

OCTOBER 2, 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, October 2, 2012.

ATTENDANCE

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

Absent: Commissioners Neil Cooksey and Jim Pendergraph

-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 12-0548, 12-0551, and 12-0564.

STAFF BRIEFINGS - NONE

(12-0568) CLOSED SESSION – CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to go into Closed Session to Consult with Attorney.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 6:00 p.m.

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION - NONE

(12-0569) PUBLIC APPEARANCE

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

Allison Billings, on behalf of the Commonwealth Park Neighborhood Association Board of Directors, addressed the Charlotte Inn located at 2701 East Independence Boulevard. Ms. Billings said the Charlotte Inn was the last of the “run down” motels that “plaques” their neighborhood. Ms. Billings said the motel was an “eyesore and a crime magnet.” Ms. Billings said the motel was preventing growth and development in the area. Ms. Billings asked the Board to partner with the City of Charlotte and exercise the option to purchase and demolish the Charlotte Inn and convert the property to the uses outlined in the Independence Area Plan.

Dr. Cheryl Nicholas addressed InnerVision, which provides psychosocial rehabilitation services to persons with trauma, mental health and addiction challenges and provides education, employment, personal development skills, resources and services for persons with these types of challenges. InnerVision is located at 415 East Fourth Street. Dr. Nicholas said InnerVision was getting ready to launch its Veterans Peer and Career Center that will offer the nations’ first certified peer support specialist training for veterans that includes the President’s initiative in terms of hiring peer support specialist to serve veterans. Dr. Nicholas announced the upcoming Work and Wellness Fair at InnerVision, Inc. on October 31, 2012, 9:00 a.m. – 1:00 p.m.

APPOINTMENTS - NONE

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(12-0575) CENTER FOR ARTS & TECHNOLOGY PILOT PROJECT

The Board received an update from the Arts & Science Council on the Charlotte-Mecklenburg Center for Arts & Technology pilot project.

Note: Aligning with the goal of increasing CMS graduation rates, The Arts & Science Council (ASC) is leading an effort to create a local Center for Arts and Technology site, modeled after the nationally recognized curriculum and program of the Manchester Bidwell Corporation (MBC) in Pittsburgh PA. The National Center for Arts and Technology (NCAT) was created in 2005 as a nonprofit 501(c) (3) subsidiary of MBC to oversee the replication of Centers for Arts and Technology around the nation. NCAT model uses art, technology and other after-school instruction as a means of reducing high school dropouts. NCAT also provides adult workforce training to build employment skills. The NCAT has been replicated successfully in Cincinnati, Grand Rapids and San Francisco.

This local initiative is being launched in response to a feasibility study completed on behalf of ASC and Mecklenburg County, and is funded in part by Mecklenburg County. Under the direction of the ASC in partnership with other community agencies including Charlotte-Mecklenburg Schools (CMS), the local initiative is starting with a focus on drop out intervention and prevention.

OCTOBER 2, 2012

Called, Studio 345, the free, local after-school program will launch in mid-October at Spirit Square. Eleven teaching artists and a program coordinator (all part-time) have been hired for the program. All teaching artists and the program coordinator have been trained by NCAT staff either in Pittsburgh or Charlotte. The first semester target was to enroll 64 high school students. Program staff has done recruiting at all 20 CMS high schools, with 90 students registered, representing 17 different schools and resulting in a potential waiting list. To maintain interest among all the student who registered, Studio 345 staff is exploring options to accommodate those who may be on the waiting list. Studio 345 curriculum includes digital media (music videos and basic filming), digital photography and a gathering center where students will engage in activities from yoga to meditative arts to dance movement. Public transportation will be made available for students to get to the studio. CATS has made monthly transit passes available for ASC to purchase at half-price for each of the students enrolled in the program. The program is offered two-days per week (Monday and Wednesday or Tuesday and Thursday) with an "open studio" on Friday. The first trimester session will end with a gallery exhibit showcasing the youths' work.

Dr. Barbara Ann Temple with the Arts and Science Council presented this matter to the Board. County Manager Jones introduced Dr. Temple after giving the Board the history of how this program got started.

A brochure about the program is on file with the Clerk to the Board.

Comments

Commissioner Bentley expressed her support of the program and said she had visited the school in Pittsburgh.

Commissioner Bentley asked how would the impact of the program be measured. *The response was by keeping track of the participants' attendance rates, behavior in school, their grade point average, and their motivation level before entering the program, during the program, and when they leave the program. Dr. Temple said there were other measures that would be used as well, but these were the key measures.*

Commissioner Roberts expressed her support of the program.

Commissioner Roberts asked was there any coordination with ImaginOn, which was addressed.

Commissioner Roberts encouraged Dr. Temple to follow-up with ImaginOn regarding the possible use of their Digital Studio.

Commissioner Leake asked about the involvement of middle school students, which was addressed. *Dr. Temple said they do want to show middle school students the potential of the possibility of their future and would like to have middle school students directly involved, but their release time from school was a barrier. Dr. Temple said they would be offering professional development for middle school teachers to show them how they can create studios for literacy learning in their classrooms.*

Commissioner Leake asked were they working with the Northwest School of the Performing Arts. *The response was yes.*

Commissioner Dunlap expressed his support of the program and said he had visited the Center in Pittsburgh.

Commissioner Dunlap asked about partnering with Charlotte-Mecklenburg Schools. He specifically addressed the issue of transportation for students, which was addressed.

OCTOBER 2, 2012

Commissioner Clarke asked was the relationship with Charlotte-Mecklenburg Schools a cooperative one. *The response was yes.*

Commissioner Clarke asked about the Center's funding strategy, which was addressed.

Chairman Cogdell thanked Dr. Temple for presenting this matter to the Board.

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUEST

(12-0578) UPDATE ON MECKLINK WAIVER - CHAIRMAN COGDELL

The Board received an update from staff regarding MeckLink's progress in implementing the Medicaid Waiver and converting to a Managed Care Organization (MCO).

General Manager Michelle Lancaster and MeckLink Director Phil Endress gave the update. The following was noted.

- The State is moving to a Medicaid Waiver Plan for Behavior Healthcare.
- Mecklenburg County plans to begin operating under this plan January 1, 2013.
- Despite concerns received by some Board members and staff from State officials questioning whether Mecklenburg County would be ready to operate on January 1, 2013, staff has not heard anything that causes "pause" for the County in its efforts to be ready on January 1, 2013.
- The status of the County's preparation efforts was reviewed.
- Software has been purchased and delivered.
- Software testing has begun.
- The total staffing for the program will be 250 – 270 employees, and is currently at about the 50% mark.
- Mecklenburg County will be the only single county operated Managed Care Organization in the state.
- Network development has begun and the application process is on-going.
- Currently the County has received approximately 170 applications from agencies wanting to participate in the program.
- The process has begun for credentialing and licensing individual practitioners.
- There will probably be 850 – 950 different organizations that will be providing services to Mecklenburg Medicaid Behavior Healthcare individuals.
- One of the critical pieces of Managed Care and one of the reasons why the state was doing this was so that the state would be able to predict their costs and to also save money.
- Starting January 1, 2013, the dollar amount that the County would have to work with would be 10% less than what the state was currently paying now for these services.
- The County will need to be able to reduce its reliance on in-patient care, with the first step being to identify who those individuals that are at the highest risks of requiring in-patient care.
- The Care Coordination Unit was addressed.
- The plan is to be fully operational on January 1, 2013.

Comments

OCTOBER 2, 2012

Commissioner Bentley said she was contacted by Representative Burr who is the co-chairman of the House Appropriations Subcommittee on Health and Human Services, regarding this matter.

Commissioner Bentley asked why was there concern on the part of the state regarding where Mecklenburg County was in the process. *Director Endress said it was his belief that from the state's perspective they wanted to see the County go first, which would have been a year ago or last January; but the County informed the state that it was not in a position to take this on and to do it in a successful manner at that point. Thus, the County put in a request to the state to push the start date back a year, which was approved. Further, that the state was still concerned that the County won't be ready.*

Commissioner Bentley asked about dialogue with the state to give the state confidence that the County would be ready. *Director Endress said he met recently with Jim Jarrard who is the Acting Director for the Department of Mental Health. He said the County also submitted its updated progress report to the state Medicaid authority yesterday and that they were pleased with the progress that the County had made.*

Commissioner Bentley asked about Mercer's visit to the County to assess its readiness. *Director Endress said they were here for one day, that it was his 8th day on the job. He said the County was not in good shape for that visit.*

Director Endress said Mercer was informed that the County's software was in the process of being delivered and therefore it hadn't been tested, nor had there been any staff training.

Director Endress said Mercer wanted to see actual utilization of the software. Director Endress said, since that time however, the software was delivered, training and testing has occurred and thus, far it appears to be working.

Commissioner Bentley asked was it possible that Mercer's visit was what prompted contact from Representative Burr. *Director Endress said that was possible.*

Director Endress said to date, staff had not received a report, per Mercer's visit.

Commissioner Bentley asked whether Mercer clearly identified to staff what their concerns were while here. *Director Endress said no.*

Commissioner Bentley asked whether anyone from the state had clearly identified what their concerns were. *Director Endress said the state's concern was that the County would not be ready January 1, 2013 and that for every month the County wasn't a viable Managed Care Organization, it would cost the state \$1.5 million. Thus, the state's concern was what this would do to the state's budget.*

Commissioner Bentley asked whether the state had provided the County with specific areas of concern. *Director Endress no.*

Commissioner Bentley asked was it correct that staff received positive feedback from the state with respect to the progress report submitted by the County yesterday. *Director Endress said the only feedback he received was acknowledgement of the receipt of the report and that the report looked very good. He said the report was submitted to Mark O'Donnell who was the liaison with the DMH and to Cathy Nichols with DMA.*

Commissioner Dunlap asked about the 10% the state would be taking, which was addressed.

Commissioner Dunlap asked who bears the costs of overruns. *General Manager Lancaster said the state would.*

OCTOBER 2, 2012

Commissioner Dunlap asked what if the County managed the program in such a way that the County realized the 10% and more, would the County be able to keep the difference or would it go to the state. *Director Endress said the County would keep the savings, at minimum, for the first two years because the state committed to the per member, per month costs for two years.*

Director Endress said if the County showed that its per member, per month costs was significantly less than what the state was providing the County, the state would then reduce the County's per member, per month costs. He said what the County would need to do beginning fiscal year 2014, would be to look at what other services the County needed to be developing in the community, which would allow the County to reinvest the savings and address the needs of a broader range of consumers and expand access to individuals that may be at need or at risk and haven't accessed behavior services in the past.

Commissioner Dunlap asked Director Endress if he'd had an opportunity to look at the list of providers and whether in his opinion there were too many or too few providers at this time. *Director Endress said he had not had that opportunity yet since coming on board.*

Commissioner Dunlap asked about consumer choice which was addressed.

Commissioner Dunlap asked about the evaluation of providers which was addressed.

Commissioner Clarke asked to receive a copy of any communications received by Commissioners regarding this matter from state officials.

Commissioner Clarke asked that the Board receive another update in November.

Chairman Cogdell asked about Mercer, which was addressed. Director Endress said *Mercer was a consulting firm hired by the state (DMA) to conduct readiness assessments.*

Chairman Cogdell thanked Director Endress for the update.

Consent Items

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

(12-0552) STORM WATER FUND BALANCE APPROPRIATION

Appropriate \$375,736 in Storm Water Fixed Fee Funds from the Storm Water Fund Balance.

Note: The Interlocal Agreement between the City and the County for the operation of Mecklenburg County's Storm Water System indicates that the fixed and administrative cost component of the storm water fee shall be used to pay administrative expenses, including but not limited to the cost of producing bills and collecting fees and operating customer service functions. The City of Charlotte has reimbursed Storm Water Services \$375,736 for the year-end reconciliation for fiscal year 2011. In fiscal year 2011, the fixed fee revenues collected exceeded the operating cost. These funds have been received but have not been appropriated for expenditure by County Storm Water.

(12-0553) INSURANCE REIMBURSEMENTS

OCTOBER 2, 2012

Recognize and appropriate insurance reimbursement funds in the amount of \$35,319 for Park and Recreation, \$36,783 for BSSA-Asset Facility Management and \$183 for Sheriff's Office.

Note: All reimbursements are for stolen and damaged items.

(12-0562) BUDGET AMENDMENT - GEOSPATIAL INFORMATION SYSTEMS (REVENUE INCREASE)

Recognize and appropriate \$5,628 donated by various sponsors for GIS Day.

Note: Mecklenburg County GIS has organized GIS Day for the past 12 years. 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). It 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.

(12-0567) AMEND ORDINANCES - LAND USE & ENVIRONMENTAL SERVICES FEE ORDINANCE AND THE BUILDING-DEVELOPMENT ORDINANCE - SECOND READING

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: This was the Second Reading on these ordinances.

Ordinances recorded in full in Minute Book _____ Documents # _____ and _____.

(12-0571) MINUTES

Approve minutes of Regular meeting September 18, 2012 and Closed Session held September 18, 2012.

(12-0574) BOARD BULLETIN

Receive the County Manager's Board Bulletins published since the last Board meeting.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(12-0548) BUDGET AMENDMENT - MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)

OCTOBER 2, 2012

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to recognize, receive and appropriate additional Social Services Block Grant (SSBG) federal funds in the amount of \$50,847 to provide services within the developmentally disabled population.

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

**(12-0551) TORRENCE CREEK AT HUNTERSVILLE BUSINESS PARK STREAM
ENHANCEMENT AND WATER QUALITY PROJECT**

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

1. Recognize, receive and appropriate up to \$364,711.45 as a grant award from the NC Clean Water Management Trust Fund for the Torrence Creek Stream Enhancement and Water Quality project at the Huntersville Business Park in Huntersville, NC.
2. Authorize the carry forward of unspent grant funds for subsequent years until completion of the project.
3. Authorize the County Manager to execute a construction contract with Eagle Wood, Inc. in the amount of \$753,737.82.
4. Authorize the County Manager to negotiate and execute a Memorandum of Agreement with the Town of Huntersville up to \$45,000 for construction on the Torrence Creek Stream Enhancement and Water Quality project at the Huntersville Business Park in Huntersville, NC.

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

(12-0564) CAPITAL RESERVE REQUEST - AQUATIC FACILITIES

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

1. Authorize and appropriate expenditure of \$105,000 from the Consolidated Aquatic Capital Reserve Fund to renovate the Marion Diehl Recreation Center Pool locker rooms.
2. Authorize and appropriate expenditure of \$34,500 to repaint all locker rooms, redo the flooring in the locker rooms, and repaint railing for the large water slide at Ray's Splash Planet.

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

(12-0565) BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

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

1. Recognize and appropriate \$78,645 from inmate commissary for the Sheriff's Special

Revenue Fund.

2. Recognize and appropriate \$38,193 from vocational facility telephone revenue for the Sheriff's Special Revenue Fund.

3. Recognize and appropriate \$66,828 from concealed handgun permit fees for the Sheriff's Special Revenue Fund.

Note: All funds collected through inmate commissary operations are used for inmate education, library and self-sufficiency programs as well as supplies and equipment to support programs. All funds received from 16.8 percent of commissions from the inmate telephone system are used for inmate vocational education programs. The Sheriff's Office share of all funds resulting from the issuance of concealed carry permits are used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

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

Commissioner Leake asked to receive a list of the educational and vocational programs offered by the Sheriff's Office.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:52 p.m.

Janice S. Paige, Clerk

Harold Cogdell, Jr., Chairman