

MAY 7, 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, May 7, 2013.

ATTENDANCE

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

Absent: Commissioner George Dunlap

-INFORMAL SESSION-

Commissioner Leake 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 13-1000, 13-1015, 13-1029, 13-1030, 13-1031, 13-1040, and 13-1041.

STAFF BRIEFINGS - NONE

(13-0927, 13-1009, 13-1044, 13-1074) CLOSED SESSION – TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1), BUSINESS LOCATION AND EXPANSION, CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Motion was made by Commissioner Fuller, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1), Business Location and Expansion, Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:10 p.m. and came back into Open Session at 8:01 p.m.

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Commissioner Leake 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.

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order. She asked for introductions around the dais and then recognized Commissioner Fuller to give the invocation, which was followed by the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

(13-1074) CLOSED SESSION – PERSONNEL MATTER – COUNTY MANAGER TERMINATED

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 6-2 with Commissioners Bentley, Cotham, Fuller, James, Leake, and Ridenhour voting yes and Commissioners Clarke and Ratliff voting no, to terminate the employment of County Manager Harry L. Jones, Sr. effective immediately, without cause, according to his contract.

Chairman Cotham asked former County Manager Jones to leave the dais. She informed him the County's Human Resources Department would contact him regarding benefits he was eligible for and that his office would be secured and personal belongings delivered to his home.

Former County Manager Jones asked Chairman Cotham if he could make some remarks before leaving the dais.

Chairman Cotham denied the request.

Former County Manager Jones left the dais.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ridenhour, and Ratliff voting yes to, go into Closed Session to discuss Personnel Matter.

The Board went into Closed Session at 8:11 p.m. and came back into Open Session at 8:45 p.m.

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

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to appoint General Manager Bobbie Shields as Interim County Manager effective immediately and with a 10% pay increase.

AWARDS/RECOGNITION - NONE

MANAGER'S REPORT

(13-1032) CMS PROPOSED CAPITAL PLAN

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The Board received a report from Charlotte-Mecklenburg Schools (CMS) on CMS' Three-year Capital Improvement Proposal. School Superintendent Dr. Heath Morrison presented the proposal.

Note: Charlotte-Mecklenburg Schools (CMS) has a proposed capital plan that would expand magnet, career and technical offerings, add seats to an early college program and renovate or replace older buildings. In addition, the proposal includes building three new K-8 schools and expanding other facilities to relieve over-crowding. The proposal, which is part of a larger ten-year capital plan, would cost approximately \$400 million and includes 25 projects. It is anticipated that CMS 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:

- Recommission Oakhurst and Starmount Elementary Schools
- Olympic High School Addition/Renovations
- J.M. Alexander Middle School Replacement
- Albemarle Road K-8 School
- Berryhill/Reid Park PreK-8 School Relief
- Classroom Building on CPCC Campus
- Northwest School of the Arts
- Myers Park High School Addition/Renovation
- Nations Ford Elementary Replacement School
- East Mecklenburg High School Addition/Renovation
- Pre K-8 Additions/Renovations
- South Mecklenburg High School Renovations/Additions
- Career and Technical Education Facility Upgrades
- Davidson K-8 Conversion
- South K-8 STEAM and Enrollment Relief
- Statesville Road Elementary Replacement School
- Selwyn Elementary School
- Northridge Middle School Addition
- Critical projects outside the funding threshold
- New Math and Science Magnet High School

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

Following the presentation, Dr. Morrison addressed questions and received comments from Board members.

It was the consensus of the Board to allow those that had signed up to speak to do so by individual schools represented by one speaker.

The following persons spoke in support of their respective schools and CMS' Capital proposal:

<u>Autumn Michael</u>	Davidson K-8
<u>Erin Pushman</u>	Huntingtowne Farms Neighborhood (support of plan to relieve overcrowding)
<u>Ward Snyder</u>	Myers Park High School
<u>Michael Murdock</u>	Olympic High School
<u>Karen Staley</u>	Montclair Elementary School & Starmount reopening
<u>Toni Dunn</u>	Statesville Road Elementary
<u>Alison Boulding</u>	Druid Hills Academy (also supports reopening some of the schools that were closed)
<u>Ricky Hall</u>	Reid Park Elementary

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Matthew Hayes

North Mecklenburg High School, J. M. Alexander Middle School and Career and Technical Education Facility Upgrades

This concluded the discussion. No action was taken or required at this time.

(13-1054) PUBLIC APPEARANCE

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

John H. White spoke in opposition to the manner in which former County Manager Jones was dismissed.

MANAGER'S REPORT

(13-1047) ORDINANCE AMENDMENT -- MECKLENBURG COUNTY PARK AND RECREATION FACILITIES ORDINANCE

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 5-2 with Commissioners Bentley, Clarke, Cotham, James, and Ridenhour voting yes and Commissioners Fuller and Leake no, to approve amendments to the Mecklenburg County Park and Recreation Facilities Ordinance, to include the version of SECTION 29 as proposed by Commissioner Bentley, which would read as follows:

Weapons, Explosives, Fires

\$ 500.00 SECTION 29: No person except duly authorized local, State or federal law enforcement officers, and duly authorized County employees or officers shall carry, possess or discharge any type of firearm, handgun, explosive device, air guns of any description (BB guns, paintball guns, pellet guns etc.), or bowie knife, dirk, dagger, slung shot, sling shot, leaded cane, switchblade knife, blackjack, metallic knuckles, razor, shurkin, stun gun, or deadly weapon as defined in the North Carolina General Statutes within any park unless authorized by permit issued by the Director or except as provided in SECTION 29.1.

SECTION 29.1: The prohibition in SECTION 29 does not apply to carrying a concealed handgun in accordance with N.C.G.S. 14-415.11 in any place in a Park.

SECTION 29.2: Sections 29 and 29.1 do not apply to any Parks, including playgrounds, recreation centers, or greenways, located on property leased by the County from any "School" as defined in N.C.G.S. 14-269.2, which statute contains separate State statutory prohibitions against carrying weapons, including concealed handguns, on educational properties.

Prior to the above vote, County Attorney Bethune addressed this matter, as well as, Commissioners Ridenhour and Bentley. Both Commissioners proposed amendments to Section 29.

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

ADVISORY COMMITTEE REPORTS

(13-1049) CITIZENS CAPITAL BUDGET ADVISORY COMMITTEE – CAPITAL STANDARDS

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The Board received a report from the Citizens Capital Budget Advisory Committee (CCBAC). Cynthia Bush, Chair of the CCBAC and Eric Sieckmann gave the report. The following was covered:

- The Committee's Charge
- Composition
- Approach
- Proposed Capital Standards
- Next Steps

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

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to approve recommended capital standards developed by the Citizens Capital Budget Advisory Committee (CCBAC) for Park and Recreation, Central Piedmont Community College (CPC) and the Charlotte Mecklenburg Library.

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

Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to defer consideration of the remaining items on the agenda until the May 21, 2013 meeting.

Below is the list of the remaining items.

(13-1035) APPOINTMENTS

(13-1062) ADVISORY BOARD 2012 ATTENDANCE REPORTS

STAFF REPORTS & REQUESTS

(13-1021) ITEM WAS REMOVED FROM THE AGENDA - RYAN WHITE ADVISORY BOARD/PLANNING COUNCIL

(13-1043) MECKLINK MONTHLY UPDATE -- CARE COORDINATION

(13-1048) SECOND HARVEST FOOD BANK EXPANSION

(13-1056) HEALTH DEPARTMENT FEE SCHEDULE

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1077) COUNTY ASSESSOR POSITION - CHAIRMAN COTHAM

(13-1078) STRUCTURE OF MECKLENBURG COUNTY GOVERNMENT - CHAIRMAN COTHAM

CONSENT ITEMS

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

- (13-1000) GRANT APPLICATION -- U. S. DEPARTMENT OF LABOR, VETERANS' EMPLOYMENT AND TRAINING SERVICE AWARD
- (13-1012) ROMARE BEARDEN PARK TOBACCO FREE POLICY
- (13-1015) REAPPOINTMENT -- MECKLENBURG COUNTY TAX COLLECTOR
- (13-1026) SET PUBLIC HEARING ON CITY STORM WATER FEE RATES
- (13-1029) JCPC FY14 FUNDING ALLOCATION PLAN
- (13-1030) BUDGET AMENDMENT -- MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)
- (13-1031) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)
- (13-1033) MINUTES
- (13-1037) RETIRE CANINE OFFICER BLECKY -- SHERIFF'S OFFICE
- (13-1038) INSURANCE REIMBURSEMENTS
- (13-1040) PROCLAMATION -- OLDER AMERICANS MONTH
- (13-1041) CMS SECURITY CAPITAL PROJECT ORDINANCE
- (13-1045) PROCLAMATION -- FOSTER CARE AWARENESS MONTH
- (13-1046) PURCHASE CONTRACT -- SHERIFF'S OFFICE TACTICAL BODY ARMOR
- (13-1050) ANNEXATION OF COUNTY PROPERTY BY THE CITY OF CHARLOTTE
- (13-1051) PURCHASE AGREEMENT -- TWO RAM AUTO-TIE COMINGLE BALER FOR METROLINA RECYCLING FACILITY
- (13-1052) CONVEYING OF PROPERTY -- SHERIFF'S OFFICE

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:58 p.m.

Janice S. Paige, Clerk

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Patricia "Pat" Cotham, Chairman