

FEBRUARY 18, 2014

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY 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, Charlotte, North Carolina 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, February 18, 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 Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: County Manager Dena Diorio

-INFORMAL SESSION-

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) 14-1594, 14-1595, and 14-1600 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

(14-1614) CLOSED SESSION – CONSULT WITH ATTORNEY

There were no Closed Session matters to be discussed.

Note: The informal session consisted of dinner only.

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION

Chairman Fuller asked was there any objection to moving Consent Item 14-1615 Proclamation - Black History Month up on the agenda. There was no objection.

FEBRUARY 18, 2014

(14-1615) PROCLAMATION -- BLACK HISTORY MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a joint proclamation declaring February 2014 as Black History Month in Charlotte/Mecklenburg County.

The proclamation was read by Chairman Fuller.

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

(14-1598) NC DEPARTMENT OF LABOR SILVER SAFETY AWARD -- PARK AND RECREATION

The Board recognized the Park & Recreation Department for earning the NC Department of Labor "Silver Safety Award".

Note: The award is based on the number of lost work day cases an organization incurred in the previous calendar year. The rates are determined from the OSHA 300 Log. To qualify, an organization must achieve a CDAW (cases with days away from work) rate that is at least 50% below the statewide average for the applicable industry classification. The target rate is 1.25 for the Department's classification. Park and Recreation Department staff achieved a rate of .53, which is well below both the target rate and the 2012 award winning score of .79. The Award will be presented to the Department by Labor Commissioner Cherie Berry at the Annual Safety Awards Banquet in Charlotte in April.

(14-1612) PUBLIC APPEARANCE

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

Beverly Foster and Patricia Lee addressed the 39th Annual Meeting of National Hookup of Black Women, Inc. (NHBW) to be held in Charlotte, April 24-27, 2014. Commissioners were invited to attend a breakfast event on April 26th at 9:00 a.m. at the Marriott Center City Hotel.

It was announced that Commissioner Leake would be a recipient of the Fannie Lou Hamer Trailblazer Award. This honor is bestowed upon a local woman of color who has been a trailblazer in the advocacy of empowering both women and their families.

Note: Fannie Lou Hamer was an American voting rights activist and civil rights leader.

Chairman Fuller was asked to provide a letter of welcome for inclusion in the Convention Souvenir Book.

Note: National Hookup of Black Women, Inc. is a non-profit 501c3 organization founded in 1974. NHBW, Inc. works to improve the quality of life, facilitate family preservation, achieve self-empowerment, and promote economic development. Membership reflects a diversity of women from varied business, professional and community disciplines crossing all economic, social and educational levels.

A copy of a handout about the National Hookup of Black Women, Inc. is on file with the Clerk to the Board.

APPOINTMENTS

(14-1591) PLANNING COMMISSION – ITEM WAS REMOVED FROM THE AGENDA AND WILL BE RESCHEDULED

(14-1592) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Latonya Pearson and Cozzie Watkins to the Adult Care Home Advisory Committee for one-year terms expiring February 28, 2015.

They replace Julianne Burke and John Burling.

BICYCLE COMMITTEE

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 Jane Cacchione to the Bicycle Committee for a three-year term expiring March 31, 2017.

Commissioner James nominated all applicants for appointment consideration to the Bicycle Committee: Tyteen Humes, Peter Noris and Kurt Robinson.

Note: An appointment will occur on March 4, 2014.

CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE

Commissioner Clarke nominated the following persons for appointment consideration to the Citizen's Capital Budget Advisory Committee: William Foster, Jeff Jackson, and Anu Prakash.

Commissioner Bentley nominated William Rakatansky.

Note: An appointment will occur on March 4, 2014.

(14-1593) WASTE MANAGEMENT ADVISORY BOARD - ITEM WAS REMOVED FROM THE AGENDA AND WILL BE RESCHEDULED

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT - NONE

STAFF REPORTS & REQUESTS

(14-1608) REVALUATION REVIEW VALUE CHANGES AND REFUNDS

The Board received a report provided by Pearson's Appraisal Services summarizing the changes in value resulting from recent neighborhood reviews.

County Assessor Ken Joyner and Fred Pearson with Pearson's Appraisal Services presented this matter to the Board.

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

Comments

Commissioner Ratliff asked was Debbie King, consultant to the Tax Assessor's Office, still on the County's payroll. *The response was no. Ms. King ended her services with the County as of February 1, 2014. She now works for Pearson's Appraisal Services.*

Commissioner James asked about the review results of neighborhoods in the Beatties Ford Road area (H509) and Oaklawn area (H810), specifically as it related to increases in value, which was addressed. *Mr. Pearson said some of the increases were the result of the discovery of additions to homes. He said it should be kept in mind that a lot of the properties had not been looked at in 17 or 18 years.*

Commissioner James asked would these be considered unpermitted additions. *Mr. Pearson said yes.*

Commissioner James asked about decreases in the Cherry neighborhood, which was addressed. He also asked about the Providence Country Club area and others in his district.

Commissioner Leake asked about Ms. King's salary. *Mr. Pearson said Ms. King made \$100.00 an hour.*

Commissioner Leake said she would provide contact information to Mr. Pearson for one of her constituents, Margaret Farley who has concerns regarding her property.

Commissioner Dunlap asked about the percentage of revaluations that would have to be wrong in order to describe the revaluation as "wrong or bad." *Mr. Pearson said per their initial study, it was about 15% of the neighborhoods they saw.*

Commissioner Dunlap said there appeared to be a 2% change in value. He asked how do you only get a 2% change in value, if 15% of the revaluation was "bad." *Mr. Pearson said 85% were okay.*

Commissioner Dunlap said the numbers didn't add up for him.

Commissioner Dunlap addressed the issue of two appraisers having a different value on the same property. He asked how much of a difference would there have to be in order to change the overall value of that property. *County Assessor Joyner said typically a +/- 10% was the "rule of thumb" in mass appraisals.*

County Assessor Joyner said it was because of the Session Law that all neighborhoods were having to be looked at.

FEBRUARY 18, 2014

Commissioner Dunlap said at some point the County would need to render a “final opinion” as to how “bad or not so bad” the 2011 Revaluation was.

County Assessor Joyner said he would be engaging the services of someone to look at how the entire 2011 Revaluation process had gone from a mass appraisal standpoint, looking at the County’s original start point. He said they would look at what the original values were in February 2011 to where things were now.

Commissioner Dunlap asked that when the review was completed, that staff isolate those value changes. He said, for example, it was known that since the 2011 Revaluation, because of the economy in Charlotte, some homes have now increased in value and as Pearson’s Appraisal Services does its work, those increased values have to be recognized. *County Assessor Joyner said those increased values would not have to be recognized by Pearson’s in its work and explained why.*

Commissioner Dunlap said it was important for citizens to understand that once the review by Pearson’s was completed and a new revaluation was ordered, values would increase and decrease.

Commissioner Dunlap asked what mechanism had been put in place so that building standards and everyone who was involved would capture that data when it occurred to avoid having the same problem. *County Assessor Joyner said they were looking at a “going forward” plan to have “boots on the ground,” revisiting, researching, and reviewing all parcels on a regular basis to avoid the County ending up in a situation where in retrospect, saying it’s been 17 years.*

County Assessor Joyner said they have identified that before the next revaluation, County staff would have at a minimum, gone back and walked around every neighborhood that was identified as major and maybe some that, per the report, came out as being major but maybe weren’t originally identified as major.

County Assessor Joyner said he wanted to get to the point where every year residents would see two or three appraisers in their neighborhood going through to make sure they have accurate property information.

Chairman Fuller said he was pleased to hear that County Assessor Joyner planned to do an “autopsy” of the entire 2011 Revaluation Process to see what happened to avoid such a re-occurrence.

County Assessor Joyner said he was already in the planning process. He said budgeting was the key to planning to make sure the right resources were provided.

Commissioner Ridenhour asked for clarity on the total number of refunds to date listed in the report as \$27,710.38, which was addressed. *Tax Assessor Joyner said these were refunds issued to date since January 1, 2014. He said these refunds were not available prior to the Session Law.*

Commissioner Ridenhour commented on the Myers Park neighborhood. *County Assessor Joyner said the refunds to date included a portion of Myers Park.*

Commissioner Ridenhour said it would be helpful for Board members to have a total dollar amount for what had been refunded either through Pearson’s review or since the Session Law was enacted beginning at January 1, 2011 to date.

Commissioner Cotham asked for clarity on the Total Value Change attachment included in the report, which was addressed.

FEBRUARY 18, 2014

Commissioner Cotham asked about the Duke Energy building and what it was being taxed at. She asked was it possible to recoup past tax dollars, as a result of it not being taxed at the correct percentage, which was addressed.

County Assessor Joyner said through the review process all of those years were still eligible for review. He noted that in the case of the Duke Energy building, the vacancy rate on January 1, 2011 was about 40%, per information received from his staff, and what the Duke Energy building appraisal showed at that time. He said it was his understanding the value placed on the building was more of an income approach by the Board of Equalization and Review.

Mr. Pearson said his staff was reviewing the Duke Energy building.

Commissioner Cotham asked was there a way to get a list of major "problems" or findings with respect to commercial property.

County Assessor Joyner said depending on what the Board's request was, staff would try to provide that information; but he was not sure what type of process they would go through because there's the question of what would be deemed as a major increase and what was not.

County Assessor Joyner said he was not trying to understate the fact that from 2011-2013 the value of the Duke Energy building should have been increasing. He said RBC Corporation, owner of the Duke Energy building, appealed the original assessment and that it had gone to the Property Tax Commission level. He said this was an unusual case.

Commissioner Cotham asked about the relationship between Pearson's staff and County staff. *Mr. Pearson said everyone was working cooperatively.*

Commissioner Bentley requested a copy of County Assessor Joyner's assessment of the 2011 Revaluation process once completed. *County Assessor Joyner said he would provide that information to the Board.*

Commissioner Bentley asked for clarity on the Total Value Change information provided to the Board, which was addressed.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt Mecklenburg County Board of Commissioners February 2014 Resolution Changing Abstracts and Authorizing Refunds and Taxes in Accordance with Session Law 2013-362 approving the value changes and any resulting refunds, releases or discoveries.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

(14-1621) DISTRICT 2 "WHAT'S GOING ON NOW?"

The Board received an update regarding District 2 from Commissioner Leake.

Commissioner Leake noted various activities that had taken place in District 2 and events she attended, including but not limited, to an Open House on February 6, 13 and an upcoming Open House on February 20. She said the purpose of the Open House was to educate the community on HIV/AIDS and Ryan White funding.

FEBRUARY 18, 2014

Commissioner Leake acknowledged some of her constituents as well, such as Thomas and Juanita Sanders who celebrated their 80th birthday recently, also, the passing of Franklin McCain, Civil Rights advocate.

CONSENT ITEMS

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

(14-1597) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN

1. Accept the "Offer of Sale of Real Estate" from Angelo & Amy Curcio, owners of property at 5301 Dolphin Lane (Tax Parcel 099-116-14) for \$88,000.
2. Accept the "Offer of Sale of Real Estate" from Manh Tra Redfern, owner of property at 5331 Dolphin Lane (Tax Parcel 099-116-18) for \$87,000.

Note: These purchases are part of the Hazard Mitigation Program – FY14 Floodplain.

(14-1602) PURCHASE AGREEMENT -- CISCO VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONES

Authorize the County Manager to award and execute a unit price contract for the purchase of Cisco Voice over Internet Protocol (VoIP) telephones from the lowest responsible bidder:

DISYS Solutions, Inc.
Chantilly, Virginia
Model 7841: \$186.15 per unit
Model 8961: \$306.00 per unit
Model 9971: \$494.70 per unit

(14-1603) GRANT APPLICATION -- FY14 CLEAN AIR ACT (LUESA – AIR QUALITY)

Approve the submission of the County's FY14 Clear Air Act (CAA) Section 103, Special Purpose federal grant application in the amount of \$185,834; and upon award of grant, recognize, receive and appropriate the CAA Section 103 grant award.

(14-1604) LAND DONATION -- DIXON BRANCH GREENWAY

Accept the donation of a portion of Tax Parcel 025-291-31 (±4.804 acres) along Dixon Branch for future greenway construction from Northlake Residential Associates, LLC.

Note: Through the development approval process, the property owner, Northlake Residential Associates, LLC, agreed to donate a portion of its property to the County to be included in the greenway system. The property owner is donating a portion of its property along the creek, identified as "SWIM Buffer Area Dedicated and Conveyed to Mecklenburg County". Most of the area to be dedicated is located within the FEMA floodplain. Dixon Branch Greenway is an identified greenway trail on the 2008 Greenway Master Plan.

(14-1605) LAND DONATION -- LITTLE SUGAR CREEK GREENWAY

1. Accept the donation of a portion of Tax Parcel 175-121-03 (± 0.5566 acres) along Little Sugar Creek for future greenway construction from WMCI Charlotte XV, LLC.
2. Accept the donation of an easement on Tax Parcel 175-121-03 (± 0.2025 acres) to provide future access from Little Sugar Creek Greenway to Park Road from WMCI Charlotte XV, LLC.

(14-1607) BUDGET AMENDMENT -- BARK IN THE PARK DONATION – PARK AND RECREATION

Recognize, receive and appropriate a \$50,000 sponsorship from Harris Teeter, Inc. for the Park and Recreation Department's Bark in the Park and dog park improvements.

(14-1609) TAX REFUNDS

1. Approve refunds in the amount of \$9,094.80 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.
2. Approve refunds in the amount of \$9,830.97 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments including revaluation appeals. Accrued interest is estimated to be \$201.32.

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

(14-1613) MINUTES

Approve minutes of Budget/Public Policy meeting held December 10, 2013.

(14-1617) PROCLAMATION -- HUMAN RELATIONS MONTH

Adopt a joint proclamation declaring February 2014 as Human Relations Month in Charlotte/Mecklenburg County.

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

(14-1625) REGISTER OF DEEDS ENHANCEMENT/PRESERVATION SPECIAL REVENUE FUND

Recognize and appropriate \$850,000 in fee revenue in the Register of Deeds Enhancement/Preservation Special Revenue Fund for automation and preservation enhancements.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

(14-1594) GRANT APPLICATION -- SMART START OF MECKLENBURG COUNTY -- CHILD HEALTH AND SAFETY

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve submitting two grant applications totaling \$910,000 to Mecklenburg Partnership for Children of Mecklenburg County to support programs promoting child health and safety; and if awarded, recognize, receive and appropriate awarded funds.

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

Commissioner Dunlap returned to the dais.

(14-1595) GRANT APPLICATION -- MOBILIZATION FOR HEALTH – NATIONAL PREVENTION PARTNERSHIP AWARDS PROGRAM

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 approve submitting grant application totaling up to \$500,000 to the Department of Health and Human Services to support programs addressing health disparities, health promotion and the prevention of disease; and if awarded, recognize, receive and appropriate awarded funds.

Commissioner Leake removed this item from Consent for more public awareness. Dr. Marcus Plescia, Health Director addressed the grant.

(14-1600) GRANT APPLICATION -- NC DIVISION OF ENVIRONMENTAL ASSISTANCE AND CUSTOMER SERVICE

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 approve submission of a grant application to N.C. Division of Environmental Assistance and Customer Service (NCDEACS) in the amount of \$41,275 for the acquisition of materials in support of the food collection and diversion pilot program at CMS Schools; and if awarded, recognize, receive and appropriate the amount of the grant award and authorize the County Manager to execute the grant award contract with NCDEACS.

Commissioner Leake removed this item from Consent for more public awareness. LUESA Director Ebenezer Gujjarlapudi addressed the grant.

ADJOURNMENT

Motion was made by Commissioner Ratliff, seconded by Commissioner Bentley 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 7:58 p.m.