

JANUARY 7, 2014

**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, January 7, 2014.

**ATTENDANCE**

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

**Absent:** None

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**-INFORMAL SESSION-**

*Commissioners Bentley, Dunlap, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.*

*The meeting was called to order by Chairman Fuller, 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 14-1518, 14-1522, 14-1526, and 14-1531.

**STAFF BRIEFINGS - NONE**

**(14-1523, 14-1538, 14-1540) CLOSED SESSION – CONSULT WITH ATTORNEY, PERSONNEL MATTER AND LAND ACQUISITION**

Prior to going into Closed Session County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 013-024-27, 013-024-28, 013-024-29, 013-024-30, Tax Parcel 013-024-31.

Motion was made by Commissioner Clarke seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purposes: Consult with Attorney, Personnel Matter and Land Acquisition.

*The Board went into Closed Session at 5:08 p.m. and came back into Open Session at 6:00 p.m.*

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*Commissioners Bentley, Dunlap, and Ridenhour were present when the Board came back into Open Session. They 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 Fuller called this portion of the meeting to order, which was followed by introductions, invocation by Chairman Fuller, and the Pledge of Allegiance to the Flag, after which, the matters below were addressed.*

**AWARDS/RECOGNITION - NONE**

**(14-1524) PUBLIC APPEARANCE**

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

**(14-1527) APPOINTMENT -- TOWN OF MINT HILL ZONING BOARD OF ADJUSTMENT**

Motion was made by Commissioner Clarke, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint David Tirey to the Mint Hill Zoning Board of Adjustment as an ETJ member for a term expiring December 31, 2016 as recommended by the Town of Mint Hill Board of Commissioners.

**(14-1544) APPOINTMENTS -- TOWN OF DAVIDSON PLANNING BOARD**

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Michael Higgs to the Town of Davidson Planning Board as an Extraterritorial Jurisdiction (ETJ) member for a term beginning January 1, 2014 and expiring December 31, 2014; and appoint Robert Miller as an ETJ member for a term beginning January 1, 2014 and expiring December 31, 2016 as recommended by the Town of Davidson Board of Commissioners.

**PUBLIC HEARINGS - NONE**

**ADVISORY COMMITTEE REPORTS - NONE**

**MANAGER'S REPORT**

County Manager Diorio informed the Board of the following:

- Beginning with this meeting and going forward, Department Directors will be in attendance at Regular Board meetings.
- Department Directors will attend the Board's Planning Retreat on January 16, 2014 and the Board's Budget Retreat, February 20-21, 2014.
- Marcus Plescia, MD, MPH has been hired as the County's new Health Department Director. He will start on February 3, 2014.

This concluded the County Manager's report.

**STAFF REPORTS & REQUESTS**

**(14-1537) FY14 STRATEGIC AGENDA PROCESS UPDATE**

Budget/Management Director Hyong Yi gave an update on the current process and timetable for finalizing the Board's FY14 Strategic Agenda, including seeking public input on January 8, 2014 and the Planning Retreat activities on January 16, 2014.

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

*Note: Board members thanked Budget/Management Director Hyong Yi for his service to Mecklenburg County. Director Yi has accepted a position with the City of Charlotte as an Assistant City Manager.*

**(14-1543) MECKLINK TRANSITION UPDATE**

Assistant County Manager Michelle Lancaster gave an update on the MeckLINK transition process. The following was noted:

- Cardinal Innovations posted 197 positions that are only available to MeckLINK employees to apply for, for 14 days
- The hope is to have an agreement for the Board's consideration next week
- Cardinal Innovations Human Resources staff has been on-site with County Human Resources staff working with employees to answer questions regarding positions
- County Human Resources staff have and are working with MeckLINK employees regarding preparing their resumes'

Comments

Commissioner Leake asked for clarification regarding the 197 positions, which was addressed by Assistant County Manager Lancaster. It was noted that Cardinal Innovations will notify the County of the offers made and accepted.

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**(14-1539) NAMING OF COUNTY FACILITY (COMMISSIONER LEAKE)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to receive an application submitted by Commissioner Vilma D. Leake to name the Mecklenburg County facility located behind the Mecklenburg County Health Department's Beatties Ford Road location at 1705 Rosa Parks Place, the "Hattie B. Anthony Fighting Back Center." Secondly, to schedule a public hearing on January 22, 2014 at 6:30 pm to receive public comment on the proposed naming of a County facility after Hattie B. Anthony former Executive Director of the Mecklenburg County Fighting Back Program.

Prior to the above vote, Commissioner Leake addressed her recommendation for naming a County facility after Mrs. Anthony and noted Mrs. Anthony's contributions to the community. A letter was also read by Assistant to the Board, LaShonda Hart from former Mecklenburg County Health Director/Area Mental Health Director Peter Safir and Bobby Cobb, Deputy Director/Assistant Health Director in support of naming the facility after Mrs. Anthony. Mr. Aaron McKeithan, president of the Historic West End Neighborhood Association spoke in support of the naming, as well as, Mecklenburg County Deputy Health Director Bobbie Cobb.

Ms. Anthony's granddaughter and daughter were present. They thanked the Board for its consideration of this matter and particularly, Commissioner Leake for bringing this matter to the Board for consideration.

**(14-1540) CLOSED SESSION LAND ACQUISITION**

Motion was made by Commissioner Leake seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to:

- (1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of the following properties totaling +/- 1.63 acres for the expansion of Auten Nature Preserve from Fuller G. Moragne and wife, Dorothy G. Moragne and Patrick F. Moragne for \$20,000:
  1. Tax Parcel 013-024-27,
  2. Tax Parcel 013-024-28,
  3. Tax Parcel 013-024-29,
  4. Tax Parcel 013-024-30,
  5. Tax Parcel 013-024-31
  
- (2) Designate the parcels referenced above as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (a component of the 2008 Park and Recreation 10-year Master Plan)

**CONSENT ITEMS**

**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 approve the following item(s):**

**(14-1517) BUDGET AMENDMENT -- CATAWBA-WATEREE HABITAT ENHANCEMENT GRANT FUNDS (PARK AND RECREATION)**

- 1) Accept \$25,000 grant award from the Duke Energy Catawba-Wateree Habitat Enhancement Fund to pay the cost of managing early successional habitat and controlling invasive species on land tracts adjacent to the Catawba River.

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2) Recognize and appropriate amount awarded for FY2014, approximately \$12,000.

*Note: The grant amount of \$25,000 will be allocated over three years.*

**(14-1520) LAND DONATION -- SUGAR CREEK GREENWAY**

Accept the donation of a portion of Tax Parcel 203-021-15 ( $\pm 5.1053$  acres) along Sugar Creek for future greenway construction.

**(14-1521) LAND DONATION -- CAMPBELL CREEK GREENWAY**

Accept the donation of Tax Parcels 103-291-25 and 103-302-43 ( $\pm 26.75$  acres) along Campbell Creek for future greenway construction.

**(14-1525) MINUTES**

Approve minutes of Regular meeting held December 17, 2013 and Closed Session held November 5, 2013 and November 19, 2013.

**(14-1528) SET PUBLIC HEARING -- STREET NAME CHANGE**

1) Set a public hearing for Tuesday, February 4, 2014 at 6:30 p.m. to receive public comment on proposed name change for a portion of Mallard Creek Road north of the intersection of Mallard Creek Road and Salome Church Road to Salome Church Road, and change the name of the remaining portion of Mallard Creek Road and Union School Road heading east to Cabarrus County to Morehead Road.

2) Direct the Clerk to the Board to publish notice of public hearing.

**(14-1529) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITIONS**

1. Accept the Offer of Sale of Real Estate from Bennie J. and Mary F. Thompson, owners of property at 1212 Abeline Road (Tax Parcel 145-161-02) for \$55,000.

2. Accept the Offer of Sale of Real Estate from Caroline and Alferd Weisbecker, owners of property at 3131 Dunlavin Way (Tax Parcel 093-134-14) for \$153,000.

3. Accept the Offer of Sale of Real Estate with Lease Agreement from Susan H. and Zackary S. Woolard, owners of property at 3041 Dunlavin Way (Tax Parcel 093-134-08) for \$140,000.

**(14-1530) LAND CONSERVATION DESIGNATION -- LONG CREEK GREENWAY PROPERTIES**

Designate Tax Parcels 025-221-10 ( $\pm 7.565$  acres) and 025-221-11 ( $\pm 6.218$  acres) on Long Creek and Dixon Branch to be used exclusively for conservation purposes.

**(14-1533) EASEMENT DONATION -- MCDOWELL CREEK GREENWAY**

Accept donation of a 30' permanent greenway access easement and associated temporary construction easement on Tax Parcels 005-071-99 and 005-071-01 along McDowell Creek from Hills Communities of Charlotte, Inc.

**(14-1534) SET PUBLIC HEARING -- AMENDMENTS TO THE MECKLENBURG COUNTY FLOODPLAIN REGULATIONS**

Set a public hearing at 6:30 p.m. on January 22, 2014 during the Board of County Commissioners meeting to receive comments on the proposed revisions to the Mecklenburg County Floodplain Regulations to change the effective date from March 2, 2009 to February 19, 2014.

**(14-1535) 2014 MEETING SCHEDULE**

Amend the Mecklenburg County Board of Commissioners 2014 Meeting Schedule to change the dates for the February Budget Retreat from February 13 & 14 to February 20 & 21, 2014.

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

**(14-1536) TAX REFUNDS**

Approve refunds in the amount of \$168,809.68 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

*Note: Accrued interest is estimated to be \$4,259.61.*

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

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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

**(14-1518) GRANT APPLICATION -- HUD CONTINUUM OF CARE (COMMUNITY SUPPORT SERVICES)**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve submission of the following single-year renewal grant applications to the U.S. Department of Housing and Urban Development; and recognize, receive and appropriate the amount of the awards, if the grants are awarded.:

1) Grant for \$148,039 for the year 2/1/2014 - 1/31/2015 to provide intake, assessment and increased stability for homeless clients.

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2) Grant for \$1,625,439 for the year 5/6/2014 - 5/5/ 2015 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal A-13).

3) Grant for \$112,392 for the year 8/20/2014 - 8/19/2015 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal B-13).

4) Grant for \$94,490 for the year 8/1/2014 - 7/31/2015 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal C-13).

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

**(14-1522) LEASE EXTENSION -- AMAY JAMES RECREATION CENTER TO CHARLOTTE-MECKLENBURG SCHOOLS**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a lease with the Charlotte-Mecklenburg Board of Education for use of the Amay James Recreation Center located at 2415 and 2425 Lester Street in Charlotte.

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

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

**(14-1526) LEASE AGREEMENT -- WESLEY HEIGHTS GREENWAY TRAIL FROM NCDOT AND THE CITY OF CHARLOTTE**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a lease with the North Carolina Department of Transportation and the City of Charlotte for use of the inactive railroad corridor between South Cedar Street and South Summit Avenue and Walnut Avenue and Katonah Avenue.

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

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

***Commissioner Clarke returned to the dais.***

**(14-1531) BUDGET AMENDMENT -- HEALTH DEPARTMENT (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate additional Medicaid revenue of \$71,196 for Newborn Postpartum services.

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

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**ADJOURNMENT**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:07 p.m.

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Janice S. Paige, Clerk

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Trevor M. Fuller, Chairman