

FEBRUARY 19, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special 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 Thursday, February 19, 2015.

Note: The purpose of the Special Meeting was to consider those items that were scheduled for the Board's Regular Meeting that was scheduled for Tuesday, February 17, 2015, but was not held because of inclement weather.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, George Dunlap, Bill James,
Vilma D. Leake, Matthew Ridenhour, and
Ella B. Scarborough
County Manager Dena R. Diorio
Deputy County Attorney Tyrone Wade
Clerk to the Board Janice S. Paige

Absent: Commissioners Patricia "Pat" Cotham and Jim Puckett

-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) 15-2321, 15-2329, 15-2334, 15-2337, 15-2346, 15-2347, 15-2357, and 15-2368 to be removed from consent and voted upon separately.

STAFF BRIEFINGS - NONE

(15-2373, 15-2381) CLOSED SESSION – CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session it was noted that there was no Land Acquisition matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to go into Closed Session to Consult with Attorney.

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The Board went into Closed Session at 5:37 p.m. and came back into Open Session at 5:53 p.m.

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 Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

Note: Chairman Fuller acknowledged and expressed congratulations to Charlotte-Mecklenburg Police Chief Rodney Monroe upon his receipt of the Order of the Long Leaf Pine Award. The Order of the Long Leaf Pine is among the most prestigious awards presented by the Governor of North Carolina. It is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guidelines by which recipients are selected for the award.

Chairman Fuller asked the Board to consider moving Item (15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION up on the agenda to be addressed after the County Manager's Report.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to move Item (15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION up on the agenda to be addressed after the County Manager's Report.

Chairman Fuller asked the Board to consider moving Item (15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT up on the agenda to be addressed under Staff Reports and Requests after the Code Enforcement Update item.

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to move Item (15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT up on the agenda to be addressed under Staff Reports and Requests after the Code Enforcement Update item.

AWARDS/RECOGNITION - NONE

(15-2371) PUBLIC APPEARANCE

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

APPOINTMENTS

(15-2365) NOMINATIONS/APPOINTMENTS

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ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint LaTonya Pearson and Cozzie Watkins to the Adult Care Home Advisory Committee for three-year terms expiring February 28, 2018.

AIR QUALITY COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Cindy DeForest Hauser to the Air Quality Commission as the Scientist representative for a three-year term expiring August 31, 2018.

She replaces Karim Kheireddine, who declined reappointment consideration last year.

Commissioner Clarke nominated all remaining applicants for appointment consideration to the Air Quality Commission: John Arbogast, Jeff Baker, Ted Hogan, Chad Mitchell and DeAndrea Newman.

Note: An appointment will occur on March 3, 2015.

BOARD OF MOTOR VEHICLE REVIEW

Commissioner Clarke nominated Warren Neff for appointment consideration to the Board of Motor Vehicle Review.

Note: An appointment will occur following an interview of the above nominee by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Board of Motor Vehicle Review must undergo an interview process.

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Scott Shelton to the Building Development Commission as the Charlotte Heating & Air Conditioning Contractors Assoc. representative to fill an unexpired term expiring January 30, 2016.

He replaces Ezequiel Acosta, who failed to meet the attendance requirement for 2014.

Commissioner Dunlap nominated the following applicants for appointment consideration to the Building Development Commission: John Price and Wanda Towler.

Note: An appointment will occur on March 3, 2015.

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INFORMATION SERVICES & TECHNOLOGY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Maurice Dunn, Amit Ginoira, Gary Rautenstrauch, Mary Lou Stant and Lutemuka Zuendoki to the Information Services & Technology Committee for three-year terms expiring February 28, 2018.

Motion was made by Commissioner James, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint Justin Havis, Derrick Love, Jyotheeswara Reedy and Kenneth Tripp to the Information Services & Technology Committee for three-year terms expiring February 28, 2018.

They replace Charles Ashford, who declined reappointment consideration, Gregory Hardin and Bill Hodges, who were no longer eligible for reappointment and Shelton Ivey, who failed to meet the attendance requirement for 2014.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Carl Terrell to the Waste Management Advisory Board for a three-year term expiring February 28, 2018.

WOMEN'S ADVISORY BOARD

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to nominate and appoint the following persons to the Women's Advisory Board to fill unexpired terms expiring as noted: Kimberly Caldwell-May 30, 2015, Dana Cuberson- November 30, 2015, Mallorri Hermanson-April 30, 2015 and Jasmine Starks-June 30, 2016.

They replace Stephanie Gryder and Beverly Hunt, who resigned and Alicia Jones-Muhammad and Cynthia Pride, who failed to meet the attendance requirements for 2014.

(15-2379) WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to reappoint Ollie Frazier to the Waste Management Advisory Board as recommended by the Town of Matthews for a three-year term expiring October 31, 2018.

PUBLIC HEARINGS

(15-2322) ALEXANDERANA ROAD NAME CHANGE – ITEM WAS REMOVED FROM AGENDA

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Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2324) SOUTH I-77 SERVICE ROAD NAME CHANGE - ITEM WAS REMOVED FROM AGENDA

Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2325) POPLAR TENT CHURCH ROAD NAME CHANGE - ITEM WAS REMOVED FROM AGENDA

Note: This item was removed because it was originally scheduled for February 17, 2015. Since the February 17, 2015 meeting was not held because of inclement weather, the public hearing will be rescheduled.

(15-2333) LIMITED OBLIGATION REFUNDING BONDS PUBLIC HEARINGS

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO CERTIFICATES OF PARTICIPATION (2009A MECKLENBURG COUNTY)

PUBLIC HEARING

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) of the North Carolina General Statutes, as amended, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve the amendment to an installment financing contract in order to refinance all or a portion of the obligations thereunder. Under the contract, the County obtained financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in the amount of \$90,765,000 to finance the Projects described in the Notice of Public Hearing

The Chairman announced that the notice of the public hearing was published in The Mecklenburg Times on or before February 7, 2015.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the public hearing.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on or who responded in writing to the notice of public hearing, are as follows:

No one appeared to speak.

After the Board had heard all persons who had requested to be heard, Commissioner Dumont Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Ella B. Scarborough and was unanimously adopted.

* * *

Commissioner Dumont Clarke introduced the following Resolution which was read by title, and moved it be adopted:

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RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO CERTIFICATES OF PARTICIPATION (2009A MECKLENBURG COUNTY)

WHEREAS, financing and refinancing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding refinancing amendments to an installment financing contract that financed certain capital projects;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) First Supplemental Installment Financing Agreement to be dated as of May 1, 2015 (the "Supplemental Agreement") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) First Supplemental Trust Agreement to be dated as of May 1, 2015 (the "Supplemental Trust Agreement") between the Corporation and Branch Banking & Trust Company, as trustee;
- (3) Official Statement (the "Official Statement") relating to Limited Obligation Refunding Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation (the "Bonds");
- (4) Bond Purchase Agreement (the "Purchase Contract") between Wells Fargo Bank, National Association (as representative of the underwriters) and the Corporation;
- (5) Escrow Deposit Agreement dated as of May 1, 2015, by and between the County and Branch Banking & Trust Company, as escrow agent;

WHEREAS, the Board of Commissioners of the County wants to approve those documents and the sale of the Bonds and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

1. The Board hereby finds and determines in connection with the proposed installment financing contract refinancing amendment that (a) such proposed installment financing contract amendment is necessary or expedient to the County, (b) such proposed installment financing contract amendment, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract amendment are adequate and not excessive for their proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract amendment will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract refinancing amendment under Article 8 of Chapter 159 of the General Statutes of North Carolina.
3. The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract amendment with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation thereof and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.

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4. Each of the Supplemental Agreement, the Escrow Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
5. The Supplemental Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
6. The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.
7. The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the refinancing. Execution of the Agreement Amendment by the Chairman of the Board, the County Manager, the Director of Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.
8. All actions of the County effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
9. This Resolution shall become effective immediately upon its adoption.

Commissioner Ella B. Scarborough seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

* * *

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO REFUNDING LIMITED OBLIGATION BONDS, SERIES 2009

PUBLIC HEARING

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) of the North Carolina General Statutes, as amended, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve the amendment to an installment financing contract in order to refinance all or a portion of the obligations thereunder. Under the contract, the County obtained financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in the amount of \$223,980,000 to refinance the Projects described in the Notice of Public Hearing

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The Chairman announced that the notice of the public hearing was published in The Mecklenburg Times on or before February 7, 2015.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Vilma D. Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the public hearing.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on or who responded in writing to the notice of public hearing, are as follows:

No one appeared to speak.

After the Board had heard all persons who had requested to be heard, Commissioner Dumont Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was unanimously adopted.

* * *

Commissioner Dumont Clarke introduced the following Resolution which was read by title, and moved it be adopted:

RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO REFUNDING LIMITED OBLIGATION BONDS, SERIES 2009

WHEREAS, financing and refinancing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding refinancing amendments to an installment financing contract that refinanced certain capital projects;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) First Supplemental Installment Financing Agreement to be dated as of May 1, 2015 (the "Supplemental Agreement") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) First Supplemental Trust Agreement to be dated as of May 1, 2015 (the "Supplemental Trust Agreement") between the Corporation and Regions Bank, as trustee;
- (3) Official Statement (the "Official Statement") relating to Limited Obligation Refunding Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation (the "Bonds");
- (4) Bond Purchase Agreement (the "Purchase Contract") between Wells Fargo Bank, National Association (as representative of the underwriters) and the Corporation;
- (5) Escrow Deposit Agreement dated as of May 1, 2015, by and between the County and Regions Bank, as escrow agent;

WHEREAS, the Board of Commissioners of the County wants to approve those documents and the sale of the Bonds and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

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- (1) The Board hereby finds and determines in connection with the proposed installment financing contract refinancing amendment that (a) such proposed installment financing contract amendment is necessary or expedient to the County, (b) such proposed installment financing contract amendment, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract amendment are adequate and not excessive for their proposed purpose, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract amendment will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
- (2) The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract refinancing amendment under Article 8 of Chapter 159 of the General Statutes of North Carolina.
- (3) The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract amendment with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation thereof and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.
- (4) Each of the Supplemental Agreement, the Escrow Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
- (5) The Supplemental Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
- (6) The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.
- (7) The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the refinancing. Execution of the Agreement Amendment by the Chairman of the Board, the County Manager, the Director of Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.
- (8) All actions of the County effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
- (9) This Resolution shall become effective immediately upon its adoption.

Commissioner Ella B. Scarborough seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller,

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Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2336) VERTEX (THUNDERBIRD PREPARATORY ACADEMY) TEFRA HEARING

Motion was made by Commissioner Bill James, seconded by Commissioner George Dunlap and unanimously carried, with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to open the Vertex TEFRA public hearing.

WHEREAS, at 6:40 P.M., the Chairman announced that the Board of Commissioners (the "Board") would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority (the "Authority"), a unit of government and a body corporate and politic of the State of Wisconsin, of not exceeding \$50,000,000 of its Charter School Revenue Bonds in one or more issuances and/or one or more series which may include both senior and subordinate bonds (the "Bonds");

WHEREAS, the Authority will loan the proceeds of the Bonds to Vertex NonProfit Organization, a Utah not-for-profit corporation (the "Borrower") and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code (the "Code"), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority for the purpose of financing and refinancing, as applicable, the eligible costs of the acquisition, construction, reconstruction, renovation, equipping, and/or any other capital expenditures and related expenses, as applicable, of multiple charter school educational facilities, and to fund certain costs of issuance and capitalized interest in connection therewith, to include the charter school located at 17609 and 17615 Old Statesville Road, Cornelius, North Carolina 28031, with the applicable facility sometimes referred to as Thunderbird Preparatory Academy (the "Thunderbird Project") within Mecklenburg County;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Thunderbird Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing of the Thunderbird Project, and the issuance of the Bonds, a portion of which, in an amount not to exceed \$25,000,000, will be used for the Thunderbird Project, in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010, and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on February 3, 2015 a notice of public hearing was published in the *Mecklenburg Times*, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: Brandon Lofton with Robinson Bradshaw & Hinson, 101 North Tryon Street, Suite 1900, Charlotte, NC 28246 and Michael Babbitt, Chairman, Board of Directors, Thunderbird Preparatory Academy, 17609 Old Statesville Road, Cornelius, NC 28031 addressed questions of the Commissioners.

WHEREAS, the Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

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WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour, and Scarborough voting yes, to close the public hearing.

Commissioner George Dunlap introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED \$50,000,000 OF THE PUBLIC FINANCE AUTHORITY CHARTER SCHOOL REVENUE BONDS TO FINANCE OR REFINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON BEHALF OF VERTEX NON-PROFIT ORGANIZATION

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance and refinance multiple charter school facilities including the Thunderbird Project, *provided that* in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction for the Thunderbird Project, which is the governmental unit having jurisdiction over the area in which the Thunderbird Project is located, in accordance with Section 147(f) of the Code and Section 66.0304(11(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Bill James seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

Note: Commissioner Leake requested a breakdown of the school’s student population by race and gender.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(15-2377) MANAGER’S REPORT

County Manager Diorio noted the following under her Manager’s Report:

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Keith Gregg was introduced as the new Chief Information Officer for Mecklenburg County.

(15-2376) LAKE NORMAN TERRITORIAL JURISDICTION

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to approve Joint Resolution Regarding Lake Norman Territorial Jurisdiction.

Note: The resolution would allow all law enforcement officers with territorial jurisdiction on any part of Lake Norman or its shoreline within the limits of their subject matter jurisdiction to have peace officer status in enforcing laws over all of Lake Norman and its shoreline area. This authority was not included in the original resolution that created the Lake Norman Marine Commission in 1970. The Lake Norman Marine Commission has approved this resolution and has requested that each member County do the same. This change is supported by, and has been requested by, the Charlotte-Mecklenburg Police Department and the Cornelius Police Department.

**JOINT RESOLUTION
REGARDING LAKE NORMAN TERRITORIAL JURISDICTION**

WHEREAS, pursuant to “An Act to Establish the Lake Norman Marine Commission” enacted as Chapter 1089 of the 1969 Session Laws (the “Act”), the counties of Catawba, Iredell, Lincoln and Mecklenburg adopted resolutions which created the Lake Norman Marine Commission; and

WHEREAS, the Lake Norman Marine Commission has operated continuously since its establishment; and

WHEREAS, Sec. 9 (a) of the Act reads as follows:

Sec. 9. Enforcement. (a) Where a joint resolution so provides, all law enforcement officers (or such officers as may be designated in the joint resolution) with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

WHEREAS, the Board of Commissioners of Mecklenburg County has determined that it would be in the best interest of the people of the counties of Catawba, Iredell, Lincoln and Mecklenburg for the territorial jurisdiction of all law enforcement officers having jurisdiction over any part of Lake Norman or its shoreline area to be expanded as authorized by Sec. 9 (a) of the Act; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County, as authorized by Sec. 9 (a) of Chapter 1089 of the 1969 Session Laws, that all law enforcement officers with territorial jurisdiction as to any part of Lake Norman or its shoreline area shall, within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws over all of Lake Norman and its shoreline area; and

BE IT FURTHER RESOLVED that a copy of this Joint Resolution be forwarded by the Clerk to the Board to the governing bodies of the other counties which have joined together to create the Lake Norman Marine Commission, and to the Executive Director of the North Carolina Wildlife Commission, as provided in Sec. 7 of the Act.

Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2364) HABITAT FOR HUMANITY AFFILIATE PRESENTATION (COMMISSIONER DUNLAP)

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The Board received a report from Habitat for Humanity Affiliate: Charlotte, Our Towns (Cornelius, Davidson, Huntersville), and Matthews regarding their activities in the community.

Habitat for Humanity Charlotte President & CEO Laura Belcher, Habitat for Humanity Matthews Executive Director Terrell Blackmon and Our Towns Habitat for Humanity Executive Director Jeff Porter gave the report. The following topics were covered: Economic Impact, Property Taxes and New Homeownership, Critical Home Repair and Restores, Housing Continuum, & Partnerships with Mecklenburg County Parks and Recreation and LUESA (Code Enforcement).

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

Comments:

Chairman Fuller asked if Habitat homeowners remained in their homes permanently or transitioned out to other homes. *The response was both occurred.*

Commissioner Leake asked about the location of homes within the County and what's used to determine where homes were built, which was addressed. It was noted that the cost of land played a major role in the decision making.

Commissioner Leake asked about home design, which was addressed. It was noted that the design of homes today, blend in with the existing community.

Commissioner Dunlap suggested Habitat contact Charlotte-Mecklenburg Schools (CMS) regarding land that might be available for possible acquisition. Commissioner Dunlap said CMS had excess property around some school sites throughout the community.

Chairman Fuller thanked the presenters for the report.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2341) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for February 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

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

(15-2363) FEATURE PRESENTATION: EMERGENCY MEDICAL SERVICES (EMS) AGENCY

The Board received as information a report from Mecklenburg Emergency Medical Services (EMS) Agency.

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Joe Penner, Executive Director, MEDIC gave the report. The report addressed the history, governance and evolution of the Mecklenburg EMS Agency.

Reports are on file with the Clerk to the Board.

Comments:

Commissioner Clarke asked had the issue been resolved regarding the insurance carrier that refused to pay Medic directly for services rendered to their insured. *Note: The insurance carrier instead sends the check to their insured, who should then pay Medic, but often this doesn't occur.*

Director Penner said to date that process continues. He said he was not sure where lobbying efforts stood.

Commissioner Leake asked about the billing process, cost of transport, and the collection rate, which was addressed.

Chairman Fuller said the issue of EMS services was a topic of discussion for the NC Association of County Commissioners because it varied across the state.

Chairman Fuller asked Director Penner to comment on how charges for services rendered were derived at, which was addressed.

Commissioner Dunlap complimented Director Penner on EMS' response time.

Commissioner James asked for the name of the company that refuses to pay Mecklenburg EMS directly. *Chairman Fuller said it was Blue Cross Blue Shield.*

Public Affairs Officer Brian Francis said he felt the Mecklenburg Legislative Delegation had a "good grasp" on what the issue was with respect to Blue Cross Blue Shield. He noted that Blue Cross Blue Shield honored the assignment of benefits to Mecklenburg EMS for state employees but not their other insures. The desire is that Blue Cross Blue Shield treat all insured the same as it did state employees. Mr. Francis said he was optimistic with respect to this issue being addressed by the General Assembly.

Chairman Fuller said there was "no good reason" why Blue Cross Blue Shield should not pay Mecklenburg EMS directly.

Chairman Fuller thanked Director Penner for the report.

STAFF REPORTS & REQUESTS

(15-2331) LEGISLATIVE MATTERS -- STATE/FEDERAL LEGISLATIVE AGENDA UPDATE

The Board received as information an update on the North Carolina Association of County Commissioners legislative agenda and the proposed Mecklenburg County Federal Action Plan. Public Affairs Officer Brian Francis presented these matters.

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

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North Carolina Association of County Commissioners Legislative Agenda Top Five

1. Support continued state funding of Medicaid and support efforts by the state to provide healthcare access for all citizens.
2. Seek legislation to restore the statutory requirement that 40% of the net lottery proceeds be allocated to counties for school capital needs and increase the annual appropriation of lottery funds until the 40% allocation is restored.
3. See legislation to repeal the statutory authority under N.C.G.S. 115C-431(c) that allows local school boards to file suit against a county board of commissioners over county appropriations for education.
4. Oppose any shift of state transportation responsibilities to counties.
5. Oppose unfunded mandates and shifts of state responsibilities to counties.

Comments:

Commissioner Dunlap asked was it lawful to establish a law that took away a body's right to vote to do something they could lawfully do. *Deputy County Attorney Wade said the General Assembly could establish such a law, which could be challenged through the courts.*

Commissioner Dunlap asked about funding from the state that had something to do with drug court. He said he couldn't recall the specific matter, but he would prefer the legislation be broader; so that if the County wanted to have veterans court or homeless court, funding could also come from that same pot of money.

Public Affairs Officer Francis said he would have to go back and determine what item Commissioner Dunlap was referring to.

Commissioner Ridenhour requested information on the County's 2014 (FY15) Federal Action Plan and the results of how successful the County was.

Commissioner Leake said she, too, would like to know how successful the County was with its state legislative agenda, as well as, federal.

Commissioner Leake requested information on the cost of the County's state and federal lobbyist and how long the County had used them.

MECKLENBURG COUNTY, NC 2015 (FY16) FEDERAL ACTION PLAN

Guiding Principles

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to urge the Mecklenburg County Congressional Delegation to follow these Guiding Principles:

Support legislation that grants counties greater flexibility
Support legislation that provides funding to counties
Oppose legislation that removes authority from counties
Oppose legislation that creates unfunded mandates or directly or indirectly shifts costs to counties

Ways to apply the Guiding Principles:

Job Creation and Economic Growth

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to maintain tax-exempt municipal bonds.

Note: \$38.9 million – estimated cost to Mecklenburg County if tax-exempt status were repealed (2012)

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 5-2 with Commissioners Clarke, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James and Ridenhour voting no, to protect county revenues, including remote sales tax collection.

Veterans Services

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to secure federal funding that enhances coordinated networks of services, resources and care designed to best support veteran families.

Health and Human Services

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

- Support funding for the Prevention and Public Health Fund
- Reauthorize the Older Americans Act and fund the Elder Justice Act
- Maintain funding levels in FY16 for the following:
 - Preventive Health Services Block Grant
 - Temporary Assistance for Needy Families / Social Services Block Grant (and no funding cuts to federally mandated services)
 - Ryan White Act
 - Women, Infants and Children
 - Children’s Bureau (HHS-Administration for Children and Families)
 - Senior citizen programs for nutrition, housing and transportation

Environment and Natural Resources

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

- Support additional funding for the Diesel Emissions Reduction Act
- Oppose efforts to eliminate Sec. 103 of the Clean Air Act
- Support reallocation of Sec. 105 of the Clean Air Act
- Reauthorize Land and Water Conservation Fund, support full and dedicated funding, and maximize funding for State Assistance Program

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(15-2360) INFORMATION UPDATE ON CHANGES TO THE BREASTS & CERVICAL CANCER CONTROL PROGRAM

The Board received a verbal update on changes to the Breasts & Cervical Cancer Control Program (BCCCP).

Health Director Dr. Marcus Plescia gave the update with respect to challenges the Department had experienced in providing breast cancer screenings.

Highlights:

- Cancer is the number one cause of death in Mecklenburg County.
- Breast Cancer is the most common cause of cancer in women and the second most cause of cancer deaths in women in Mecklenburg County.
- It's estimated that in Mecklenburg County there were 24,000 women, age 40-65, that do not have access to breast cancer screening, because they do not have health insurance.
- Mecklenburg County does have some resources to provide this service, per a federal grant received through the state.
- The Health Department has been unable to reach the number of women, it had hoped to reach based on the screening benchmark.
- The main reason for not being able to meet the screening benchmark was because individuals aren't aware of the availability of the service. Better marketing and outreach was needed.
- Dr. Plescia said he was very concerned and interested in cancer control.
- Steps to mitigate the issue:
 - Work has been done over the last year to streamline the clinical delivery system from Carolinas Healthcare System back to the Health Department.
 - The clinical system is not as efficient as it should be, however, progress is being made.
 - The Department will be working with other agencies to get the word out about the availability of the service.
 - A grant was received from the Komen Foundation for outreach.
 - There will also be a media campaign.
 - There will be enhancements to the Department's website.
 - The Department is working with Charlotte Radiology with respect to their mobile units.
 - The Department is doing community based outreach.
- The State had planned to do a site visit regarding the program, but because of the inclement weather, it did not occur.
- It's anticipated that the State will cut back on the County's benchmark number, which would result in a loss of revenue and a decrease in the number of women that could be served.
- The County would have to demonstrate to the State that it can screen an increased number of women, which will take a while to do.
- The Board was invited to offer any ideas they may have regarding how to better market the program.

Comments:

Commissioner Leake addressed the need for the service and expressed her disappointment that funding would be lost due to someone's failure to market the program.

Commissioner Leake said she was willing to help get the word out and suggested the Health Department contact the faith community and sororities for assistance.

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Commissioner Dunlap pledged his support for helping to get the message out. He asked that he, as well as all members of the Board, be provided the appropriate information for dissemination.

Commissioner Scarborough asked was it known what other communities were doing to reach this population, which was addressed.

Commissioner Scarborough asked was Mecklenburg County numbers higher than other counties, which was addressed.

Commissioner Scarborough suggested the Health Department seek the assistance of sororities and fraternities.

Commissioner Ridenhour asked for clarity on the age range, which was addressed.

Commissioner Ridenhour concurred about the need to get the message out. He noted also there's a level of personal responsibility on the part of individuals, as well.

Commissioner Ridenhour suggested having the information available at other County departments, so when someone came in, it would be available to them. He also suggested working through the faith community to get the information out as well.

Commissioner Scarborough issued a challenge to fellow female Board members and all female elected officials in Mecklenburg County to reach out to help the Health Department get the information out regarding the availability of this service. She said "if each one, reach one, and bring one."

Chairman Fuller thanked Dr. Plescia for bringing this matter to the Board's attention. He said it was a critical issue of concern for females and males.

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

(15-2370) CODE ENFORCEMENT UPDATE

The Board received an update on the ongoing efforts by the County to enhance Land Use & Environmental Services Agency (LUESA) - Code Enforcement's customer service and permitting and inspection process.

Assistant County Manager Leslie Johnson and LUESA Director Ebenezer Gujjarlapudi gave the report.

Note: Since February 2014, the County has been undertaking several action steps to address concerns expressed about the building permitting and inspection process. These steps include but are not limited to:

- 1. Establishing a City/County Task Team to Identify Opportunities for Improved Customer Experience*
- 2. Conducting an Independent Review of Current Process*
- 3. Assessing the Feasibility of Alternative Scheduling Options Based on Project Size*
- 4. Establishing a Customer Service Center*
- 5. Creating a Quality Control Process for Analyzing Inconsistencies in Interpreting Building Codes*
- 6. Redesigning Website*

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

Comments:

Commissioner Ridenhour asked about the following, all of which were addressed:

- Lines of communication between County staff and customers
- Lines of communication between County staff and the Building Development Commission
- Composition of the Building Development Commission
- Responses to new website
- Possibility of issuing a monthly newsletter
- The POSSE System (Publish (on your) Own Site, Syndicate Elsewhere) an enterprise e-Government Software by Computronix and the EPS System (Electronic Plan Submittal)
- Pilot program and the status of the programs within the pilot

Commissioner Ridenhour shared feedback he'd received from folks in the industry, questioning whether there had been any real improvements in the Code Enforcement process.

Commissioner Ridenhour said it's possible the progress that was being made was not being communicated to customers.

Commissioner Clarke acknowledged that County staff was responsible when it came to communicating and disseminating information, but that the customer also had to take some personal responsibility to inquire and access what's been made available.

Commissioner Clarke requested the names and positions of persons serving on the City/County Task Team and the entities they represented.

Commissioner Clarke asked was the issuance of permits seasonal, which was addressed.

Commissioner Clarke suggested consideration be given to hiring people that were very bright and talented, but may not have all of the credentials and train them in-house.

Commissioner Clarke asked what the plan was for the Board's receipt of the final recommendations. *County Manager Diorio addressed the process that would be followed.*

Commissioner Dunlap suggested the County have its own training process in order to get individuals trained in the manner that's needed, since the County was having difficulty getting positions filled.

Commissioner Dunlap recommended the County Manager and staff move forward with implementing some of the recommendations that would hopefully address some of the concerns being received and not wait on Board approval. He noted as an example: the mandatory meeting for people who request permits, the purpose of which was to walk persons through the process.

County Manager Diorio said staff was moving forward with implementing certain changes. She said the matters that would be brought to the Board for action would be policy type matters.

Director Gujjarlapudi thanked Board members for their input.

(15-2329) MECKLENBURG COUNTY CODE ENFORCEMENT CUSTOMER SERVICE CENTER PROJECT

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

- Recognize and appropriate \$110,000 in additional permit revenue; and
- Approve adding 4 positions to Customer Service Center Group; and
- Recognize and appropriate \$650,000 from Code Enforcement General Fund Balance for Technology and Construction cost related to Customer Service Center Group; and
- Authorize transfer of \$450,000 from the General Fund to the Technology Fund for Code Enforcement.

Note: The appropriation of \$760,000 from Mecklenburg County Code Enforcement consists of a combination of \$110,000 from FY 15 permit fees and \$650,000 from fund balance designated for Code Enforcement. After three months, department permit revenue is running 15% above projections. The increase in permit revenue will support creating four "Concierge" positions within the newly development Customer Service Center services stream. The transfer from fund balance will provide upgrades and purchasing of new technology within the Customer Service Center along with additional renovation cost for housing this team. The Customer Service Center is designed to close the gap between those customers who are well-schooled in Mecklenburg County Code Enforcement's process (adept at using high tech permitting and inspecting processes) and those who are either new at it or infrequent users.

(15-2375) FEDERAL REVIEW OF YOUTH & FAMILY SERVICES COUNTY COMMISSIONERS REPORTS & REQUESTS

The Board received an update on the upcoming Federal Review of Youth & Family Services for the state of N.C., which would include Mecklenburg County. Youth and Family Services Director Charles Bradley gave the report.

Director Bradley said the Federal Government would be conducting a statewide review of child welfare practices, utilizing cases from across the state.

Highlights:

- The Child and Family Services Review (also known as the CFSR) is a process whereby the Administration of Children and Families (ACF), in partnership with the States, monitors and evaluates the full range of child and family services, including child protective services, family preservation and support, foster care, independent living and adoption services.
- The Child and Family Services Review is authorized by the Social Security Amendments of 1994 and is a periodic review of all states to measure conformity with child welfare requirements using seven outcomes and seven systemic factors.
- Through this review process, the federal government is able to assess the outcomes for children and families involved in child welfare services, as well as help states achieve positive outcomes for children.

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- The CFSR measures conformity with federal child welfare requirements using a framework focused on safety, permanency, and well-being.
- To date, there have been two prior rounds of State Reviews.
- Round 1 of the Child and Family Services Review for North Carolina occurred in March of 2001.
- The results of Round 1 showed none of the states, including North Carolina were found to be in Substantial Conformity.
- All states, including North Carolina entered into Program Improvement.
- Round 2 for North Carolina occurred in March of 2007. While North Carolina was found to be in Substantial Conformity with Well-Being 2, which assesses capacity to assess and address a child's educational needs.
- The results of Round 2 also showed none of the states, including North Carolina were found to be in Substantial Conformity in all seven outcomes.
- All states, including North Carolina entered into Program Improvement.
- Round 3 of the Child and Family Services Review for North Carolina will begin in April 2015 and is expected to be completed in September 2015.
- In order to be found in Substantial Conformity with the seven outcomes, 96% of all cases scored across the State will have achieve this rating.
- According to current data, the State Division anticipates the State of North Carolina will enter Program Improvement at the end of Round 3.
- Mecklenburg County is participating in this review of the State of North Carolina along with 9 other North Carolina Counties and the Eastern Band of Cherokee Indians.
- The other counties participating in this review are: Wake; Buncombe; Craven; Cumberland; Durham; Hoke; Pitt; Scotland; and Wilson. The review of the Eastern Band of the Cherokee Indians includes a review of Swain; Jackson; and Haywood counties.
- North Carolina will have a total of 120 cases reviewed, to include 27 cases for Mecklenburg County.

Comments:

Chairman Fuller asked would the County receive a written report from the Federal Government. *The response was yes. The report will be for the State of N.C. and the results for Mecklenburg County would be included.*

Chairman Fuller asked was the review of the State, or specifically, Mecklenburg County. *The response was that it was a statewide review.*

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Chairman Fuller suggested that perhaps the standards weren't properly set or that there weren't enough resources to meet the standards, if previous reviews were such that no one met the standards.

Commissioner Dunlap asked was the pass and/or failure rate for N.C. contingent upon the pass or failure rate of all of the counties involved in the review. *The response was yes.*

Commissioner Dunlap asked what if Mecklenburg County passed, but the state as a whole didn't pass, what were the consequences, if any, for Mecklenburg County. *Director Bradley said it was his understanding there might be a penalty to the State of N.C. and those penalties would be distributed to counties based on the number of clients served.*

Commissioner Dunlap said that was not a good system for handling the payment of the state penalty.

Commissioner Leake asked when the final report would be received. *Director Bradley said he would anticipate it being received by the end of 2015.*

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve the following item(s):

(15-2303) PROCLAMATION -- GREAT AMERICAN CLEAN UP FOR KEEP MECKLENBURG BEAUTIFUL

Adopt a Proclamation designating March 1 through May 31 in Mecklenburg County as the "Great American Clean Up".

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

(15-2330) SURVEYING SERVICES FOR UPDATING FLOODPLAIN BUILDING ELEVATION DATA

Authorize the County Manager to negotiate fees up to \$265,000 and execute contracts with ESP Associates, P.A. to collect survey information on homes in the FEMA floodplain.

(15-2332) GENERAL OBLIGATION BONDS RESOLUTION

RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Vilma D. Leake moved adoption of the following resolution and the motion was seconded by Commissioner Ella B. Scarborough.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

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1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$75,000,000. (The Issuer has secured an extension of the maximum period of time for issuing bonds under that bond order from seven to ten years from November 6, 2007 as provided for under Section 159-64 of the North Carolina General Statutes.) The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from March 17, 2015.

2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of \$25,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from March 17, 2015.

3. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of \$100,000,000 and designated "General Obligation School Bonds, Series 2015A" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated March 17, 2015, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on October 1, 2015, and semi-annually thereafter on April 1 and October 1. The Bonds shall mature annually on April 1, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2016	\$5,000,000	2026	\$5,000,000
2017	5,000,000	2027	5,000,000
2018	5,000,000	2028	5,000,000
2019	5,000,000	2029	5,000,000
2020	5,000,000	2030	5,000,000
2021	5,000,000	2031	5,000,000
2022	5,000,000	2032	5,000,000
2023	5,000,000	2033	5,000,000
2024	5,000,000	2034	5,000,000
2025	5,000,000	2035	5,000,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on April 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

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In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC’s rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \$ _____

United States of America
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION SCHOOL BOND, SERIES 2015A

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
		March 17, 2015	584002

REGISTERED OWNER: CEDE & CO.

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PRINCIPAL SUM: _____ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the April 1 or October 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a April 1 or October 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on October 1, 2015, and semi-annually thereafter on April 1 or October 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 5, 2007 and September 3, 2013 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after April 1, 2026, shall be subject to redemption prior to their stated maturities at the option of the County on or after April 1, 2025, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants

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pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated March 17, 2015.

Chairman of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

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CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary,
Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
DIRECTOR OF FINANCE, as Bond Registrar

By: _____
Authorized Signature

Date of Authentication: March 17, 2015

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____
the within Bond and irrevocably appoints _____
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

7. The Bonds maturing on and after April 1, 2026 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after April 1, 2025, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by

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this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

9. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

10. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

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(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

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The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, George Dunlap, Trevor M. Fuller, Vilma D. Leake, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Note: Commissioner Bill James was present at the meeting but absent at the time of the above vote.

Extracts/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2338) ARCHITECT/ENGINEER SELECTION FOR HISTORIC HOLLY BEND HOUSE REHABILITATION

Adopt Resolution Approving Architecture Firm For Historic Holly Bend House Rehabilitation, Edwin Bouldin Architect, PA for Architectural/Engineering Services, and authorizing the County Manager to negotiate a fee and

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execute a contract with Edwin Bouldin Architect, PA, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second-ranked firm, Hager-Smith Design, PA.

Resolution recorded in full in minute book _____, Document # _____.

(15-2339) SOLE SOURCE VENDOR APPROVAL -- LUESA (WATER QUALITY MONITORING EQUIPMENT)

Approve the purchase of water quality monitoring equipment and services as authorized by the sole source exemption of G.S. 143-129(e) (6); and

Approve a contract with the Sutron Corporation for the purchase of water quality monitoring equipment and services in the amount of \$75,538.

(15-2343) HAZARD MITIGATION PROGRAM -- FY15 FLOODPLAIN ACQUISITIONS

Accept the Offer of Sale of Real Estate from David M., Dianne L., and Charles D. Wright, owners of property at 5209 Kildare Drive (Tax Parcel 099-082-02) for \$95,000; and

Accept the Offer of Sale of Real Estate from Donnie and Josephine Hoover, owners of property at 4108 Crestridge Drive (Tax Parcel 145-212-11) for \$77,000; and

Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

Note: The acquisitions are being made as a part of the Hazard Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing structures with Storm Water Services capital funds.

(15-2348) LAND DONATION -- NEWELL COMMUNITY PARK

Authorize the County Manager to negotiate and execute all documents necessary for the donation of tax parcel 049-271-28 (± 1.824 acres) from Belle Haven Apartments, LLC as an addition to Newell Community Park.

(15-2349) BUDGET AMENDMENT -- PARK AND RECREATION (REVENUE AND EXPENSE INCREASE)

Recognize and appropriate \$200,000 in Mecklenburg County Aquatic Center revenues for related operating expenditures to be incurred in the delivery of those services.

(15-2350) EASEMENT DONATION -- LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for the donation of a permanent easement (±6,029 square feet) on tax parcel 175-121-01 from Horizon Development Properties, Inc. for the future

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construction of Little Sugar Creek Greenway trail and the reimbursement of legal expenses to Horizon Development Properties, Inc. not to exceed \$1,000.

(15-2351) LAND DONATION -- STEVEN'S CREEK NATURE PRESERVE

Authorize the County Manager to negotiate and execute all documents necessary for the donation of tax parcel 195-231-07 (±0.78 acres) from North Carolina Department of Transportation (NCDOT) to become part of Steven's Creek Nature Preserve.

(15-2352) CAPITAL RESERVE REQUEST -- PARK AND RECREATION ATHLETIC FIELDS

Appropriate expenditure of up to \$9,000 from the Athletic Field Capital Reserve account to install a chain link fence near field #7 at Mallard Creek Park.

(15-2353) EASEMENT CONVEYANCE -- TT OF STALLINGS, INC. AND TT OF HARRIS, LLC

Grant a permanent sanitary sewer easement (±0.0377 acres) and temporary construction easement (±0.0736 acres) to TT of Stallings, Inc. and TT of Harris, LLC on County tax parcel 165-151-23 (Campbell Creek Greenway) for \$1,600.

Note: TT of Stallings, Inc. and TT of Harris, LLC is constructing a new automobile dealership building on Independence Boulevard in east Charlotte. In order to provide sewer service to the new building, the developer is requesting temporary and permanent easements from the County across tax parcel 165-151-23.

(15-2354) TAX REFUNDS

Approve refunds in the amount of \$8,221.48 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.

Approve refunds in the amount of \$42,761.66 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.

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

(15-2356) RIGHT-OF-WAY ABANDONMENT -- SOUTHWEST COMMUNITY PARK

Authorize the County Manager to file a Right-of-Way Abandonment petition with the Charlotte Department of Transportation requesting closure of a portion of Holabird Lane (+/- 7,950 SF) and acceptance of the closed right-of-way into adjacent County owned property at Southwest Community Park.

Note: Holabird Lane sits in the southeast corner of the park property. A portion of the existing Holabird Lane right-of-way extends into the area of the park property where one of the two baseball fields is proposed to be built. To

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build the baseball field as designed, a 7,950 SF portion of Holabird Lane will need to be abandoned and incorporated into the park property.

(15-2361) CAPITAL RESERVE REQUEST -- PARK AND RECREATION GOLF COURSES

Appropriate expenditure of up to \$43,000 from the Consolidated Golf Capital Reserve Account for turf and cart path repairs at Renaissance Park Golf Course; and

Appropriate expenditure of up to \$5,000 from the Consolidated Golf Capital Reserve Account to install two standard Park and Recreation signs at the Cadillac Street Driving Range.

(15-2372) MINUTES

Approve Minutes of Regular meeting held February 3, 2015.

(15-2405) SET PUBLIC HEARING – SOUTH I-77 SERVICE ROAD NAME CHANGE

Set a public hearing on March 17, 2015 at 6:30 pm for the request to change the name of South I-77 Service Road to Chartown Drive.

Note: This road was originally part of NC Hwy 21. It was cut off by the construction of I-77 and never renamed. It currently is referred to as I-77 Service Road. The area is now being developed for commercial uses which will require a proper street name for emergency response

(15-2406) SET PUBLIC HEARING – POPLAR TENT CHURCH ROAD NAME CHANGE

Set a public hearing on March 17, 2015 at 6:30 pm for the request to change the name of existing Poplar Tent Church Road to Poplar Tent Road.

Note: Portions of this road are in Mecklenburg County, and portions are in Cabarrus County. The Mecklenburg County portions are named Poplar Tent Church Road, and the majority of the road in Cabarrus County is named Poplar Tent Road. Changing the name along the Mecklenburg County portion to Poplar Tent Road would keep the name consistent along the whole stretch of road and prevent possible confusion, particularly for emergency response providers.

(15-2407) SET PUBLIC HEARING – ALEXANDERANA ROAD NAME CHANGE

Set a public hearing for March 17, 2015 at 6:30 pm. to request changing the name of existing Alexanderana Road to Alexandriana Road.

Note: The Olde Huntersville Historical Society and some property owners along Alexanderana Road are petitioning to rename this street to Alexandriana Road. According to historic records Alexandriana is the correct spelling. Correcting the spelling would restore the historic name of the road.

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THIS CONCLUDED ITEMS APPROVED BY CONSENT

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve the following items:

Commissioner Leake removed these items from Consent for more public awareness.

(15-2321) SOLE SOURCE VENDOR APPROVAL -- CHILD SUPPORT ENFORCEMENT (TURBOCOURT SOFTWARE)

Approve the purchase of TurboCourt Software and services, allowing customers to submit applications remotely, as authorized by the sole source exemption of G.S. 143-129(e)(6), at a total cost of \$219,561.10.

Note: This will be used by Child Support Enforcement.

(15-2334) GRANT APPLICATION -- FY15 CLEAN AIR ACT, SECTION 103,

Approve the submission of the County's FY15 Clean Air Act 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; and authorize the carry forward of any unspent funds to subsequent years.

(15-2337) GRANT APPLICATIONS -- SMART START OF MECKLENBURG COUNTY

Approve submitting two grant applications totaling \$900,000 per year for a three year period (July 1, 2015 - June 30, 2018) 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.

(15-2346) HIGHLAND CREEK ELEMENTARY SCHOOL AND PALISADES ELEMENTARY SCHOOL JOINT USE AGREEMENTS

To receive an update on and approve Joint Use Agreements with Charlotte-Mecklenburg Schools for the Highland Creek Relief Elementary School and Palisades Elementary School & Park Site.

Agreement recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2347) SOLE SOURCE VENDOR APPROVAL -- 2015 COURTROOM UPFIT MATERIAL SELECTION

To authorize the County to purchase millwork from Ebenisterie Beaubois LTEE as a sole source purchase, and to specify and/or purchase other materials from certain manufacturers as listed in the Background and noted below, to finish two shelled Courtrooms at the New Courthouse as authorized by G.S. 143-129 (e)(6)(iii).

Note: In order to achieve the goals of standardization and compatibility for the Courthouse, some products should be specified as the original brand, or obtained from the original source. Those are:

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1. Millwork for public seating, wall panels, and judge benches, which were supplied and installed by Ebenisterie Beaubois, and which uses exclusive wood profiles
2. Suspended Ceiling, specified originally as Armstrong Ultima 1911 24x24, mounted on a suspension system, Armstrong Superfine XL
3. Floor Carpet: Tandus carpet tiles, specially manufactured by Collins and Aikman for the New Courthouse
4. Wall base: specified originally as Johnsonite 4" Straight, color G8
5. Acoustical Wall System: Wall Technology, Metro Rebound, color Crosswalk
6. Signage to match existing: ASI Modulex North Carolina

(15-2357) CREATION OF DOCTORAL-LEVEL PSYCHOLOGY INTERN POSITION (CRIMINAL JUSTICE SERVICES)

Approve the creation of a full-time Psychology Intern position within Criminal Justice Services and the Forensic Evaluations Unit.

(15-2368) COMPENSATION APPROVAL REQUEST PER GS 18B-700 – ABC BOARD CEO

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, to approve change in compensation for Alcoholic Beverage Control (ABC) Board CEO, Paul Stroup as requested by the ABC Board and as required by G.S. 18B-700.(g1).

Note: The Mecklenburg County ABC Board approved a 3% increase in compensation for its general manager, Paul A. Stroup, III, CEO. As the appointing authority of the local ABC Board and Per G.S. 18B-700. (g1) Compensation of General Managers of Local Boards, the BOCC must approve any change in compensation under certain circumstances. G. S. 18B-700.(g1) reads: The salary authorized for the general manager, as defined in G.S. 18B-101, of a local board shall not exceed the salary authorized by the General Assembly for the clerk of superior court of the county in which the appointing authority was originally incorporated unless such compensation is otherwise approved by the appointing authority. The local board shall provide the appointing authority's written confirmation of such approval to the Commission. Any change in compensation approved by the appointing authority shall be reported to the Commission in writing within 30 days of the effective date of the change. The general manager of a local board may receive any other benefits to which all employees of the local board are entitled. The salary authorized for other employees of a local board may not exceed that of the general manager.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. County Manager Diorio addressed this matter.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:26 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman