

SEPTEMBER 17, 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, September 17, 2013.

ATTENDANCE

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

Absent: Commissioner Karen Bentley

-INFORMAL SESSION-

Commissioner James 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 13-1296, 12-1304, 13-1306, 13-1307, 13-1311, 13-1313, and 13-1317.

STAFF BRIEFINGS - NONE

(13-1298, 13-1308) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:20 p.m.

Commissioner James was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

-FORMAL SESSION-

Chairman Cotham called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Ridenhour and the Pledge of Allegiance to the Flag.

AWARDS/RECOGNITION - NONE

(13-1322) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

APPOINTMENTS

(13-1316) NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Melanie Coyne to the Building Development Commission as a General Public representative to fill an unexpired term expiring July 31, 2014; and Chad Askew to the Building Development Commission as the American Institute of Architects representative for a three-year term expiring July 31, 2016.

They replace Timothy West and Harry Sherrill.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Evelyn Mills to the Juvenile Crime Prevention Council as the Faith Community representative for a two-year term expiring September 30, 2015.

MOUNTAIN ISLAND LAKE MARINE COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Cathy Roche to the Mountain Island Lake Marine Commission for a three-year term expiring September 30, 2016.

WOMEN'S ADVISORY BOARD

Commissioner Leake nominated all applicants for appointment consideration to the Women's Advisory Board: Alinda Angerville, Jaclyn Blair, Heather Blake, Sarah Byrne, Valerie Dorsett, Sophia Gaither, Devonya Govan-Hunt, Charlene Henderson, Alicia Jones-Muhammad, Wanda Strickland, Jennifer Styczen, Sasha Tomaszycycki, Linda Webb, Latonja Worsham, and Denise Young-Boyd.

Note: An appointment will occur on October 1, 2013.

(13-1328) APPOINTMENTS -- TOWN OF MINT HILL PLANNING AND ZONING BOARDS

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Roger Hendrix to the Mint Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) member for a term expiring June 30, 2015 as recommended by the Town of Mint Hill Board of Commissioners.

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint David Tirey to the Mint Hill Zoning Board of Adjustment as an Extraterritorial Jurisdiction (ETJ) member for a term expiring December 31, 2013 as recommended by the Town of Mint Hill Board of Commissioners.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS

(13-1320) MECKLENBURG HIV/AIDS COALITION

The Board received a report from the HIV/AIDS Coalition. Assistant County Manager Michelle Lancaster made introductory remarks and introduced the following presenters, Shannon Warren with Carolinas Care Partnership and on behalf of the Mecklenburg County HIV/AIDS Council, Faye Marshall with Quality Home Care Services and Co-chair of the Mecklenburg County HIV/AIDS Council and Dr. Mark Johnson, Medical Director for Carolinas HealthCare System Director of Infectious Disease Clinic at Myers Park.

Note: On June 4, 2013, the Board approved a request that the Mecklenburg County HIV/AIDS Council and the Ryan White Advisory Board collaborate to consider the issues of HIV/AIDS and the appropriate method for the Board of Commissioners to receive advice and input from stakeholders and community members. As a result, these two advisory groups met on multiple occasions to develop recommendations for the Board of County Commissioners. As part of its collaborative meetings, the two advisory groups began calling the combined group the Mecklenburg HIV/AIDS Coalition.

The following was covered in the report:

- Process Overview & Introductions
- Overview of Mecklenburg County HIV/AIDS Council
- Overview of the Ryan White Program: Community Advisory Board-Charlotte Transitional Grant Area (TGA)
- Recommended Strategies & Action

Recommendation Summary:

The Mecklenburg HIV/AIDS Coalition believes the existing entities of the Mecklenburg County HIV/AIDS Council and the Ryan White Program: Community Advisory Board- Charlotte TGA are effective for our region and do not recommend changing to the Ryan White Planning Council model. Further, the Mecklenburg HIV/AIDS Coalition recommends emphasizing collaboration and communication between and among its members and the Board of Commissioners with specific emphasis on the following four (4) strategies:

Collaboration Strategy 1:

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The Board of Commissioners will actively support a partnership with the Mecklenburg HIV/AIDS Coalition.

Collaboration Strategy 2:

The Board of Commissioners will proactively collaborate with stakeholders to ensure the entire spectrum of care and prevention are represented in decision-making processes.

Communication Strategy 1:

The Board of Commissioners will seek input and advice from the Mecklenburg HIV/AIDS Coalition.

Communication Strategy 2:

The Board of Commissioners will develop and implement comprehensive communications to educate stakeholders and the community at-large on issues related to HIV/AIDS care and prevention.

In addition to the recommendations noted above the Mecklenburg HIV/AIDS Coalition members would like to continue meeting as a combined group to pursue the recommended strategies and other joint efforts to address HIV/AIDS in the community and region.

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

Comments

Commissioner Leake addressed the importance of this issue. She encouraged the Board and the community to support the efforts of the Mecklenburg HIV/AIDS Coalition.

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

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Ratliff voting yes, to approve the strategies recommended by the Mecklenburg HIV/AIDS Coalition.

Commissioner Clarke asked about the impact of the N.C. General Assembly's rejection of the expansion of Medicaid coverage under the Affordable Care Act and if that decision was reversed, would it strengthen local efforts to treat and prevent the spread of HIV/AIDS.

Commissioner Ridenhour returned to the dais.

Dr. Johnson said the Affordable Care Act would dramatically impact the ability to treat HIV infected individuals. He said a lot of these individuals do not have any medical resources in terms of insurance or any other funds to pay for their medical care or funds to pay for the support of other services such as mental health, substance abuse, dental care, etc.

Dr. Johnson said support services would be provided under the Affordable Healthcare Plan. Dr. Johnson said about 30-40% of residents in Mecklenburg County that were HIV positive could be enrolled in a healthcare plan under the Act. He said it would help provide a better delivery system of services to those individuals that were infected. Thus, the expansion of the Medicaid coverage would be of great benefit to these individuals.

Commissioner Clarke said having the expanded Medicaid coverage would be a major step forward in the community with respect to treatment of those infected with HIV/AIDS and with prevention.

Commissioner Clarke encouraged the presenters to make the issue of the expansion of Medicaid coverage under the Affordable Care Act a priority concern.

Chairman Cotham thanked the presenters for their report.

MANAGER'S REPORT

(13-1324) AIRPORT COMMISSION UPDATE

The Board received a report from Charlotte City Manager Ron Carlee regarding the status of appointments to the Airport Commission for Charlotte-Douglas International Airport. The following was noted:

- No appointments have been made to date by Charlotte City Council or the Mayor.
- The City of Charlotte was not discouraging other appointing authorities from moving forward with their appointments.
- The Airport Commission would not become operative until a majority of the appointments were made.
- September 23, 2013 is the last meeting of the month for Charlotte City Council and it is unknown at this time what may transpire at that meeting.
- Per the legislation, appointments are to be made by October 1, 2013.

City Manager Carlee addressed the Charlotte Douglas International Airport's history, its annual budget, number of employees, and customers.

City Manager Carlee said given the City's successful management of the Airport, the City was "surprised and dismayed" when legislation was introduced in the last session of the NC General Assembly to remove the airport from the oversight of the City of Charlotte under the direction of the City Manager as a department of the City and to place it in the hands of an independent authority.

City Manager Carlee also addressed the City's injunction with respect to Senate Bill 380.

Comments

Commissioner Dunlap asked City Manager Carlee whether the City of Charlotte thought it was appropriate for the other appointing authorities to make their appointments. *City Manager Carlee said the legislation clearly states that appointments are to be made by October 1, 2013. He said the City was not recommending that the other appointing authorities comply or not comply with that provision of the legislation.*

Commissioner Dunlap asked City Manager Carlee was it correct that he was not recommending the County not make an appointment in accordance with the legislation. *City Manager Carlee said that was correct.*

Commissioner James asked about the composition of the Airport Commission, which was addressed.

Commissioner James asked about the status of the Airport director. *City Manager Carlee said the previous aviation director upon the passage of the first Bill, submitted a letter to him expressing that he was now the executive director of the new authority and that his city employment was terminated. City Manager Carlee said he then appointed an interim aviation director who was an assistant director under the previous aviation director. He said the interim aviation director and the executive team that was already in place have been operating the airport since late July.*

City Manager Carlee said the previous aviation director was involved in litigation against the City of Charlotte relative to the legislation in his position as executive director.

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Commissioner James asked was the previous aviation director being paid in his capacity as executive director of the authority. *City Manager Carlee said yes.*

Commissioner James asked about the oversight committee addressed in the legislation, which was addressed.

Commissioner James requested a copy of the City's appointment qualifications for its previous Airport Advisory Board. *City Manager Carlee said they could make that available to the Board.*

Chairman Cotham asked about the status of the City Airport Advisory Board. *City Manager Carlee said the committee still existed and per the legislation, they're the interim commission, but they have very limited authority. He said given the litigation that's involved, it was recommended that they not meet during this interim period and thus far they have not met.*

Commissioner Fuller noted for the record that he was sympathetic to the City's position that there was no justification for creation of either the authority or commission. He said the two pieces of legislation reflected in his view "bad" policy. Commissioner Fuller said he believed the Charlotte Airport was created by, maintained by and grown by the citizens of Charlotte. He said the citizens of Charlotte should have the say with respect to what happens at the airport and "not legislators in Raleigh."

Commissioner Fuller said although he doesn't support the legislation, the Board did have an obligation to comply with the law and thus, make an appointment to the commission as specified in the legislation.

Commissioner Leake expressed support of the City's efforts. Commissioner Leake said the community needed save what it was able to "foster years ago," the Airport.

Chairman Cotham thanked City Manager Carlee for appearing before the Board.

Richard Vinroot, former Mayor of Charlotte said the airport board should be a regional board. He said the Airport was the most important economic development tool, for not only the City of Charlotte and the region, but in the two states of South and North Carolina.

Former Mayor Vinroot addressed the history of the airport and the leadership of former aviation director Jerry Orr. Former Mayor Vinroot gave Mr. Orr high marks for his management of the Airport.

Former Mayor Vinroot said the City paid over \$100,000 to a consultant who said the airport should be independent of City Council and the Mayor, that it should be an authority. He said the recommendation was that there be separation between the management, politicians, and the City.

Former Mayor Vinroot encouraged the Board to comply with the legislation and move forward with making an appointment to the Commission. He asked the Board to appoint a "business minded" person.

Chairman Cotham thanked Former Mayor Vinroot for appearing before the Board.

(13-1325) FY14 PLANNING PROCESS

The Board received a report on the FY14 planning process from Hyong Yi, Management and Budget Director.

Note: The purpose of the report was to provide an overview of the objectives, timeline, and

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planning activities proposed to occur over the next several months to support the Board in developing its strategic agenda for the next 12-18 months.

Timeline:

September 17	Briefing for the Board of County Commissioners on the Planning Process
Mid-September	Seek input from the community through a series of public forums and meetings
Late September – Early October	Interview Commissioners to get their input and perspective Interview the executive team and department directors to obtain their input and perspective
Mid-Late October	Hold a planning retreat for the Board of County Commissioners to consider key topics and strategies
October and November	Staff work to formulate a draft strategic agenda based on Board direction
Early December	Hold a second planning retreat for the Board of County Commissioners to review draft and finalize its strategic agenda
January-February 2014	Hold FY15 Budget Retreat for the Board of County Commissioners to discuss key budget issues

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

Comments

Commissioner Leake said she hoped staff would refer back and address concerns expressed at the Board’s last strategic planning conference.

Commissioner Leake noted the following issues as being concerns expressed out in the community: 1) When will a director of the Health Department be hired? 2) When will a director of Youth and Family Services be hired? 3) When will additional parks be developed and/or enhancements made to existing parks?, 4) What’s being done for seniors in the community?, 5) concerns about flooding, homelessness, and education.

Commissioner James said he was interested in consideration being given to going to a bi-annual budget process. He addressed why.

Commissioner Dunlap asked Director Yi what type of direction did staff need in order to follow-up on or pursue a particular Commissioner’s request as it relates to the budget, especially if it’s a request that not everyone was in agreement with. *Director Yi said it depended upon the request. He said a request such as the one made by Commissioner James with respect to a bi-annual budget process would require Board action in order for staff to research and evaluate the pros and cons of that type of policy matter. He said simple information requests, for example, how much has the County funded CMS over the last five years, would not require Board action.*

Commissioner Dunlap said a concern that had been expressed in the past at strategic planning conferences was the issue of how the County funds CMS. He said this was still a concern.

Commissioner Fuller said there was a “piece missing” from the FY14 Planning Process, which was the hiring of a county manager.

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Commissioner Fuller expressed concern that he had no knowledge of where things stood with the hiring of a new county manager. Commissioner Fuller said it was important to have a county manager in place as you begin to embark upon the FY14 Planning Process.

Chairman Cotham, chair of the Board's County Manager Search Committee, said she had been contacted by the Search Firm and the expectation was that they would have candidates for the Committee to consider in about two weeks.

Commissioner Fuller expressed concern for the amount of time it was taking to have a county manager in place. He asked what had the Search Firm been doing since being obtained. He also questioned when input would be received from the public regarding what they'd like to see in the next county manager.

Commissioner Fuller said no one from the Search Firm had contacted him regarding a profile for the next county manager.

Commissioner James said there was a process in place, the Board's Search Committee, selected by the Chairman. He said committee members had one on one conversation with the Search Firm.

Chairman Cotham said the Search Firm had a copy of the NC General Statute regarding the county manager position.

Commissioner Fuller said he thought the entire Board was going to be kept abreast of the process and that there was going to be a discussion of the full Board regarding a county manager profile.

Chairman Cotham commented on the Search Firm's past experience and briefly on what they've been doing to date.

Chairman Cotham said she was interviewed by the Search Firm, as well as, Commissioner Bentley. Chairman Cotham said the Search Firm was in the process of trying to schedule a meeting with Commissioner Leake, also a member of the Board's County Manager Search Committee.

Chairman Cotham said the hiring of a new county manager was a priority.

Commissioner Fuller asked who was in charge of the search. *Chairman Cotham said the Search Firm was in charge of the search, but that she was in touch with them. She said Human Resources Director Chris Peek had also spoken with the Search Firm.*

Chairman Cotham said she would hope to provide the Board with an update at the next meeting.

Commissioner Fuller said each Commissioner should be aware of where things were with the search for a new county manager. Commissioner Fuller said this was the most important hire that the Board makes.

Chairman Cotham said she was very optimistic that the Search Firm would present good candidates to the Board for consideration.

Commissioner Dunlap said Commissioner Fuller expressed some legitimate concerns. Commissioner Dunlap said he too thought the full Board was going to determine the county manager profile.

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Commissioner Dunlap suggested there be a Public Policy meeting scheduled in order for the full Board to receive an update on the county manager search.

It was consensus of the Board that the Chairman call a special meeting next week for the purpose of receiving an update on the county manager search.

Commissioner Ratliff asked Human Resources Director Chris Peek comment on his conversations with the Search Firm. *Director Peek said he had not spoken with the Search Firm since June, when he informed them of their selection and a subsequent meeting was then held to go over the terms of the contract. He said on August 1 he was notified that the profile had been completed and on August 2 the position was posted. He said any other questions regarding the search would have to be asked of the Chairman.*

Commissioner Ratliff asked Director Peek was it correct then that he had not spoken with the Search Firm since June. *He said that was correct.*

Commissioner Ratliff asked Director Peek if he had any input into the job posting. *Director Peek said no, Human Resources was not a part of that process. He said it was being handled by the Chairman and the Search Committee.*

Commissioner Ridenhour said there was a process in place. He said if Board members had concerns, those concerns should be communicated to the Board's committee or to the Search Firm directly.

Commissioner Ridenhour said the Board needed to determine what it means with respect to wanting community input.

Commissioner Ridenhour said as the elected representative for District 5 and having had community meetings, he knew what his constituents wanted in a county manager.

Commissioner Ridenhour said he agreed, however, that an update to the full Board was needed with respect to the county manager search.

This concluded the discussion. It's not inclusive of every comment but is a summary.

STAFF REPORTS & REQUESTS

(13-1295) BUSINESS INVESTMENT PROGRAM GRANT -- CEDAR FAIR ENTERTAINMENT COMPANY

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ratliff voting yes and Commissioners James and Ridenhour voting no, to adopt a resolution approving a Business Program Investment grant to Cedar Fair Entertainment Company for a total estimated amount of up to \$594,516 and authorize the County Manager to negotiate and execute a contract.

Note: This project entails a significant expansion of the company's Carowinds theme park. Phase One of this expansion, upon which this incentive request was based, would consist of a \$30 million rollercoaster, a \$2.5 million waterslide, a \$7 million food complex and \$4 million in expansions and upgrades to ticket booth and frontgate areas. Approximately \$30 million of the new investment would occur in Mecklenburg County. The project was projected to increase annual attendance by an additional 385,000 customers, and to create 15 full-time jobs with an average annual salary of approximately \$43,000. Approximately 270 seasonal jobs are also projected to be created, and the project was estimated to create 20,000 additional room night equivalents in local hotels and motels. The Business Investment Program grant is equal to 90%

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of the taxes that would be paid by the company and would be paid over three years. The estimated value of this grant was up to \$594,516 and subject to the County's standard contract conditions setting compliance requirements on the part of the company, including clawback provisions. A fiscal impact analysis showed a present value of net benefits to the County of \$511,021 million over six years. The City of Charlotte will also provide financial assistance to this project.

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

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

(13-1318) MECKLINK TRANSITION

Interim County Manager Shields announced the resignation of MeckLINK Behavioral Health Director Phil Endress effective September 30, 2013. He wished Director Endress the best as he leaves the County.

Commissioners expressed thanks to Director Endress for the service he's rendered and wished him well.

Assistant County Manager Michelle Lancaster addressed the transition of MeckLINK.

Prior to Assistant County Manager Lancaster's presentation the following persons appeared to speak:

Ashley Jacobs, president of the Mecklenburg Provider Council addressed the Provider network. She said providers cared about the consumers and that she felt they did a good job providing services through MeckLINK.

James Owens with Melange Health Solutions, along with two licensed counselors and a clinical social worker addressed cases that were denied by MeckLINK due to medical necessity. Mr. Owens said they questioned MeckLINK's denial of these cases, as well as others.

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

Madeline Frank, a senior at Myers Park High School and member of the Teen Health Connection Teen Advisory Board Executive Team, addressed the importance of investing in local mental health services.

Al Jasper and Arnold Tyler with Acceptance, Responsibility and Judgment (ARJ) Agency, addressed and questioned the approval and denial of claims process used by MeckLINK, the credentials process and payment process. They were accompanied at the podium by James Brown and Lynette Withers. Mr. Jasper in his closing remarks encouraged the Board to keep in mind, when selecting a vendor for Medicaid Managed Care services, the issues and concerns that have been expressed as it related to MeckLINK and the County's previous LME administration of services. He said there needed to be an atmosphere of "cooperation and not confrontation."

Assistant County Manager Lancaster reviewed a Request for Information proposal for the Medicaid Managed Care Services currently managed by MeckLINK. The Request for Information addressed the following:

- Scope
- Response Process
- Review and Selection Process

- Response Format and Components
- Cover Letter
- Background and Experience
- Medicaid Population
- Governance
- Consumer Satisfaction
- Provider Information
- Employee Information
- Financial and Budget Information
- Legal Proceedings, Litigation and Investigations
- Local County Funding
- Merger Information
- Miscellaneous Matters

Assistant County Manager Lancaster said per feedback she'd received from the NC Department of Health and Human Services the desire of the state was as follows:

- To have three – four Managed Care Organizations (MCO's), currently there were ten
- To have local buy-in
- A plan that is financially sustainable
- A focus on consumer and patient care

Assistant County Manager Lancaster introduced Dave Richards from the NC Department of Health and Human Services, Division Director for Mental Health to address the desire of the state.

Mr. Richards noted the following:

- He thanked the Board for its commitment to mental health services.
- The state was working on a new plan for Medicaid reform, The Partnership for a Healthy NC.
- They've been going throughout the state soliciting input and asking questions of consumers, families and providers.
- The state believed an LME/MCO management system made sense.
- Ten MCO's was too many and it doesn't create the kinds of efficiencies that were needed as a state.
- Having ten MCO's doesn't create the kind of ability for the state to manage in an integrated system of care.
- The state believed four or less LME/MCO's were needed, regionally based.
- The state thinks it makes sense to have contiguous MCO's going forward.
- The state wanted to see financial stability and sustainability going forward, as well as, stability/sustainability with those providing the services.
- The state wanted to see "real" commitment to the clinical needs of the people being served.
- The state "respects and appreciates and wants local input" in this process.
- Mecklenburg County had invested a lot, however, the system should be thought of as a state system.
- Although there might be something important to one community with respect to how it's MCO was organized, if it resulted in the state not being able to "survive" that's something that would have to be thought about going forward.
- The system should be organized from a state perspective.
- The state was not saying there's a mandate that you work with one or other MCO's going forward, but it's important as well that there be a state system.

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- The state wants to answer questions and provide guidance and make recommendations.

Comments

Commissioner Dunlap asked why Mecklenburg County couldn't be one of the four LME/MCO's in the state system. *Mr. Richards said he didn't think that's what the state has said. He said the state has encouraged that "we look at a map and how we create a system that was regionally based."*

Mr. Richards said Mecklenburg County "obviously has its very own interest that of Mecklenburg County" and the state has to have a state perspective on how it goes forward.

Mr. Richards said the law allowed for Mecklenburg County to choose an option to go forward in that direction, but the state believed it was in the best interest of the state if mergers occurred, because that would create four LME/MCO's in the sizes that made sense going forward.

Commissioner Dunlap said there were a lot of people in Mecklenburg County, providers, consumers, and employees who were waiting on the Board to make a decision. Commissioner Dunlap said there were some on the Board who did not want to waste time trying to pursue Mecklenburg County to be an MCO, if the state was not going to approve it.

Mr. Richards said "the state was trying to create a system that has a pathway to making sure the LME/MCO system exist; so that the specialty services for people with mental illness, developmental disabilities, and substance abuse services, are managed in a way that we continue that infrastructure to create a statewide system."

Mr. Richards said to do so, in his opinion and in the best interest of the state was for Mecklenburg County to be a part of another LME/MCO or another LME/MCO be a part of Mecklenburg County. He said that would create a system that was sustainable long term, which was what the state was looking for, "something that was sustainable long term."

Commissioner Dunlap said it was clear, based on Mr. Richards comments that what mattered was what was in the best interest of the state and not what was in the best interest of Mecklenburg County and its citizens.

Mr. Richards said the state thinks it's in the best interest of the citizens of Mecklenburg County that there be a state system that was sustainable, efficient, and worked well for citizens across NC.

Commissioner Dunlap asked what happens to the funds saved as a result of efficiencies being achieved across the state.

Mr. Richards said in the current system, the goal was that any savings would be reinvested to provide additional services, B-3 services, such as peer support and respite services.

Commissioner Leake expressed concern for providers. Commissioner Leake said there was a history in NC with how the state has "robbed and denied people to continue their health program because of bills and policies that Raleigh has set up without even coming to the community to see what the issues are."

Mr. Richards said this was a statewide issue and that if everyone worked together it could be corrected.

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Commissioner Fuller said the County was being asked to make decisions, when on the state level there's no clarity about where things were going.

Commissioner Fuller said the decisions made in Mecklenburg County impact not only Mecklenburg County residents but the state as well. He said when the state passed legislation that required the County to form an authority, it was done without consulting with the County.

Commissioner Fuller said the County was being asked to make a decision without knowing what "the landscape" was. Commissioner Fuller said the County would essentially be making two transitions, one now and one sometime in the future.

Commissioner Fuller said Mecklenburg County was an urban county, unlike its surrounding counties. He said the issues in Mecklenburg County would be different from those in surrounding counties. Commissioner Fuller said because of Mecklenburg County's size, it would "swamp" any other county it might be aligned with.

Mr. Richards acknowledged the state had not provided much guidance as to what it wanted but that the current administration wanted to do better in that arena.

Mr. Richards said the state wanted to create a system that was sustainable long term. He said the state did not want to continue to go through this process over and over again, nor did it want that for the County or constituents. He said the state wanted to work with the County to create a map that outlined/adhered to a "bigger vision." He reiterated that ten LME/MCO's was too many.

Mr. Richards said their responsibility was to look at how they could create a system that worked for the state long term.

Commissioner Fuller asked was it possible, rather than the County going through two transitions, if the County could delay any transition that it had to make now, so that there could be more time to have that thinking about looking at where we want to eventually be, so that when the County does have to change, if it does, that it would only be one transition.

Mr. Richards said the state was not asking "people to change tomorrow." He said the state was trying to create a circumstance so they'll know where their headed. He said the state was willing to listen.

Commissioner Fuller asked Mr. Richards was it correct that the state could look favorable on a proposal that would have other MCO's a part of Mecklenburg County as oppose to it being the other way around.

Mr. Richards said the state was not "picking" the leaders of LME/MCO's. He said those were decisions people would have to make going forward. He said he would hope that a merger was just that, a merger, and not one entity over another.

Mr. Richards said if an LME/MCO failed, however, and had to be assigned somewhere, that was a "different story."

Mr. Richards said as long as there was financial stability, contiguous LME/MCO's going forward and approved, along with the other LME/MCO's, the state would be okay with that.

Commissioner James said he felt there was "zero" chance that Mecklenburg County would acquire someone else. Commissioner James said once the County turned MeckLINK over to a MCO, it would no longer have any control over it. He said those with concerns would have to voice those concerns to someone else.

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Commissioner James said it was not the County's fault. He said it was the legislators "fault," "in particular the republican legislators fault." He said if persons have problems they should talk with the republicans in Raleigh because they made the decision.

Commissioner James said he would like to see included in the RFI a clear disclosure of the fact that MeckLINK owed the County \$8.4 million. He said the County was providing money to MeckLINK, which would be something that would have to be figured out with whoever acquires MeckLINK.

Commissioner James said staff was in the process of determining other indirect costs associated with MeckLINK. He said the respondents to the RFI need to aware of what the County's financial position was with respect to MeckLINK.

Commissioner James asked Mr. Richards if he knew when the state would go from four LME/MCO's to one.

Mr. Richards said the vision was to have three statewide LME/MCO's in order to have the infrastructure that would be needed to go to one. He could not give a specific date or timeframe.

Commissioner James said one of the problems the County was faced with because of the state's decision, which the County had no input in, was that the County put in roughly \$18 million local dollars for MeckLINK, but when the state creates the three or four LME/MCO's, the County could not invest \$18 million into it because people would move in and out of Mecklenburg County and the County's cost would increase.

Commissioner James said the state's system might be good for the state but it was going to be "very bad" for the people living in Mecklenburg County relying on the services. Commissioner James said residents of Mecklenburg County would "lose" because the County would not be able to provide the level of service it had been providing, because it'll be controlled somewhere else.

Commissioner Clarke asked that there be a narrative in the RFI explaining that the County spent approximately \$8 million to create MeckLINK and to ask to what extent are you willing to reimburse Mecklenburg County for that expenditure of funds.

Commissioner Clarke said the response to that question should be a factor in the Board's decision, along with the other criteria, of who to select.

Commissioner Clarke said although Mr. Richards said the state was not taking a position, it would cost the County a considerable amount of money to establish its own LME/MCO in light of the requirements outlined in the law, such as having its own financial system.

Commissioner Clarke complimented staff on the RFI it prepared.

Commissioner Clarke said the County wanted to find a good merger partner, who would take care of the County's consumers, employees at MeckLINK and who would work with providers.

Commissioner Ratliff asked why was MeckLINK being forced to give up and merge with another entity in order to make them larger. *Mr. Richards said he didn't have a good answer but that MeckLINK was the closest to the last of the MCO's to become an MCO. He said it's the state's belief that it's more efficient to get the system down to four. He said it was just an issue of timing for MeckLINK.*

Mr. Richards said the state didn't want to do anything to destabilize this system further for the citizens of Mecklenburg County or any other county in the state.

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Commissioner Ratliff asked would the Board have any control over the MCO that acquires MeckLINK. *Mr. Richards said he didn't know of any control the Board would have based on the legislation. Mr. Richards said, however, it's felt by his office and the Secretary's office that county engagement in the system was "critical." He said the state wanted to create a system that's responsive to the needs of counties.*

Mr. Richards said he was aware of the County's investment into the system and he hoped going forward the County would work with whoever its partner was, with the state, or whoever else, to find ways to continue to contribute to those things because of the importance of those things to individuals.

Commissioner Ratliff asked Mr. Richards if he would help the County recoup some of its investment back. *Mr. Richards said it would not be wise for him to answer that question.*

Chairman Cotham thanked Mr. Richards for appearing.

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to direct staff to issue a Request for Information (RFI) for the Medicaid Managed Care Services currently managed by MeckLINK. The RFI will be issued to Alliance Behavioral Health, Cardinal Innovations and Partners Behavioral Health. The RFI will be released no later than Friday, September 20, 2013. The due date for RFI responses is Friday, October 5, 2013 at 5:00 pm. A recommendation will be provided to the Board for action at the October 15, 2013 Board meeting.

A copy of the RFI presented by Staff is on file with the Clerk to the Board.

Commissioner Fuller asked about the review and analysis of the responses to the RFI.

Motion was made by Commissioner Fuller but died for lack of a second, to establish an ad hoc committee of the Board who would do the analysis of the MeckLINK Medicaid Managed Care RFI and make a recommendation to the Board.

After discussion of this matter, the motion below was made.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to let staff conduct the analysis of the MeckLINK Medicaid Managed Care RFI and make a recommendation to the Board.

Commissioner James asked that staff find out whether MCO board members received any compensation.

(13-1326) IMPLEMENTATION OF SENATE BILL 159/S.L. 2013-362

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to 1) Authorize the Interim County Manager to negotiate contract with Pearson's Appraisal Services, Inc, for appraisal services to implement the provisions of S.L. 2013-362; 2) Appropriate up to \$3,392,000 from unassigned general fund balance for the cost of the appraisal services to be provided by Pearson's Appraisal Services, Inc.

Note: The General Assembly passed S.L. 2013-362, which requires Mecklenburg County to hire an outside appraisal firm to conduct a review of all the values in the County by neighborhood.

Using a Request For Proposal (RFP) process.

Assistant County Manager Dena Diorio presented this matter to the Board prior to the above vote.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1331) CONNECT OUR FUTURE UPDATE

The Board received an update on opportunities to participate in upcoming *CONNECT Our Future* Community Growth Workshops. Commissioner Dunlap presented the report. He was accompanied by Jim Prosser, Executive Director of Centralina Council of Governments. The following was covered in the presentation:

- Why a Shared Plan for Future Growth
- Challenges Ahead
- What is Connect Our Future
- Why Regional Plans Matter
- Other Regions with Shared Vision, Plans
- How Do We Create a Shared Plan
- Your Choices Count
- Creating the Best Growth Options
- Let's Have Great Turnout at Workshops

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

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1299) BIG SWEEP PROCLAMATION

Adopt a proclamation designating Saturday, September 28, 2013 as Big Sweep Day in Mecklenburg County.

Note: BIG SWEEP is an annual, statewide event that calls volunteers to action to remove trash and debris from creeks, lakes and rivers.

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

(13-1309) HAZARD MITIGATION PROGRAM -- FLOODPLAIN ACQUISITIONS

Accept the "Offer of Sale and Agreement of Purchase and Sale of Real Estate" from Petra Porter, owner of property at 5128 Kildare Drive (Tax Parcel 099-083-28) for \$91,000.

Accept the "Offer of Sale and Agreement of Purchase and Sale of Real Estate" from Tangela Carnegie, owner of property at 5134 Kildare Drive (Tax Parcel 099-083-27) for \$78,000.

Accept the "Offer of Sale and Agreement of Purchase and Sale of Real Estate" from Doyle and Evelyn Reed, owners of property at 4029 Whitehurst Drive (Tax Parcel 145-212-05) for \$81,000.

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Accept the "Offer of Sale and Agreement of Purchase and Sale of Real Estate" from Jon S. and Ginger Porter, owners of property at 8010 Gilead Road (Tax Parcels 015-091-13 & 015-091-14) for \$182,873.99.

Note: These acquisitions are a continuation of ongoing flood mitigation efforts which have resulted in more than 250 buildings being removed from the floodplain.

(13-1310) LEASE AMENDMENT -- HISTORIC RURAL HILL

Adopt Resolution entitled: RESOLUTION DECLARING INTENT TO AMEND THE LEASE FOR THE HISTORIC RURAL HILL PLANTATION.

Note: Historic Rural Hill, Inc. (formerly the Catawba Valley Scottish Society, Inc.) has a lease with Mecklenburg County for the Historic Rural Hill Plantation requiring the property to be used for events and activities associated with the Scottish heritage of many local residents. Historic Rural Hill, Inc. has requested that the County amend the current lease to make the following changes: 1) Change the tenant's name to Historic Rural Hill, Inc. 2) Add a new paragraph to the lease allowing a leasehold deed of trust and 3) Add two additional ten-year options to the lease.

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

(13-1314) TAX REFUNDS

Approve refunds in the amount of \$238,596.15 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

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

(13-1315) GREENWAY EASEMENT DONATION -- LIZ HAIR TRAIL OF LITTLE SUGAR CREEK GREENWAY

Accept donation of a Greenway Access Easement (+/- 0.0957 acres) and a Temporary Construction Easement (+/- 25') on Tax Parcel #153-021-09A from the Charlotte-Mecklenburg Hospital Authority and HR of Carolinas, LLC on the Liz Hair Trail of Little Sugar Creek Greenway.

(13-1321) MINUTES

Approve minutes of Regular meeting held September 3, 2013 and Closed Session held August 6, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

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

(13-1296) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to recognize and appropriate \$1,000 received from the National Sheriffs' Association to the Sheriff's Office.

Note: These funds will be used to purchase handcuffs for the courts.

Commissioner Leake removed this item from Consent for more public awareness and for clarity as it related to another revenue increase item on the agenda, 13-1304.

(13-1304) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to

1. Recognize and appropriate \$113,800 from Inmate Commissary revenue to the Sheriff's Special Revenue Fund.

2. Recognize and appropriate \$54,640 from the Vocational Facility telephone revenue to the Sheriff's Special Revenue Fund.

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs. All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more public awareness and for clarity as it related to another revenue increase item on the agenda, 13-1296.

(13-1306) SET PUBLIC HEARING -- NC DEPARTMENT OF TRANSPORTATION (NCDOT) RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour voting yes, to

- 1) Set a public hearing for 6:30 p.m. at the October 1, 2013 Board of County Commissioners meeting to receive comments on the Mecklenburg County Department of Social Services' grant application for the NC Department of Transportation's Rural Operating Assistance Program for Fiscal Year 2013-2014.
- 2) Direct the Clerk to the Board to publish notice of intent to hold a public hearing.

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

Commissioner Ratliff returned to the dais.

(13-1307) PURCHASE AGREEMENT -- CODE ENFORCEMENT VEHICLES (LUESA)

Motion was made by Commissioner Ridenhour, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to defer taking action on Item 13-1307 to award and execute a unit price contract for the purchase of twenty-six 2014 Ford Escape SUVs for a total of \$500,422 to the following lowest responsible bidder: Benson Ford, Easley, SC, \$19,247 per unit, until the October 1, 2013 meeting.

Chairman Cotham removed this item from Consent to inquire about responses from local vendors.

Interim County Manager Shields said local vendors did have an opportunity to respond to the bid solicitation because it was advertised.

Chairman Cotham said she contacted a couple of local vendors who informed her that they were not aware it. Chairman Cotham said one vendor provided her with an email received from Procurement in August regarding the need for one vehicle. Chairman Cotham questioned why the vendor received notification regarding one vehicle but not the twenty-six referenced in the agenda item.

The matter was deferred in order address the following questions;

- What's the process for notifying local vendors?
- Where have vehicles been purchased from over the last three years? (Commissioner Leake asked this question.)
- What is the procurement process for vehicles? (Commissioner Clarke asked this question.)

(13-1311) CAPITAL RESERVE REQUEST -- PARK AND RECREATION (TENNIS COURTS)

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appropriate \$28,000 from the tennis court capital reserve fund to improve drainage at the Jeff Adams Tennis Center.

Chairman Cotham removed this item from Consent for more clarity regarding capital reserve funds.

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

(13-1313) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate \$159,241 for the duration of the second grant year of a five-year Substance Abuse and Mental Health Services Administration (SAMHSA) Grant as a subcontractor with Duke University.

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

Commissioner Clarke returned to the dais.

(13-1317) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)

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

A. Approve establishing a fee of \$75 per permit for Limited Food Service Establishments (LFSEs).

B. Recognize, receive and appropriate \$1,500 generated from the new LFSE fees.

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C. Recognize, receive and appropriate \$39,600 in additional state allocations received from the Department of Health and Human Services for food and lodging facilities permit fees.

D. Recognize, receive and appropriate \$6,152 in additional state allocations from the NC Department of Health and Human Services for inspection of Summer Food Service Program sites in Mecklenburg County.

E. Approve creation of one Environmental Specialist position in the Food and Facilities Sanitation Program to be funded from the newly recognized revenue.

Chairman Cotham and Commissioner Leake removed this item from Consent for more clarity regarding the purpose of the fee and who is it applicable to.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:15 p.m.

Janice S. Paige, Clerk

Patricia "Pat" Cotham, Chairman