County	28,288,321	133,505		0.47%
<b>Total Revenues</b>	<b>\$ 61,890,704</b>	<b>\$ 415,651</b>		<b>0.67%</b>

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	<b>Budget</b>	<b>Actual</b>	<b>Spent</b>	<b>%</b>
<b>Service Continuum</b>				
Child & Adolescent Services	11,340,787	18,938		0.17%
Adult Mental Health	7,265,361	5,400		0.07%
Adult Substance Abuse	7,054,832	8,593		0.12%
Local Management Entity	7,616,534	303,920		3.99%
BHC Randolph	11,251,813	0		0.00%
Developmental Disabilities	9,454,196	9,143		0.10%
Managed Care Organization (MCO)	7,907,181	69,657		0.88%
<b>Total Expenditures</b>	<b>\$ 6 1,890,704</b>	<b>\$ 4 15,651</b>		<b>0.67%</b>
<b>Net (Revenues - Expenditures)</b>	<b>0</b>	<b>0</b>		<b>0%</b>

**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 (i.e., MeckLINK, formerly Area Mental Health) shall present to each 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.*

**(12-0506) BUDGET ADMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)**

Recognize, receive and appropriate additional federal funds in the amount of \$52,447 to be used for the Center for Prevention Resources (CPR) in the Western Region.

**(12-0523) AMEND ORDINANCES -- LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE AND THE BUILDING-DEVELOPMENT ORDINANCE**

1. Amend the LUESA Fee Ordinance creating a combined upfit/renovation cost calculator, revising residential "owner as contractor" permit fees for projects less than \$30,000 construction cost, and clarify permit cost for work started without a permit.
2. Amend the Building-Development Ordinance regarding residential "owner as contractor" inspection process for projects less than \$30,000 construction cost.
3. Recognize and appropriate additional fee revenue for the current fiscal year.

**Note: A second reading will be required since all nine Commissioners were not present.**

**(12-0526) BUDGET AMENDMENT - LUESA (REVENUE INCREASE)**

1. Recognize, receive and appropriate \$486,757 in Hazard Mitigation Funds from the NC Department of Public Safety, Division of Emergency Management.
2. Authorize the County Manager to execute a contract with the NC Department of Public Safety, Division of Emergency Management for a Pre- Disaster Mitigation Grant.
3. Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

**(12-0527) SET PUBLIC HEARING -- ABANDONMENT OF RIGHT-OF-WAY FOR FORMER PORTION OF YOUNGBLOOD ROAD (SR 1102)**

A. Set a public hearing on October 16, 2012 with respect to the abandonment of the right-of-way for former portion of Youngblood Road (SR 1102).

B. Adopt resolution declaring intent to abandon the right-of-way.

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

**(12-0528) APPOINTMENT OF REVIEW OFFICERS**

Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant N.C.G.S. 47-30.2" as follows:

1. C. Stewart Edwards, Donald Brian Robinson, David T. Baker, and Travis Morgan are hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add these names.

2. Kevin P. Icard shall be deleted from the Resolution adopted September 7, 2005, and Mike Rose and Bill Sherrill shall be deleted from the Resolution adopted on April 6, 1999.

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

**(12-0533) TAX REFUNDS**

Approve refunds in the amount of \$4,650,020.91 and interest as statutorily required to be paid 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.***

**(12-0537) MECKLINK LEASE**

Authorize the County Manager to execute a lease with Charlotte East, LLC for office space for MeckLINK, formerly Area Mental Health.

**(12-0541) ABC BOARD TRAVEL POLICY**

Approve Mecklenburg County ABC Board travel policy.

*Note: G.S. 18B-700, as amended by S.L. 2010-122 allows a local ABC Board to adopt a travel policy if it conforms to the travel policy of the appointing authority and is approved by the appointing authority. The Mecklenburg Board of County Commissioners is the appointing authority for the ABC Board. Annual approval is needed. The ABC Board travel policy is identical to the County policy except for changes to conform with appropriate department names, titles and forms.*

**Policy recorded in full in Minutes Book \_\_\_\_\_, Document # \_\_\_\_\_.**

**(12-0543) MINUTES**

Approve minutes of Regular meeting held August 14, 2012; Budget Public Policy Meetings held May 9, 2012, April 10, 2012, March 13, 2012, and January 10, 2012; Special Meeting held March 27, 2012; and Closed Session held August 14, 2012.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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

**(12-0490) BUDGET AMENDMENT -- DIVORCED FILING FEES GRANT - COMMUNITY SUPPORT SERVICES (REVENUE DECREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to approve a budget amendment for the Community Support Services Department to reduce revenue and expenses for the Divorce Filing Fee Grant by \$2,821.48, based on revised award letter received from North Carolina Council for Women/Domestic Violence Commission.

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

**(12-0499) BUDGET AMENDMENT -- USDOJ 2012 JUSTICE ASSISTANCE GRANT (JAG) - SHERIFF'S OFFICE (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to recognize, receive and appropriate funds from the U. S. Department of Justice, Justice Assistance Grant in the amount of \$132,284 received by the Sheriff's Office.

*Note: This federal grant provides funding for public safety initiatives and crime prevention programs, specifically:*

- *The Mecklenburg County Sheriff's Office (MCSO) will use \$115,320 to purchase 81Taser X2 devices. MCSO will trade-in approximately 40 old, unassigned devices to off-set the cost of the newer models.*
- *MCSO will use \$12,300 to replace two walk-through metal detectors that are located in critical areas of Jail-North with more efficient, updated walk-through metal detectors using current technology.*
- *MCSO Community Services will use \$4,664 to develop community service material, including videos for customers of the Sheriff's Office. Funds will also be used to purchase books designed to assist community services in self-protection and child safety instruction.*

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

**(12-0509) RYAN WHITE PART A GRANT APPLICATION**

Motion was made by Commissioner Leake, seconded by Commissioner Roberts and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to:

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1. Approve the submission of a grant application for \$7,000,000 in Ryan White Part A funds, covering March 1, 2013 through February 28, 2014, with 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.

*Note: The grant application is due October 22, 2012.*

2. If awarded, recognize, receive and appropriate awarded funds for the grant period.

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.

**(12-0510) GRANT APPLICATION -- Z. SMITH REYNOLDS FOUNDATION, SOCIAL JUSTICE AND EQUITY SMALL GRANT**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to:

1) Approve the submission of a grant application for \$70,000 over two years to develop and implement a screening and response domestic violence protocol at Health Department family planning clinic, women's health clinic, STD clinic and WIC clinic.

2) If awarded, recognize, receive and appropriate such funds, and carry forward any unspent funds.

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

**(12-0512) GRANT APPLICATION -- MECKTEENS FASHION DESIGN (PARK AND RECREATION)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to approve submitting a \$5,000 grant application to Walmart for the MeckTeens Fashion Design program in the Park and Recreation Department. If the grant is awarded, recognize, receive and appropriate awarded grant funds.

*Note: The grant would be used to purchase start-up supplies and equipment such as sewing machines, sewing kits, dress forms, irons and ironing boards, and other supplies for The MeckTeens Fashion Design program.*

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

**(12-0524) LANDSCAPE ARCHITECT/ENGINEER SELECTION - BARTON CREEK GREENWAY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to authorize the County Manager to negotiate fees and execute a contract with Kimley-Horn and Associates, Inc. for design services for Barton Creek Greenway, and in the event that negotiations with that firm are unsuccessful, authorize negotiations with the second ranked firm.

*Note: Site Solutions was the second ranked firm.*

**(12-0525) CONSTRUCTION CONTRACT -- ROOF REPLACEMENT FOR AMAY JAMES AND NAOMI DRENAN RECREATION CENTERS AND THE WTVI BUILDING**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 5-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, and Roberts voting yes, to award a construction contract to AAR of North Carolina in the amount of \$962,200 for the roof replacements at Amay James Recreation Center, Naomi Drenan Recreation Center and the WTVI building.

*Commissioner Pendergraph returned to the dais.*

**(12-0535) SOLE SOURCE PURCHASE -- ARREST PROCESSING RENOVATION SECURITY EQUIPMENT AND PROGRAM INTEGRATION**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, Pendergraph, and Roberts voting yes, to authorize the County enter into a contact to purchase security equipment and services from Norment Security Group as a sole source purchase to complete the renovation and interface with the current Norment equipment at Jail Central as authorized by G.S. 143-129 (e)(6)(iii) and to assign the contract to Rodgers Builders/Balfour Beatty Joint Venture to manage.

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

**(12-0513) DONATION TO PARK AND RECREATION FOR PARALYMPIC SPORTS CLUB**

Motion was made by Commissioner Roberts, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, Pendergraph, and Roberts voting yes, to recognize, receive and appropriate a \$10,000 donation from BP Oil's Fueling Communities initiative for the Paralympic Sports Club - Metrolina, a program of Mecklenburg County Park and Recreation / Therapeutic Recreation Section to enhance the program for the community.

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

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

**(12-0539) RELEASE CONSERVATION EASEMENT ON FISHER FARM PARK PROPERTY**

Motion was made by Commissioner Roberts, seconded by Commissioner Leake and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph, and Roberts voting yes, to approve releasing the County's conservation easement on that portion of the Fisher Farm Park property where the Town will grant a conservation easement to the State of North Carolina.

**(12-0540) BIG SWEEP PROCLAMATION**

Motion was made by Commissioner Roberts, seconded by Commissioner Leake and carried 5-0 with Commissioners Clarke, Cogdell, Leake, Pendergraph, and Roberts voting yes, to adopt a proclamation designating Saturday, September 29, 2012 as BIG SWEEP Day in Mecklenburg County.

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

*Commissioner Dunlap returned to the meeting.*

*Chairman Cogdell took a moment of "personal privilege" to inform the Board of an idea that he was approached about and supported regarding having a community support center and a mediation garden to help support and encourage persons that have been impacted by cancer. He said it would be a collaborative effort between Carolinas Healthcare System, Novant/Presbyterian, and County Park and Recreation. The hope is that conversation could take place regarding this possibility. It's being suggested in light of how the disease of cancer has impacted the Board and the County as an organization, with respect to the County Manager.*

*Chairman Cogdell asked for feedback from Commissioners, not at this time, but sometime later after the meeting regarding thoughts around this.*

Commissioner Leake commended Chairman Cogdell for his thoughts with respect to providing a place of outreach and solace to persons impacted by cancer, but asked that it be thought through clearly because there were many persons whose lives have impacted by cancer and other life threatening diseases. Commissioner Leake said you wouldn't want to leave anyone out.

#### **CLOSED SESSION**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cogdell, Dunlap, Leake, Pendergraph, and Roberts voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Land Acquisition.

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney and Land Acquisition matters to be discussed in Closed Session: 316 East Matthews Street, Matthews, NC, Jerry Alan Reese vs. Mecklenburg County and the City of Charlotte and Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC.

*The Board went into Closed Session at 8:40 p.m. and came back into Open Session at 9:15 p.m.*

*Commissioner Bentley was present when the Board came back into Open Session. She returned to the meeting during Closed Session.*

*Commissioner Clarke was absent when the Board came back into Open Session and for the remainder of the meeting.*

#### **(12-0545) LAND ACQUISITION**

Motion was made by Commissioner Roberts, seconded by Commissioner Leake and carried 6-0 with Commissioners Bentley, Cogdell, Dunlap, Leake, Pendergraph, and Roberts voting yes, to approve the Historic Landmarks Commission purchase of the house and land parcel 215-01-224 located at 316 East Matthews Street, Matthews, NC for \$312,500 for historic preservation and resale, and recognize and appropriate up to \$400,000 for the purchase and immediate stabilization needs.

#### **ADJOURNMENT**

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and carried 6-0 with Commissioners Bentley, Cogdell, Dunlap, Leake, Pendergraph, and Roberts voting yes,



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that there being no further business to come before the Board that the meeting be adjourned at 9:15 p.m.

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Janice S. Paige, Clerk

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Harold Cogdell, Jr., Chairman