

MARCH 17, 2015

MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, March 17, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham, George Dunlap,
Bill James, Vilma D. Leake, Jim Puckett
Matthew Ridenhour and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: None



-INFORMAL SESSION-

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

The meeting was called to order by Chairman Fuller, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2413, 15-2414, 15-2417, 15-2434, 15-2440, 15-2442, and 15-2450 to be removed from consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 6-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to move Items 15-2440 Proclamation -- Social Work Appreciation Month, 15-2450 Child Abuse Prevention Month, and 15-2417 Proclamation – Tobacco Free Mecklenburg Day, up on the agenda from Consent to Awards and Recognition.

Commissioner Dunlap entered the meeting.

STAFF BRIEFINGS - NONE

(15-2418, 15-2425) CLOSED SESSION – LAND ACQUISITION AND CONSULT WITH ATTORNEY

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Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 195-141-01, 195-141-02, and 059-161-03. It was noted also, that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 5:30 p.m.

Commissioners Clarke and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

-FORMAL SESSION-

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

Commissioner Clarke was away from the dais when this portion of the meeting was called to order and until noted in the minutes.

AWARDS/RECOGNITION

(15-2450) PROCLAMATION CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring April 2015 as Child Abuse Prevention Month in Mecklenburg County.

Commissioner Leake read the proclamation.

Dana S. Frady, a Guardian ad Litem, addressed Child Abuse Prevention Month and accepted the proclamation.

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

(15-2440) PROCLAMATION -- SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating March, 2015 as "Social Work Appreciation Month" in Mecklenburg County.

Commissioner Ridenhour read the proclamation.

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Director of Social Services Peggy Eagan commented on Social Work Appreciation Month and accepted the proclamation.

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

(15-2417) PROCLAMATION -- TOBACCO FREE MECKLENBURG DAY

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating March 18, 2015 as Tobacco Free Mecklenburg Day.

Commissioner Scarborough read the proclamation.

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

PUBLIC APPEARANCE

(15-2423) PUBLIC APPEARANCE

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

Cherry Reaves noted to the Board that she had appeared at previous meetings with concerns regarding her need for housing and concern for her children, who were removed from her care. Ms. Reaves desires to have a meeting with the County Manager or her designee to discuss her concerns. She said to date, her concerns had not been addressed.

APPOINTMENTS

(15-2439) NOMINATIONS/APPOINTMENTS

AUDIT REVIEW COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Audit Review Committee, Debra Paige, Alexander Vuchnich, and Richard Harris, who requested consideration to fill his unexpired term expiring December 3, 2015.

Note: Mr. Harris was removed for failing to meet the attendance requirement for 2014.

Note: An appointment will occur at the April 7, 2015 meeting.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint

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Ernestine Julue and Angela Lindsay to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2017.

They replace Jaye Alexander and Sarah Demarest, who failed to meet the attendance requirement for 2014.

Commissioner Clarke entered the meeting.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Sybil Richardson and Ty Turner to the Domestic Violence Advisory Board for three-year terms expiring April 30, 2018; and to nominate and appoint Roslyn Stitt to the Domestic Violence Advisory Board for a three-year term expiring April 30, 2018, effective May 1, 2015.

She replaces Patrick Burris, who is not eligible for reappointment, having served two consecutive terms.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-1 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Dunlap voting no, to appoint Michael Mulder to the Human Resources Advisory Committee to fill his previous unexpired term expiring January 31, 2017 and Lee Robertson to fill his previous unexpired term expiring June 30, 2017.

They were removed due to failing to meet the attendance requirement for 2014.

JUVENILE CRIME PREVENTION COUNCIL

Commissioner James nominated all applicants for appointment consideration to the Juvenile Crime Prevention Council: Kellie Anderson and LaTonya Summers.

Note: An appointment will occur on April 7, 2015.

(15-2449) AIR QUALITY COMMISSION

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Peter McGrath as Chair of the Air Quality Commission as recommended by the Air Quality Commission for the duration of his term.

He replaces Keith Long as Chair, who resigned from this role but will continue to serve as a member.

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PUBLIC HEARINGS

(15-2426) ALEXANDERANA ROAD NAME CHANGE TO ALEXANDRIANA ROAD

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming of Alexanderana Road to Alexandriana Road.

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

The following persons appeared to speak in support of the name change: Linda Dalton, President of the Mecklenburg Historical Association and the Great, Great, Great, Great Granddaughter of John McKnitt Alexander and Dan Boone with the Olde Huntersville Historic Society.

Note: "Alexandriana is a historic place name in northern Mecklenburg County. It dates back to the Colonial era and was first used as the name of the home and plantation of John McKnitt Alexander, one of the signers of the Mecklenburg Declaration of Independence of May 20, 1775. The house no longer exists. The site of Alexandriana is now a park, established by the Alexandriana chapter of the National Society of Daughters of the American Revolution."

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the renaming of Alexanderana Road to Alexandriana Road

(15-2427) SOUTH I-77 SERVICE ROAD NAME CHANGE TO CHARTOWN DRIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming 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's referred to as I-77 Service Road. The area was now being developed for commercial uses which will require a proper street name for emergency response.

No one appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the renaming of South I-77 Service Road to Chartown Drive.

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(15-2428) POPLAR TENT CHURCH ROAD NAME CHANGE TO POPLAR TENT ROAD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear citizens' comments on the proposed renaming of Poplar Tent Church Road to Poplar Tent Road.

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

Commissioner Ridenhour spoke in opposition to the proposed name change because of the historic significance of the name Poplar Tent Church Road. Commissioner Ridenhour said Poplar Tent Church was a church of "great" historical significance during the Revolution. He noted that one of the believed drafters of the Mecklenburg Declaration of Independence was buried at Poplar Tent Church and that his grave was the only one of the three drafters graves that could be accounted for on the property. Thus, there's a strong connection with the name Poplar Tent Church and the Mecklenburg Declaration of Independence.

In addition, Commissioner Ridenhour said he was confident that the respective emergency response providers weren't and would not have any difficulty getting to the appropriate location on Poplar Tent Church Road or Poplar Tent Road.

Commissioner Puckett concurred with Commissioner Ridenhour's comments. He suggested Cabarrus County consider renaming their portion of the road Poplar Tent Church Road, if they were experiencing problems with emergency response.

No one from the public appeared to speak.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing.

Note: No action was taken to change the name of the road, therefore, the name of the road would remain Poplar Tent Church Road.

ADVISORY COMMITTEE REPORTS

(15-2438) CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION UPDATE

The Board received an update on Historic Landmarks Commission activities for 2014. Dr. Dan Morrill, Executive Director of the Historic Landmarks Commission gave the report.

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Note: The Charlotte-Mecklenburg Historic Landmarks Commission was created to insure the preservation of any property that embodies elements of the cultural, social, economic, political, or architectural history of Charlotte and Mecklenburg County for the education, pleasure and enhancement of the residents of the City and County.

The following was covered:

- Representative Landmarks
- FY 2014 Design Review
- 2014-2015 Properties Bought, Sold and Restored
- FY 2014 Special Projects
- Education Efforts

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

Comments

Commissioner James asked about the Historic Mecklenburg County Courthouse and the floor of the building that was once the jail. Commissioner James said it would be good if that space could be utilized for some other purpose.

Dr. Morrill said that portion of the building was not a part of the historic designation, so if the Board wanted to redesign that space it could.

Dr. Morrill said the Historic Landmarks Commission would be happy to take a look at the area and to photograph it. He said those photographs could be placed on CD's and saved for historical reference.

Commissioner Clarke asked about the renovation and resale of property, which was addressed. *Dr. Morrill said the preference was to find someone who would be willing to restore a property, rather than that restoration being done by the Historic Landmarks Commission.*

Commissioner Puckett expressed his admiration for Dr. Morrill and the work that he continued to do.

Chairman Fuller thanked Dr. Morrill for his work and for the report.

MANAGER'S REPORT

(15-2443) MANAGER'S REPORT

Note: The only thing noted under Manager's Report was the introduction of Item 15-2452 Pretrial Services Eligibility Policy.

(15-2452) 2015 PRETRIAL SERVICES ELIGIBILITY POLICY

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to rescind Board Action of February 1, 2011, which authorized the 2011 Pretrial Services Eligibility Policy; and approve the 2015 Pretrial Services Eligibility Policy, as recommended by the District Court Subcommittee.

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Tom Eberly, Director of Criminal Justice Services presented this matter to the Board. He was assisted by the Honorable District Court Judge Matt Osman.

Note: In 2001, the Mecklenburg Board of County Commissioners (BOCC) established a Pretrial Services Eligibility Policy. This policy was created to provide direction to the program in releasing defendants from jail pending trial. On February 1, 2011, the BOCC revised the policy to reflect business process changes in Pretrial Services and a significant revision of the 26th Judicial District's Bail Policy.

Over the past year, Criminal Justice Services collaborated with the 26th Judicial District and the Laura and John Arnold Foundation to again improve the bail process in Mecklenburg County. The County was one of four sites in the country to be selected by the Foundation to receive technical assistance and exclusive access to their pretrial risk assessment tool. This tool, which was prepared by Mecklenburg County Pretrial Services for the Court, predicts defendants risk-level for failure to appear in court and future criminal activity. It also indicates whether a defendant had a propensity for violent behavior. The 26th Judicial District, under advisement of the District Court Subcommittee, agreed to adopt the Foundation's risk assessment tool and modified its Bail Policy accordingly on October 7, 2014. The District Court Subcommittee also reviewed the 2011 Pretrial Services Eligibility Policy and made recommendations to change the Policy so that it synchronizes with the 26th Judicial District's Bail Policy and extensive research from the Arnold Foundation.

The 2015 Pretrial Services Eligibility Policy does the following compared to the previous policy: 1) Removes restrictions not supported by research, 2) Eligibility for supervision will be based primarily on risk level, 3) High-risk defendants, regardless of their charge, are ineligible for supervision services, and 4) Charges related to murder, sex, robbery, or escape are automatically ineligible.

Comments prior to the above vote:

Commissioner James asked for clarity between the current list of offenses and the previous list, which was addressed.

Commissioner Cotham asked about the defendant interview process, which was addressed.

Commissioner Cotham asked about the composition of the District Court Subcommittee that was involved in reviewing this matter, which was addressed.

Commissioner Cotham said she would have liked there to have been a citizen, consumer or a family member of a defendant on the committee, which would have provided the opportunity for input from that perspective. She asked that going forward, that be kept in mind with future reviews.

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

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2432) DEPARTMENT DIRECTORS' MONTHLY REPORT

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

Note: The County Manager has requested department directors provide monthly reports to the Board of County

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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.

(15-2436) FEATURE DEPARTMENT PRESENTATION: PUBLIC HEALTH

The Board received as information a report from Mecklenburg County's Public Health Department.

Health Director Dr. Marcus Plescia gave the report. Dr. Plescia addressed Mecklenburg County's Tobacco-Free Mecklenburg Initiative.

Note: Effective March 18, 2015, the grounds of Mecklenburg County government, the City of Charlotte, and the six townships in Mecklenburg County will be Smoke-Free and parks owned and operated by Mecklenburg County will be tobacco-free, with the exception of golf courses and 17 regional parks.

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

Comments

Commissioner Scarborough asked about enforcement of the ordinance and regulations. *Dr. Plescia said it was his understanding enforcement associated with the ordinance would be what's referred to as "social enforcement," meaning, if you made it clear where people could and could not smoke, using good signage, then people would follow the rules. Dr. Plescia said it's not anticipated that many people would get fined. Dr. Plescia said he would suspect that the only time law enforcement action would be needed, was an instance where an individual got "aggressive" when asked not to smoke and they refused. He said law enforcement would be dealing more with the person's behavior and not the actual smoking.*

Commissioner Leake commented on the importance of prevention.

Commissioner Cotham asked about signage, which was addressed.

Commissioner Cotham asked about the cost of the effort. *Dr. Plescia said the signage cost was about \$150,000.*

Commissioner Dunlap noted that since the Board passed its ordinance prohibiting smoking on government grounds, a lot of other companies and businesses had done the same.

Commissioner Dunlap thanked Dr. Plescia for leading this effort.

Commissioner James asked for clarity with respect to employees that smoke while at work. He asked was there any disciplinary action that would be taken if an employee violates the ordinance, in addition to being fined. *Dr. Plescia noted that the County's health plan provides for nicotine replacement therapy. Dr. Plescia said smoking was a very addictive habit and that it would be difficult for some employees.*

Dr. Plescia said it was his understanding that consistent violations on the part of an employee would be dealt with the same as with violation of any other human resources rule.

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Commissioner James said he agreed smoking was not good for anyone, but he still questioned whether a person's right to do so should be prohibited and was there evidence that smoking impacted someone's job performance.

County Manager Diorio said like with any other Human Resources Policy, if violated and caught doing so, the progressive discipline process would be used. County Manager Diorio said the impact of implementing the policy would not be known until the ordinance went into effect.

Commissioner Ridenhour noted for public awareness that "government doesn't always get it right," but one thing he liked about the ordinance was that it was a good example of "folks getting together, talking about an issue and everyone compromising a little bit and coming out in the end with something that's good and going to work for the community."

Commissioner Cotham asked would the results of implementing the policy be tracked, in order to know the impact it had. *Dr. Plescia said yes, to the extent they could.*

STAFF REPORTS & REQUESTS

(15-2446) PUBLIC HEALTH ACCREDITATION

The Board receive an update on upcoming Public Health Accreditation. Health Director Dr. Marcus Plescia gave the report. The following was noted:

- The accreditation process was mandatory and involved three functional components:
 - 1) Self-Assessment
 - 2) Site Visit
 - 3) Determination of Accreditation by the Accrediting Board
- Documentation to support meeting a single set of Benchmarks was required.
- The accredited status is awarded for four years.

The purpose of the NC Public Health Accreditation is to 1) Determine performance and capacity, 2) Strengthen state and local partnerships, 3) Identify areas for system improvement, and 4) Assure a strong public health system is in place.

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

Comments

Commissioner Leake noted that there were always recommendations for changes when going through the accreditation process. She asked Dr. Plescia if he was aware of previous recommendations made, per the last accreditation process, which was prior to his leadership. Commissioner Leake said staffing could possibly be an issue of concern.

Commissioner Leake also asked about records that Carolinas Healthcare System might have, that may be needed, since public health services transferred back to the County.

Dr. Plescia addressed the records issue, per the transferring of services back to the County.

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Chairman Fuller thanked Dr. Plescia for the update.

(15-2444) REMOVAL AND REINTERMENT OF GRAVES

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution of the Mecklenburg County Board of Commissioners Allowing the Removal and Interment of Graves located on property owned by Zion Primitive Baptist Church located on East Sugar Creek Road in Charlotte, NC.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

ALLOWING THE REMOVAL AND REINTERMENT OF GRAVES

WHEREAS, pursuant to the provisions of Section 65-106 of the North Carolina General Statutes, see Exhibit E, Petitioner, the North Carolina Department of Transportation, seeks the removal of certain graves located on property owned by Zion Primitive Baptist Church located on East Sugar Creek Road in Charlotte, NC, identified as tax parcel no 09104223 by the Mecklenburg County Tax Office, see Exhibit A; and

WHEREAS, Petitioner is in the process of constructing State Project WBS No 57500.2FRA01, ID No. U-5008; and

WHEREAS, Petitioner has found approximately five (5) unmarked graves within the acquired right of way, a survey showing the location of the graves sites in the identified area is attached as Exhibit B, see also Exhibit C, a detailed sketch of the disinterment site; and

WHEREAS, Petitioner has been unable to determine or locate the next of kin or any other descendants of persons interred in the acquired area of the Zion Primitive Baptist Church cemetery; and

WHEREAS, in accordance with Section 65-106 of the General Statutes of North Carolina, the Petitioner respectfully files this Petition and requests approval to remove and reinter the remains of the unmarked graves, and any other potential remains which may be discovered from various other possible grave sites located within the acquired right of way to sites located at the back of the Zion Primitive Baptist Church Cemetery and more particularly described in Exhibit D attached hereto; and

WHEREAS, Petitioner requests that the Board of County Commissioners designate Dr. Stephen Keener at the Department of Health of Mecklenburg County to supervise and direct the removal and re-interment. Petitioner has been in contact with Dr. Keener and has obtained his consent for this procedure; and

WHEREAS, Petitioner has, at least thirty (30) days prior to disinterment, caused written notice of their intention to remove said graves to be published once per week for four successive weeks in a newspaper of general circulation in Mecklenburg County, see attached, referenced as Exhibit F; and

WHEREAS, the removal and reinterment of said graves is not contrary to the public interest, the site of reinterment is of suitable dimensions to accommodate the remains of decedents and is reasonably accessible to all relatives of the decedents, and the Board has assurance that due care shall be taken to conduct said reinterment in a proper and decent manner, and if necessary, suitable coffins or boxes for reintering said remains shall be furnished, and it has assurance that due care shall be taken to remove, protect and replace all markers so as to leave such markers in as good condition as to that prior to disinterment.

***NOW, THEREFORE, BE IT RESOLVED,** by the Board of Commissioners of Mecklenburg County, pursuant to North Carolina Gen. Stat. 65-106, that the Commissioners order the removal and reinterment of the five (5) unmarked graves located on a tract of land owned by Zion Primitive Baptist church on East Sugar Creek Road in Charlotte, NC as described more particularly in the attached Exhibits, and that Dr. Stephen Keener of the Mecklenburg County Health Department is hereby designated to direct the removal and reinterment.*

***BE IT FURTHER RESOLVED,** that the Clerk to the Board of Commissioners shall transmit a certified copy of this*

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Resolution to the agent for the Petitioners and said agent shall file or cause to be filed said Resolution along with the Certificate of Removal in the Office of the Registrar of Deeds for Mecklenburg County, North Carolina

Note: This matter was presented to the Board by Deputy County Attorney Tyrone Wade.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

(15-2418) CLOSED SESSION – LAND ACQUISITION

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

- 1) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcel 195-141-01 and all of Tax Parcel 195-141-02 (+/- 50.22 acres) in the Town of Mint Hill's Extra-territorial jurisdiction for a future regional park from Kavarade, LLC for a purchase price of \$28,000 per acre.
- 2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 059-161-03 (± 1.613 acres) from D&R Properties of Charlotte, LLC in west Charlotte for a purchase price of \$32,000 for the future construction of Teddington Neighborhood Park.

CONSENT ITEMS

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

(15-2419) BUDGET AMENDMENT -- PARK AND RECREATION (BARK IN THE PARK DONATION)

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

(15-2420) CAPITAL RESERVE EXPENDITURE -- MCDOWELL PARK

Appropriate expenditure of up to \$40,000 from the McDowell Park Capital Reserve Fund (5807) for gate replacements at Copperhead Island (McDowell Nature Preserve) and the McDowell Campground.

(15-2424) MINUTES

Approve Minutes of Regular meeting held March 3, 2015, Special meeting held February 19, 2015, and Closed Session held March 3, 2015.

(15-2429) EASEMENT DONATION -- CAMPBELL CREEK GREENWAY

1. Accept the donation of a temporary construction easement (\pm 3,545 square feet) and permanent greenway easement (\pm 10,632 square feet) on tax parcels 165-051-11, 165-081-01 and 165-081-06 from the Hindu Center; and
2. Authorize the County Manager to file a Right-of-Way Abandonment petition with the City of Charlotte requesting closure of a portion of City View Drive (+/- 0.1 acres) located between Dorn Circle and Campbell Creek and accept the residual property into adjacent Mecklenburg County owned properties; and
3. Authorize the County Manager to enter into a Memorandum of Understanding (MOU) with the Hindu Center with regard to the above referenced temporary and permanent greenway easements as well as the Right-of-Way abandonment for a portion of City View Drive.

Note: The Hindu Center is donating a temporary construction easement (\pm 3,545 square feet) on tax parcel 165-081-01 to facilitate the extension of an existing sidewalk on the property to the greenway trail. The Hindu Center is also donating a permanent greenway easement (\pm 10,632 square feet) to facilitate construction of the main greenway trail along Campbell Creek, portions of which will lie on the Hindu Center's property.

(15-2433) TAX REFUNDS

1. Approve refunds in the amount of \$9,612.46 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.
2. Approve refunds in the amount of \$416,648.03 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.

(15-2437) EQUIPMENT LEASE -- PITNEY BOWES POSTAGE EQUIPMENT

Authorize the County Manager to negotiate and execute a four-year lease for postal equipment with Pitney Bowes Global Financial Services.

Note: The current lease for postal equipment for the Office of the Tax Collector expired on March 15, 2015. A new four-year agreement will result in the best possible pricing for Mecklenburg County and provide new postage equipment for the delivery of services. In addition, the agreement will contain an annual non-appropriation clause that will allow the County to terminate the agreement if funding is not available for the lease expense.

(15-2441) AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

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- A. Approve the attached list of vehicles and equipment (Exhibit A), included in the agenda package, as surplus; and
- B. Adopt a Resolution authorizing sale of personal property by public auction on April 18, 2015 at 10:00 a.m. at 5550 Wilkinson Boulevard, Charlotte, NC.

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

(15-2445) RESOLUTION AMEND -- BUSINESS INVESTMENT PROGRAM GRANT: FRITO-LAY, INC.

Amend Resolution approving a Business Investment Program grant to Frito-Lay, Inc. approved by the Board on March 3, 2015 to correct a date error; and authorize the Clerk to the Board to amend the corresponding Request for Board Action.

Note: On March 3, 2015, the Board adopted a Resolution Approving Business Investment Program Grant For Frito-Lay, Inc. The Closed Session date stated in the resolution was incorrect. The Closed Session date should have stated February 3, 2015 and not January 21, 2015.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2413) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE/EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional Federal revenue in the amount of \$46,481 for monthly caseworker visits.

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

(15-2414) BUDGET AMENDMENT -- PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)

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

- 1) Recognize, receive and appropriate state funds in the amount of \$74,414 received from the North Carolina Department of Health and Human Services, Division of Public Health; and

Note: Funds allocated to Children's Developmental Services Agency to establish and host a three part professional development training series that shall provide Early Intervention staff and providers an opportunity for professional development in evidence based practices.

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- 2) Recognize, receive and appropriate Medicaid Revenue in Children's Developmental Services Agency (CDSA) in the amount of \$88,624.

Note: Funds will be used to cover cellphone expenses for CDSA staff, document management expenses, and upgrade of a Health Therapist position from 75% to 100%.

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

(15-2434) GRANT APPLICATION -- JOHN D. AND CATHERINE T. MACARTHUR FOUNDATION SAFETY AND JUSTICE CHALLENGE GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the submission of a formal grant application for funding in the amount of \$150,000 from the John D. and Catherine T. MacArthur Foundation; and if awarded, recognize, receive and appropriate such funds for the grant period.

Note: The John D. and Catherine T. MacArthur Foundation is providing a no cash match \$150,000 grant to twenty selected counties to rigorously examine how their jails are being utilized and to determine strategies that will reduce incarceration without compromising public safety. If awarded, the grant will also provide expert technical assistance to assist sites with executing a data-driven planning process.

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

(15-2442) BUDGET AMENDMENT -- SHERIFF'S OFFICE (REVENUE INCREASE)

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

- 1) Recognize and appropriate \$122,000 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund; and

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

- 2) Recognize and appropriate \$58,000 from the Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

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

ADJOURNMENT

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Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:46 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman