

APRIL 16, 2013

**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, April 16, 2013.

**ATTENDANCE**

**Present:** Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour  
County Manager Harry L. Jones, Sr.  
County Attorney Marvin Bethune  
Clerk to the Board Janice S. Paige

**Absent:** None

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**-INFORMAL SESSION-**

***Commissioner Ratliff was absent when the meeting was called to order and until noted in the minutes.***

***The meeting was called to order by Chairman Cotham, 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 13-0976, 13-0981, 13-0990, 13-0994, 13-0998, 13-1022, and 13-1024.

**STAFF BRIEFINGS - NONE**

**(13-1008, 13-1010) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY**

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax parcel numbers 049-231-03 and 049-231-51.

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ridenhour voting yes, to go into Closed Session for the following purposes: Land Acquisition and Consult with Attorney.

***The Board went into Closed Session at 5:07 p.m. and came back into Open Session at 6:12 p.m.***

***Commissioner Ratliff was present when the Board came back into Open Session. She 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-**

*Chairman Cotham called this portion of the meeting to order. She then recognized Commissioner Dunlap to give the invocation, which was preceded by introductions and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.*

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to move agenda Item 13-1020 2011 Revaluation Review Committee Report up on the agenda, so that it could be addressed prior to the Manager's Report.

**AWARDS/RECOGNITION**

**(13-1004) PROCLAMATION -- VOLUNTEER RECOGNITION**

The Board recognized individuals who had and were participating in Mecklenburg County's Volunteer Program and serving on advisory boards.

Sophia Hollingsworth, Citizen Involvement Coordinator addressed the County's Volunteer Program.

*Note: Mecklenburg County and Hands on Charlotte entered into a partnership in October, 2011 to establish and operate the County's volunteer program. Over many years, the County has had successful volunteer programs within individual departments, such as the Park and Recreation Department and the Department of Social Services. The partnership with Hands on Charlotte has enabled the County to implement a more comprehensive approach to utilize volunteer recruitment, training and management. Volunteers recruited by the County and Hands on Charlotte support County staff in the execution of their duties and, at times, provide expertise not otherwise available to County staff. Also, nearly 300 residents currently serve on 41 Board appointed advisory committees. The volunteer program is one aspect of MeckConnect, Mecklenburg County's multifaceted strategy for increasing and enhancing citizen involvement.*

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a proclamation designating April, 2013 as National Volunteer Month in Mecklenburg County.

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

**(13-1011) PUBLIC APPEARANCE**

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

Tom Derham extended an invitation to the AT&T Cadet Achievement Awards program on Thursday, April 18, 2013 at the Bojangles Coliseum at 6:30 p.m.

Ty Baumgartner, Coach at Olympic High School, presented Olympic's Boys Basketball Team, winners of the State Championship.

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Anthony Jones, Coach/Band Director at Harding High School, presented Harding's Girls Basketball Team, winners of the State Championship.

Betty Anderson addressed Community Health Month and Village Heartbeat. She also announced a walk that would take place on April 27, 2013, Fitness Day on the Greenway, Planting Seeds of Wellness, at 8:00 a.m. at Wallace Pruitt Recreation Center and Wesley Heights – Irwin Greenway.

**(13-0997) NOMINATIONS/APPOINTMENTS**

**WOMEN'S ADVISORY BOARD**

The following persons were nominated for appointment consideration to the Women's Advisory Board:

Heather Blake	by Commissioner Ridenhour
Stephanie Gryder	by Commissioner Dunlap
Teresa Smith	by Commissioner Leake

*Note: An appointment will occur on May 7, 2013.*

**(13-1006) APPOINTMENTS**

**BOARD OF EQUALIZATION AND REVIEW**

Commissioner Bentley, Chair of the Board's Ad Hoc Appointment Committee for appointments to the Board of Equalization and Review (BER), presented the Committee's recommendations for appointment. The other committee members were Commissioners Fuller, Leake, and Ridenhour.

The Ad Hoc Committee for Board of Equalization and Review appointments made the following recommendations:

For a one-year term expiring April 15, 2014, the following nominees were recommended for appointment:

- Terri R. Orsi
- Robert Flowe
- James Calder
- Unithia McGruder
- Lee Robinette

For a two-year term expiring April 16, 2015, the following nominees were recommended for appointment:

- Cleve Daniels
- Jeff Turnbull – Mr. Turnbull was the committee's recommendation for Chair of the BER.
- Rufus Hutchinson
- J.D. Willoughby
- Paul Bass

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For a three-year term expiring April 16, 2016, the following nominees were recommended for appointment:

- Bruce Miller
- Lee Teague
- Nick Vilord
- Joel Levy – Mr. Levy is the committee’s recommendation for Vice Chair of the BER.
- Kathy Davis

***A copy of the Ad Hoc Committee’s recommendation letter is on file with the Clerk to the Board.***

Motion was made by Commissioner Bentley, seconded by Commissioner Leake, to approve the Ad Hoc Appointment Committee’s recommendations for appointments to the Board of Equalization and Review as recommended.

Commissioner Dunlap asked that the motion be divided into three parts and a vote taken on each nominee rather than as a group.

Commissioner Dunlap expressed concern for diversity amongst those recommended for appointment to the Board of Equalization and Review (BER) by the Board’s Ad Hoc Appointment Committee. Commissioner Dunlap said for him diversity was not just about race, but in thought and ability. Commissioner Dunlap said per his review of those recommended, he noticed that only two were democrats. He said philosophically democrats tend to want to support government and that republicans tend to want to reduce government. Commissioner Dunlap said the Ad Hoc Committee’s recommendation had an “overwhelming majority of people who would want to reduce government at all cost.”

Commissioner Dunlap addressed the purpose of revaluation. Commissioner Dunlap said if the majority of the people believe “you’re taxed too high or that your tax value is too high, it reduces the revenue. Commissioner Dunlap said the Ad Hoc Committee’s recommendation for membership did not include diversity in thought. He said it appeared there were people who were “liked minded and when that happens chances are, that the likelihood of reduced values will be permeated among the members of the board.”

Commissioner Dunlap said with respect to the prior BER that was not the case. Commissioner Dunlap questioned whether the members of the BER as recommended would be “fair according to their philosophy or belief or fair to the taxpaying citizens or fair to the community.” Commissioner Dunlap said he did not think that was taken into consideration when selecting the membership.

Commissioner Bentley and other members of the Ad Hoc Committee expressed their thought process when going through the interview process. They said political affiliation never crossed their minds. The members of the committee expressed how taking into consideration of one’s political affiliation would not have been the right thing to do. It was noted also, that members of the committee had no idea what an applicant’s political affiliation was.

Commissioner Dunlap, after further discussion, said he would be amenable to voting on the one (1) year and two (2) year nominees as a group and nominees for three (3) year terms individually.

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Dunlap voting no, to appoint Terri R. Orsi, Robert Flowe, James Calder, Unithia McGruder, and Lee Robinette to the Board of Equalization and Review for a one-year term expiring April 15, 2014.

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Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Dunlap voting no, to appoint Cleve Daniels, Jeff Turnbull, Rufus Hutchinson, J.D. Willoughby, and Paul Bass to the Board of Equalization and Review for a two-year term expiring April 16, 2015.

The vote was then taken on the following nominees as recommended by the Ad Hoc Appointment Committee:

Bruce Miller                      Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour

Bruce Miller received at eight votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Lee Teague                      Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Lee Teague received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Nick Vilord                      Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Nick Vilord received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Joel Levy                      Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour

Joel Levy received seven votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Kathy Davis                      Commissioners Bentley, Cotham, Fuller, James, Leake, and Ridenhour

Kathy Davis received six votes and thus appointed to the Board of Equalization and Review for a three-year term expiring April 16, 2016.

Motion was made by Commissioner Bentley, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Jeff Turnbull as Chair of the Board of Equalization and Review for the duration of his term.

Motion was made by Commissioner Bentley, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Joel Levy as Vice-Chair of the Board of Equalization and Review for the duration of his term.

*They replace JoAnn Allen, Russell Allen, James Barnett, Damon Bidencepe, Parker Black, John Deas, David Guilford, Zanthia Hastings, William Hawkins, Keith Horton, Harvey Jeffers, John Newitt and Alfred Tucker.*

**(13-1019)      APPOINTMENT - TOWN OF MINT HILL PLANNING BOARD**

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Tom Gatz to the Mint Hill Planning Board as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a term expiring June 30, 2014.

**COUNTY COMMISSIONERS REPORTS & REQUEST**

**(13-1020) 2011 REVALUATION REVIEW COMMITTEE REPORT**

The Board received a report from the Board of County Commissioners' 2011 Revaluation Review Committee. Commissioner Bentley, chair of the Committee, gave the report. The other members of the Committee were Commissioners Fuller, Leake, and Ridenhour.

Commissioner Bentley reviewed a preliminary draft of a Taxpayer Guide to the Board of Equalization and Review Hearing Process that will be provided to the Board of Equalization and Review.

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

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

**PUBLIC HEARINGS - NONE**

**ADVISORY COMMITTEE REPORTS - NONE**

**MANAGER'S REPORT**

**(13-0999) FY13 SERVICE AND RESOURCE DEMAND**

The Board received a report on service and resource demand trends and potential implications for the FY14 budget. Monica Allen, Performance & Evaluation Manager gave the report. The report covered the following service areas: Human Services, Recreation, and Land Development.

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

Comments

County Manager Jones acknowledged the report did not address the known trends with respect to education services.

County Manager Jones said he was trying to get his "arms around" the question of what was the "real" poverty rate that existed in Mecklenburg County. County Manager Jones said what tended to happen was that the services the County had to provide was an extension of what the poverty rate was in the community.

Chairman Cotham asked County Manager Jones to define poverty rate. *County Manager Jones said poverty rate referred to those individuals who lived at or below the federal poverty level.*

Commissioner Clarke said the federal poverty guidelines for a family of four was \$23,550.

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Commissioner Clarke asked was the Medicaid data in the report inclusive of everyone on Medicaid, including those living in nursing homes. *Director Allen said she wasn't sure, but it did include families and children. Director Allen said she would find out if it included those in nursing homes.*

Commissioner Clarke asked that in subsequent reports regarding Medicaid that it be broken down or clarified as to whether the Medicaid data included those in nursing homes.

Commissioner Clarke said there was a general misconception that Medicaid dollars were mainly spent on "poor" people of working age for healthcare and children. Commissioner Clarke said the "big" dollars were spent on persons in nursing homes.

Commissioner Leake asked if the homeless received Medicaid. *Director Allen said she would find out.*

Commissioner Ridenhour commented on Food Stamps and asked about the impact on the upcoming budget. *County Manager Jones addressed the question.*

This concluded the discussion. The above is not inclusive of every comment but is a summary.

### **(13-1013) CMS PROPOSED SECURITY PROJECT**

The Board received a briefing from Charlotte-Mecklenburg Schools (CMS) on a proposed security project.

*Note: CMS was considering a series of security upgrades at local schools. The upgrades being considered were developed by a team that included CMS, law enforcement and information technology staff. CMS was requesting the County to fund these items as part of the FY2014 capital program.*

The following CMS staff presented the report: Millard House, Chief Operating Officer, Dr. Valerie Truesdale, Chief Information Officer, Principals Jeremy Batchelor from James Martin Middle School, Eric Ward from West Mecklenburg High School, and Raymond Giovanelli from Grand Oaks Elementary School, CMS Police Chief Vincent P. Cesena and Police Chief Rob Hunter, Town of Matthews. The following was covered:

- Current Security Measures
- CMS Police Department 24-Hour Monitoring
- Ongoing Security Measures
- Goal: Enhance Security of Children and Staff
- Collaborative Partnerships
- Key Features of Security Enhancement Proposal
  - Secure identification system, including electronic access
  - Visitor management system
  - Student and staff identification in all schools
- Benefits of Features
  - Improved Communications with First Responders
  - Security Cameras
  - Video Monitoring
- Component Costs
- Annual Recurring Costs
- Timeline

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Mr. House said CMS was pleased that if the Security Proposal was supported by the Board of County Commissioners that it would not effect existing capital projects that were “already on the table” from the 2007 Bond.

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

***Commissioner Bentley returned to the dais.***

Comments

Commissioner Leake asked was the entrance shown in the presentation with respect to electronic access, bullet proof glass. *Mr. House said the glass was not bullet proof. He addressed how the electronic access would work.*

Commissioner Leake asked about monitoring of the hallways by teachers, which was addressed.

Commissioner James asked about ID cards and what would happen if a student lost their card or swapped their card. Also, how would CMS know if the person using a card was indeed that person. *Mr. House addressed this question.*

Commissioner James suggested at some point CMS give thought to fingerprint scanners or something that would allow CMS to actually identify movement of students within the building.

Commissioner Ratliff asked about security with respect to walking zones, the areas where students walk to school. She asked that be taken into consideration as well.

The following persons spoke in support of CMS’ security proposal: Bill Anderson, Executive Director of MeckEd and Harold Dixon with the PTA. Mr. Anderson also noted the importance of School Resource Officers.

Commissioner Ridenhour asked about the annual cost associated with vandalism on school property, which was addressed.

Commissioner Ridenhour asked about afterhours access for school activities, which was addressed by CMS Police Chief Cesena.

Commissioner Ridenhour asked about feedback received from other areas of the country where these types of measures had been put in place, which was addressed.

Commissioner Ridenhour expressed concern for the human element in all of this.

Commissioner Ridenhour asked about input from security firms. *CMS Police Chief Cesena said they consulted with U.S ISS, a local security firm, as well as, with the Department of Homeland Security.*

Commissioner Bentley asked was there any evidence to show that the use of this proposed plan deterred bullying. *Eric Ward, Principal at West Mecklenburg High School said there was no evidence, but when students know there are cameras around, it deters it somewhat.*

Commissioner Bentley asked what was being done on school campuses to deter bullying. *Raymond Giovanelli, Principal at Grand Oaks Elementary School and Eric Ward, Principal at West Mecklenburg High School addressed this.*



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Chairman Cotham asked about the use of security experts in the development of the proposed plan, which was addressed.

Chairman Cotham asked about the monitoring of cameras, which was addressed.

This concluded the discussion. The above is not inclusive of every comment but is a summary.

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

**(13-1014) CPCC PROPOSED CAPITAL PLAN**

The Board received a briefing from Central Piedmont Community College (CPCC) on a Proposed Capital Plan. Dr. Tony Zeiss, President of CPCC and Dr. Kathy Drumm, Vice-President gave the report.

*Note: Central Piedmont Community College (CPCC) has a proposed capital plan designed to address its need for additional space to accommodate current and future enrollment growth, academic program growth and to increase assignable square footage per FTE consistent with existing capital standards. The plan consists of approximately 20 projects ranging from land acquisition to new facilities. The plan contemplates increasing space by 1.2 million square feet and rehabilitating 235,000 existing square feet. It is anticipated that CPCC will request that the Board of County Commissioners approve a bond referendum for a portion of this plan for November 2013.*

The following was covered:

- CPCC's Focus
- Student Population
- Campus Locations
- Partnership with the County
- Outreach Efforts
- Citizens Capital Budget Advisory Committee Capital Standards
- Academic Program Planning
- Future High Growth Programs
- Enrollment Projections
- Updated List of Projects
- Impact on Programs and Students Served
- Why CPCC Needs More Space

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

Comments

Commissioner Dunlap asked how many years would it take for CPCC to complete what it had proposed based on the County's priority setting. *Dr. Zeiss said ten years.*

Commissioner Dunlap asked what would be the consequence of waiting ten years. *Dr. Zeiss said students would have to be turned away, which was currently occurring in some instances.*

Commissioner Dunlap asked about CPCC's prioritization and particularly land acquisition. He asked why was land acquisition not the "top" priority since land costs increased every year. *Dr. Drumm addressed this question.*

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Commissioner Dunlap asked about land bonds, separate and apart from other bonds to build buildings and whether there was any additional dollars set aside or already approved in that category. *Finance Director Dena Diorio said there were some outstanding land bonds and that she would provide the amounts at a later date. Finance Director Diorio addressed how land acquisition bonds had been handled in the past.*

This concluded the discussion. The above is not inclusive of every comment but is a summary.

**(13-1025) CATAWBA RIVER DISTRICT CHICKEN TRACTOR PARTNERSHIP WITH CMS**

The Board received a presentation from Edna Chirico, Executive Director of the Catawba River District regarding the work of the Catawba River District, including its Chicken Tractor partnership with Charlotte-Mecklenburg Schools. The following was noted with respect to the Chicken Tractor partnership:

*Note: Randy Klocke and his wife, Cynthia, own Rooster Hill Farms, a local multi-faceted farm in China Grove, North Carolina. Their farm provides all the locally-grown eggs to Healthy Home Markets in Charlotte and The Bradford Store in Huntersville. Randy is the designer and builder of a portable chicken coop - called a "HenPen" or "Chicken Tractor." Rooster Hill Farms is donating a Chicken Tractor to the Catawba River District. The Catawba River District is making this Chicken Tractor available for use by 11 schools in its regional partnership to support education, food awareness, health and wellness and sustainability. The Chicken Tractor will enhance the schoolyard garden experience. Schools will be invited to sign up to host the Catawba River District Chicken Tractor (CRDCT) on a weekly basis. The Catawba River District will transport the Chicken Tractor to and from the school sites and maintain the Chicken Tractor over the weekend and during the summer - unless requested at summer school programs.*

Ms. Chirico said the purpose of the presentation was to make the Board aware of what the Catawba River District was doing and to seek the Board's advocacy and encouragement of continued staff involvement with the Catawba River District.

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

Comments

Commissioner Ridenhour asked about regulations with respect to growing food on school property and not being able to serve it in the cafeteria. *Ms. Chirico addressed state regulations regarding that.*

**STAFF REPORTS & REQUESTS**

**(13-0987) COLLABORATIVE COMMUNITY PLAN 2013**

The Board received a report on a proposed Collaborative Community Plan. Leslie Johnson, Associate General Manager and Heidi Pruess with LUESA gave the report. Brian Collier with the Foundation for the Carolinas also participated in the presentation. The following was noted:

- City and County staff hired the International City/County Management Association (ICMA) to conduct a feasibility study for a community plan.
- County and City staff recommend adopting a hybrid of the ICMA feasibility study results toward the development of a Collaborative Community Plan. The hybrid approach includes:
  - Phased development of a visionary framework followed by a Collaborative Community Plan

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- Establishment of an executive level oversight committee
- Establishment of a series of citizen workgroups
- Robust community engagement
- The total cost of this initiative is estimated to be \$300,000.
- The City of Charlotte and Mecklenburg County have agreed to share the cost.
- A funding application with The Foundation For The Carolinas will be submitted for \$100,000 that, if approved, would equally reimburse the City of Charlotte and Mecklenburg County.
- At one of its meetings this month, the Charlotte City Council will also be asked to approve developing the Collaborative Community Plan and \$150,000 for financial support of this effort.
- The deadline for submitting the grant application to The Foundation for the Carolinas is the end of April, with a decision on the grant funding made in early June.

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

#### Comments

Commissioner Leake asked how would the proposed plan address homelessness, housing needs, health issues, food deserts, etc. in the community. *Ms. Pruess said at this point in the process, specific issues had not been identified because the desire was to allow the community to guide staff on what they saw as priorities that would be a part of the vision and the plan.*

Commissioner Leake asked about the funding of the Plan. *Ms. Pruess addressed the question.*

Commissioner Bentley said she could not support the proposed Plan for philosophical reasons.

Commissioner Bentley referenced the Board's approval of a \$5 million grant received from HUD a few years ago. She asked would that not support the funding of the work staff was doing since it was really "the same end game." *Ms. Pruess said there was a difference between the Connect Our Future Regional Development Plan and what was being proposed. She said what was being proposed was Mecklenburg county specific and might include the topic areas addressed in the Connect Plan, as well as, additional topics.*

Commissioner Bentley asked at what point would the Plan come back to the Board for approval and/or what would be the Board's level of accountability. *Ms. Pruess said staff would like to include elected officials in the public engagement process in developing the vision and plan. She said the vision would come back to the Board for approval and the next step would be development of the Plan.*

Commissioner Ridenhour asked about the expected measureable result(s) as a result of this project. *Ms. Pruess and Mr. Collier addressed this question.*

Commissioner Ridenhour asked what all would be encompassed in this project. *Ms. Pruess addressed this question. She said it would start with the Quality of Life Study.*

Commissioner Ridenhour also asked about the difference between what was being proposed and the Connect Our Future Regional Plan, which was addressed.

Commissioner Bentley asked since transportation and housing could be areas of the proposed plan, did that mean that ultimately this plan or however it may "dovetailed" with the regional plan, could drive where roads, rail, and houses were built. *Ms. Pruess said it was not envisioned to "get down" to that level.*

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Commissioner Fuller said a community vision was needed, however, he questioned the intent of the plan and whether the city, county, and towns were on the same page with respect to what the intent of the plan was.

Commissioner Fuller said he wasn't sure if the project as outlined would meet the goal of having a comprehensive community vision. Commissioner Fuller said there were political and financial consequences to such a plan.

Commissioner Fuller asked Ms. Pruess to define sustainability.

Ms. Pruess said the intent of the proposal was to go beyond even what the traditional definition of sustainability was with the social, environmental and economic components and to include things like education, health, and specific issues in the community that identify where we want to be in the future as a community.

Chairman Cotham addressed the benefits of having a community plan, including the financial benefit.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes and Commissioner Bentley voting no, to approve development of a Collaborative Community Plan and authorize the County Manager to proceed with Phase I: Framework and subsequent Phase II: Collaborative Community Plan, including: Supporting a partnership of the City of Charlotte, Mecklenburg County Towns, and the Foundation For The Carolinas in citizen involvement toward creating the Framework and Collaborative Community Plan; and approval to submit a grant funding application to the Foundation For The Carolinas for up to \$100,000 to support this effort, and recognize, receive and appropriate grant funds if awarded.

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

#### **(13-0989) MECKLINK MONTHLY UPDATE -- CLAIMS PROCESSING AND PAYMENT**

The Board received an update on MeckLINK Behavioral Healthcare Medicaid Waiver operations. Phil Endress, Director of MeckLINK Behavioral Healthcare and staff member Faye Sanders gave the update, which focused on March operations, Claims Processing and Payment to Providers.

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

#### Comments

Commissioner Clarke noted the State Department of Health and Human Services' termination of a Medicaid Waiver contract with an equivalent organization in the western region of the state. Commissioner Clarke said he assumed the termination occurred because the organization was not controlling the expenditure of funds. Commissioner Clarke asked was staff controlling MeckLINK's spending. *Director Endress said yes, both through the utilization management process and the authorization process.*

Director Endress said Western Highlands received a letter from the State asking that they cease operations at the end of July. He said Western Highlands, however, had been given a reprieve to develop a new pilot project that would combine primary healthcare and behavioral healthcare.

Commissioner Bentley asked about benchmarking. *Director Endress said no benchmarking had occurred at this time.*

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Commissioner Dunlap asked was staff confident that claims would be paid timely, thus the County would avoid paying the 8% interest cost that would have to be paid to a provider if a claim was not paid within the 30 day time period. *Ms. Sanders said a concerted effort was made every week to process claims to avoid getting to that stage. Ms. Sanders noted that the 8% interest was only applicable to "approved" claims.*

This concluded the discussion. The above is not inclusive of every comment but is a summary.

**(13-1021) RYAN WHITE ADVISORY BOARD/PLANNING COUNCIL**

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to defer until the May 7, 2013 meeting, receipt of information on the requirements for establishing a planning council for the Charlotte Transitional Grant Area (TGA) for Ryan White Part A Program.

**(13-1008) CLOSED SESSION - LAND ACQUISITION - CHARLOTTE MECKLENBURG SCHOOLS ACQUISITION**

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve acquisition of the Newell Elementary replacement school site at 431 Rocky River Road, tax parcel numbers 049-231-03 and 049-231-51(±22.804 acres), for \$932,400 or \$40,887.56/acre by the Charlotte-Mecklenburg Board of Education from Stewart Investments, LLC and Sara C. Stewart, trustee of the Revocable Trust.

*Note: CMS plans to build a replacement school for Newell Elementary on the site.*

**CONSENT ITEMS**

**Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve the following item(s):**

**(13-0983) DONATION TO PARALYMPIC SPORTS CLUB**

Recognize, receive and appropriate a \$1,146 donation from Mark Oil to the Paralympic Sports Club - Metrolina.

*Note: The Paralympic Sports Club - Metrolina is a program offered under Mecklenburg County Park and Recreation / Therapeutic Recreation Section. This program is offered in partnership with the US Olympic Committee (Paralympics Sports). The primary goal of the partnership is to provide a community-based program aimed at involving youth and adults with physical and visual disabilities in sports and physical activity, regardless of skill level. The \$1,146 donation is earmarked to be used to enhance the ability of the Paralympic Sports Club to provide programs to community members. The donation from Mark Oil is part of BP Oil's Fueling Communities initiative, whereby BP provides grant funding every year to more than 11,000 of its local BP Station owners to support a local organization's efforts in health, education, youth and housing.*

**(13-0985) CONSTRUCTION CONTRACT -- BALLANTYNE DISTRICT PARK ATHLETIC FIELD LIGHTING**

Award a construction contract to MUSCO Sports Lighting, LLC in the amount of \$545,000 for the construction of Ballantyne District Park Athletic Field Lighting.

**(13-0988) PROCLAMATION -- "NO TEXT ON BOARD - IT CAN WAIT" DAY**

Adopt a proclamation designating Thursday, April 18, 2013 as "No Text on Board - It Can Wait" Day in Mecklenburg County.

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

**(13-0991) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY SOLID WASTE FEE ORDINANCE**

Approve an amendment to the Mecklenburg County Solid Waste Fee Ordinance

*Note: A second reading will be required before being approved because all nine Commissioners were not present at the time this matter was voted upon. This matter will be on the Board's May 7, 2013 agenda.*

**(13-0992) TAX REFUNDS**

Approve refunds in the amount of \$2,124,768.61 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

**(13-0993) DECLINE RIGHT OF FIRST REFUSAL TO CMS PROPERTY – PARCEL #019-261-27**

Authorize the County Manager to decline the County's statutory right of first refusal for a portion of parcel 019-261-27 (+/- 1.7 acres) owned by the Charlotte-Mecklenburg Board of Education, to permit conveyances of tracts to SMB Auburn LLC.

*Note: By State statute, the County must decline or waive its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. BSSA-Asset and Facility Management has determined that there is no County use for the subject property. Charlotte-Mecklenburg Schools (CMS) proposes to exchange small areas of vacant land with SMB Auburn LLC, the developer of an adjacent subdivision. This exchange will allow the creation of additional BMP storm drainage needed at the future elementary school. The school will gain access to a creek for educational purposes.*

**(13-0995) LEASE AMENDMENT -- ATRIUM CORPORATE CENTER (MECKLINK)**

Authorize the County Manager to negotiate and execute a lease amendment with WCRT Atrium, LLC for Information Technology staff office space to support MeckLINK Behavioral Healthcare.

**(13-0996) NORTH MECKLENBURG PARK LAND CONVERSION – NCDOT HIGHWAY PROJECT**

(1) Authorize the County Manager to convey a +/- 0.0647 acre portion of Tax Parcel 009-111-19 for right-of-way, and grant a permanent utility easement of +/- 0.0413 acres to the North Carolina Department of Transportation (NCDOT) for a highway widening project along Old Statesville Road (NC Highway 115) adjacent to North Mecklenburg Park in Huntersville.

(2) Recognize and receive payment from NCDOT in the amount of \$8,475 for the right-of-way and permanent utility easement.

(3) Authorize the Park and Recreation Director to designate a portion of Tax Parcels 023-301-01 and/or 023-301-02 (property to be acquired for park purposes on Mountain Island Lake) with a value of at least \$8,475 as Land and Water Conservation Funded ("LWCF") property; the LWCF land restriction would be that the land would be used in perpetuity for public outdoor recreation.

**(13-1001) LEASE ASSIGNMENT FOR THE WIC PROGRAM**

Authorize the County Manager to execute a "Consent to Assignment of Lease" from Carolinas Healthcare System to the County for office space for the Women, Infants and Children (WIC) Program.

**(13-1002) MINUTES**

Approve minutes of Regular meeting held Tuesday, April 2, 2013 and Closed Session held April 2, 2013.

**(13-1007) RECEIPT OF PROPERTY -- SHERIFF'S OFFICE**

Approve the receipt of property from The City of Charlotte from the distribution of 2012 Democratic National Convention-related equipment purchased using grant funds from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), and authorize the Sheriff of Mecklenburg County to sign the "Agreement for the Disposition of City Property" as the Recipient Governmental Unit." The following equipment valued at \$184,429.40 will be received by the Mecklenburg County Sheriff's Office:

- Mobile Field Force Protective Gear
- Premier Crown 9069 Helmet
- Safari Land Spit Hoods
- Sony Video Cameras with telemetrics control panels
- Guardian Property/Evidence Packaging System
- Morphotrak 10-print palm system
- Medical Shears

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**(13-0976) RECORDS RETENTION AND DISPOSITION -- REGISTER OF DEEDS OFFICE**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes,

**APRIL 16, 2013**

to approve the Records Retention and Disposition Schedule dated October 10, 2012 for the Register of Deeds Office and authorize the Board Chairman to sign the approval sheets.

Commissioner Leake removed this item from Consent for more clarity. County Attorney Bethune addressed this item.

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

**(13-0981) CAPITAL RESERVE EXPENDITURE REQUEST -- MCDOWELL PARK**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize and appropriate expenditure not to exceed \$10,350 from the McDowell Park Capital Reserve Account for renovations and improvements to the McDowell Campground.

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

**(13-0990) LANDSCAPE ARCHITECT/ENGINEER SELECTION -- LITTLE SUGAR CREEK GREENWAY**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize the County Manager to negotiate fees and execute a contract with Stewart for design services for Little Sugar Creek Greenway, Phase E and in the event that negotiations with that firm are unsuccessful, authorize negotiations with the second ranked firm.

*Note: The second ranked firm was Kimley-Horn and Associates.*

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

**(13-0994) DECLINE RIGHT OF FIRST REFUSAL TO CMS PROPERTY – PARCEL #117-052-01**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to authorize County Manager to decline the County's statutory right of first refusal for a portion of parcel 117-052-01 (±0.2943 acres) owned by the Board of Education, to permit a conveyance of tract to the City of Charlotte.

*Note: By State statute, the County must decline or waive its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity. The City of Charlotte would like to acquire 12,831 square feet of tax parcel 117-052-01 from the Board of Education to be used as right-of-way for the future Ashley Road extension at the southwest corner of the intersection of Wilkinson Boulevard and Ashley Road.*

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

**(13-0998) DESTRUCTION OF DOCUMENTS -- DSS**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to approve the destruction of records by the Department of Social Services (DSS) in accordance



with State requirement and applicable County policy.

***A list of the records is on file with the Clerk to the Board.***

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

**(13-1022) BUDGET AMENDMENT -- POSITIVE PARENT PROGRAM (HEALTH DEPARTMENT)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to:

1. Recognize, receive and appropriate \$208,988 in additional revenue for the Health Department for the implementation of Triple P (Positive Parenting Program) services in Mecklenburg County.
2. Approve establishing a program coordinator position that will be responsible for implementing the Triple P services in collaboration with County and private youth service providers in the County.

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

**(13-1024) TANGER/SIMON OUTLET CENTER INFRASTRUCTURE REIMBURSEMENT AGREEMENT**

Commissioner Clarke asked to be excused from voting on Item 13-1024 Tanger/Simon Outlet Center Infrastructure Reimbursement Agreement to avoid a conflict of interest. Commissioner Clarke acknowledged that his firm represented this company.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to excuse Commissioner Clarke from voting on Item 13-1024 Tanger/Simon Outlet Center Infrastructure Reimbursement Agreement to avoid a conflict of interest.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to adopt the Resolution Approving a Tax Increment Grant for Tanger/Simon Outlet Center and an Interlocal Agreement Between the City of Charlotte and Mecklenburg County.

Commissioner Leake removed this item for more public awareness.

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

**ADJOURNMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:59 p.m.