

APRIL 7, 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, April 7, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners 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
Deputy Clerk to the Board Tonette F. Spears

Absent: Commissioner Dumont Clarke

-INFORMAL SESSION-

Commissioner Dunlap was 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) 15-2453, 15-2466, 15-2475 and 15-2490 to be removed from consent and voted upon separately.

Motion was made by Commissioner Scarborough, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move item 15-2490 – Proclamation – Scottish Heritage Month up on the Agenda to Awards /Recognition.

STAFF BRIEFINGS - NONE

(15-2465, 15-2484) CLOSED SESSION – CONSULT WITH ATTORNEY AND LAND ACQUISITION

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax parcel #145-172-11. It was also noted that there was no Consult with Attorney matter to be discussed in Closed Session.

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

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:32 p.m.

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

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

- FORMAL SESSION -

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

AWARDS/RECOGNITION

(15-2490) PROCLAMATION -- SCOTTISH HERITAGE MONTH (COMMISSIONER PUCKETT)

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating April 2015 as Scottish Heritage Month in Mecklenburg County.

The Proclamation was read by Commissioner Puckett and received by Maurice McIntosh and John Ferguson.

Mr. McIntosh extended an invitation to the 2015 Rural Hill Scottish Festival & Loch Norman Highland games to be held April 18-19 at the Historic Rural Hill located in Huntersville, NC.

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

(15-2463) PUBLIC APPEARANCE

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

Andy McIntyre came before the Board to speak on the renovations at the Mecklenburg County Aquatic Center. He expressed concerns regarding the removal of the 3 meter high dive board.

(15-2473) APPOINTMENTS

AUDIT REVIEW COMMITTEE

The vote was taken on the following nominees for appointment to the Audit Review Committee:

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Round One

Richard Harris	None
Debra Paige	Commissioners Leake and Scarborough
Alexander Vuchnich	Commissioners Cotham, Dunlap, Fuller, James, Ridenhour and Puckett

Chairman Fuller announced the appointment of Alexander Vuchnich to the Audit Review Committee to fill an unexpired term expiring December 3, 2015.

He replaces Richard Harris, who failed to meet the attendance requirement for 2014.

JUVENILE CRIME PREVENTION COUNCIL

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council:

Round One

Kellie Anderson	Commissioners Cotham, Dunlap, Fuller, James, Ridenhour and Puckett
LaTonya Summers	Commissioners Leake and Scarborough

Chairman Fuller announced the appointment of Kellie Anderson to the Juvenile Crime Prevention Council as a General Public representative to fill an unexpired term expiring June 30, 2016.

She replaces Shalonda Gallman, who failed to meet the attendance requirement for 2014.

(15-2491) NOMINATIONS/APPOINTMENTS

PLANNING COMMISSION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Dr. Dwayne Walker to the Planning Commission to complete his unexpired term expiring June 30, 2015.

Dr. Walker was removed due to failing to meet the attendance requirement for 2014.

The Board discussed concerns regarding the attendance policy for advisory boards. It was the consensus of the Board that this matter be referred to the Board's Intergovernmental Relations Committee for a report back to the full Board.

The Board discussed the length of time it was taking to fill the remaining vacant slot on the Planning Commission. It was shared that the delay had to do with the number of persons nominated and to the inability to retain Board members to serve on the Ad Hoc Interview committee.

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Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to rescind the Board's action taken on January 21, 2015, which resulted in all applicants being nominated for appointment consideration to the Planning Commission and to bring the matter back to the Board for another nomination process to narrow the field of applicants to be interviewed

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(15-2488) MANAGER'S REPORT

Manager Diorio introduced the new director of Economic Development, Peter Ziegler.

(15-2470) NACO ANNUAL CONFERENCE - UPDATE

Deputy County Manager/Chief of Staff, Chris Peek, gave an update on the National Association of Counties (NACo) annual conference to be hosted by Mecklenburg County. NACo is scheduled to hold its annual conference in Charlotte-Mecklenburg County July 10 - 14, 2015. This event will bring an estimated 3000 elected officials and staff members from across the country to Charlotte. As part of being host the county staff is responsible for carrying out logistical and operational items. Also, as host to the convention, each Board member would receive a complimentary registration to the conference and all events. There will also be a VIP Opening ceremony at the Mint Museum and Closing ceremony at the NASCAR Hall of Fame.

A short promotional video was shown that is being used across the country to highlight Mecklenburg County.

(15-2494) POLICE PATROLS ON LAKE NORMAN

County Manager Diorio addressed the proposed Lake Norman Patrol Interlocal Agreement.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution Approving the Lake Norman Patrol Interlocal Agreement which authorizes the County Manager to execute such Agreement.

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**MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING THE LAKE NORMAN PATROL
INTERLOCAL AGREEMENT**

WHEREAS, the City of Charlotte Police Department and the Mecklenburg County Police Department were consolidated as the Charlotte-Mecklenburg Police Department on October 1, 1993 pursuant to Article 20, Chapter 160A of the North Carolina General Statutes and Chapter 1170 of the 1969 Session Laws, by the agreement entitled "Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments" (the "City-County Police Consolidation Agreement"); and

WHEREAS, the County, City and the Town of Cornelius have negotiated the "Lake Norman Patrol Interlocal Agreement Among Mecklenburg County, City of Charlotte and Town of Cornelius" (the "Lake Norman Patrol Agreement") to transfer some of the responsibilities of the City under the City-County Police Consolidation Agreement to patrol Lake Norman to Cornelius; and

WHEREAS, Article 20 of Chapter 160A of the North Carolina General Statutes authorizes units of local government to jointly exercise any function which they have been granted the power to exercise alone, or to contract with the other for the exercise of any governmental function which they have been granted the power to exercise alone, and to enter into contracts and agreements to specify the details of these joint undertakings; and

WHEREAS, pursuant to the provisions of Article 20 of Chapter 160A, the County, the City, and Cornelius wish to enter into the Lake Norman Patrol Agreement, an interlocal cooperation agreement, a copy of which has been provide to the Board of Commissioners, to specify the level of law enforcement services to be provided by the Charlotte-Mecklenburg Police Department on Lake Norman, the level of law enforcement services to be provided by the Cornelius Police Department on Lake Norman, and the financial arrangement between the County and the City, and between the County and Cornelius, with respect thereto; now, therefore be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Lake Norman Patrol Agreement as provided to the Board is hereby approved, and the County Manager is hereby authorized to execute such interlocal agreement in substantially the form provide to the Board, and that this Resolution shall be spread upon the minutes.

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

(15-2484) CLOSED SESSION – LAND ACQUISITION

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners 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 Tax Parcel #145-172-11 (+/- .14 acres) from Mr. Caudahy Hall in the City of Charlotte for a purchase price of \$120,000.
- 2) Appropriate \$15,200 for demolition of the single family home, an outbuilding and debris clean-up of the property after closing from Fiscal Year 2015 Land Acquisition funding.

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DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2489) ITEM REMOVED: POVERTY VS. COST OF LIVING (COMMISSIONER LEAKE)

This item was removed from the Agenda.

CONSENT ITEMS

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

This item was removed from the Agenda because it was a duplication of an item approved at the Board's March 17, 2015 meeting.

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

(15-2454) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

- 1) Recognize, receive and appropriate a revenue increase of \$85,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Dorman Road improvements) subdivision and carry forward the unspent balance until project is completed.
- 2) Recognize, receive and appropriate a revenue increase of \$20,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 1) subdivision and carry forward the unspent balance until project is completed.
- 3) Recognize, receive and appropriate a revenue increase of \$101,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 2) subdivision and carry forward the unspent balance until project is completed.
- 4) Recognize, receive and appropriate a revenue increase of \$50,000 from Beachwood, LLC as part of a default of bond obligations related to Carolina Village (Phase 1 - Map 3) subdivision and carry forward the unspent balance until project is completed.

(15-2457) APPOINTMENT OF REVIEW OFFICERS

- 1) Rescind the Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office that was adopted by the Board of Commissioners at its meeting on March 3, 2015; and

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2) Amend Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office pursuant to N.C.G.S. 47-30.2 to designate Caroline Sawyer as a Review Officer and to delete Broderick Whitlock.

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

(15-2459) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$49,741 from Valley-Forest Brook, LLC as part of a default of bond obligations related to Forest Brook subdivision and carry forward the unspent balance until project is completed.

(15-2460) BUDGET AMENDMENT -- LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of \$21,445.06 from G.D. Smith Development Group, Inc., as part of a default of bond obligations related to Jetton Cove subdivision and carry forward the unspent balance until the project is completed.

(15-2464) MINUTES

Approve Minutes of Regular meeting held March 17, 2015 and Closed Sessions held March 17, 2015, February 3, 2015 and January 21, 2015.

(15-2467) RESOLUTION DONATING OBSOLETE EQUIPMENT TO THE CITY OF CHARLOTTE

Adopt a Resolution Donating Equipment to the City of Charlotte.

Note: Equipment donated was two roller shelving assemblies bearing inventory numbers MC1989 and MC5695 to the City of Charlotte Clerk's Office from the office of the Mecklenburg County Register of Deeds.

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

**(15-2474) GRANT APPLICATION -- NC INSURANCE DIVISION OF SR. HLTH INSURANCE INFO PROGRAM
MEDICARE IMPROVEMENT FOR PATIENTS AND PROVIDERS ACT GRANT**

Approve an \$1,800 grant application for a Medicare Improvement for Patients and Providers Act (MIPPA) Grant from NC Senior Health Insurance Information Program (SHIIP); and if awarded, recognize, receive and appropriate such funds for the grant period.

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(15-2476) LAND ACQUISITION -- TEDDINGTON NEIGHBORHOOD PARK

Authorize the County Manager to negotiate and execute all documents necessary for the acquisition of Tax Parcel 059-161-19 (± 1.2 acres) in the amount of \$13,500 for the future construction of Teddington Neighborhood Park.

(15-2477) DONATION -- SOFTBALL FIELD SCOREBOARD FOR PARK ROAD PARK FROM QUEENS UNIVERSITY

Recognize and receive a donation from Queens University of a softball field scoreboard for Park Road Park valued at \$2,798.

(15-2478) CAPITAL RESERVE EXPENDITURE -- MCDOWELL PARK BOAT TRAILER REPLACEMENT

Appropriate expenditure of up to \$5,000 from the McDowell Park Capital Reserve Fund to replace the existing boat trailer.

(15-2479) LAND DONATION -- IRWIN CREEK GREENWAY

Accept the donation of a portion of Tax Parcel 145-179-26 (+/- .10 acres) from Habitat for Humanity of Charlotte, Inc. for inclusion into Irwin Creek Greenway.

(15-2482) LITTLE SUGAR CREEK GREENWAY AGREEMENTS

A) Accept the donation of Permanent Greenway and Temporary Construction Easements from the City of Charlotte on the Sugar Creek Waste Water Treatment Plant Property (Tax Parcels 171-171-02, 171-171-03 and 171-231-05) for the construction, maintenance and repair of a 12' main trail and an access trail for Little Sugar Creek Greenway to be constructed and maintained by Mecklenburg County.

B) Authorize the County Manager to negotiate and execute a trail encroachment agreement between the County and Duke Energy to allow portions of the greenway to be constructed within Duke Energy's Right-of-Way on Tax Parcels 171-171-03 and 171-231-05 and to provide Duke Energy access to the greenway trail to maintain and repair their Right-of-Way and transmission tower located on Tax Parcel 171-171-03.

C) Authorize the County Manager to negotiate and execute a Right-of-Way Encroachment Agreement with the City of Charlotte to allow interconnections of the greenway with City street rights-of-way at Tanbark Place, Tyvola Road and Archdale Drive.

(15-2485) SUBCONTRACTOR PREQUALIFICATIONS -- CONSTRUCTION MANAGER @ RISK (MECKLENBURG COUNTY AQUATICS CENTER RENOVATIONS)

Authorize the first-tier Subcontractor Prequalification procedure provided by Balfour Beatty Construction for the Mecklenburg County Aquatics Center Renovations.

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(15-2486) CONSTRUCTION CONTRACT -- MECKLENBURG COUNTY REGIONAL SPORTSPLEX - PHASE II

Award a construction contract to J. D. Goodrum Company in the amount of \$16,305,000 for the construction of Mecklenburg County Regional SportsPlex Phase II, approved in the FY2014 Capital Projects allocation.

Note: The project site is located in Matthews, NC.

(15-2487) GRANT APPLICATION -- MEDICAL EXAMINER'S OFFICE

Approve continuing with the grant application process for \$108,000 from the National Institute of Justice to create a database to document and track unidentified human remains in Mecklenburg County and North Carolina; and if awarded grant, recognize, receive and appropriate awarded funds for the grant period.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2453) BUDGET AMENDMENT -- COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate \$24,500 in estimated additional revenue to be generated from fees, charges and donations before June 30, 2015.

Note: Funds will be used to purchase blinds for the NOVA office to provide improved confidentiality for groups/services. Additionally, the funds will be used to purchase program supplies for the adult and children domestic violence services and to purchase chairs for clients in all domestic violence programs.

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

(15-2466) BUDGET AMENDMENT -- DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional Child Care Subsidy revenue of \$888,997 from the North Carolina Division of Child Development and Early Education (DCDEE). The federal revenue increased by \$732,674 and state revenue by \$156,323.

A. Child Care Subsidy: \$732,674 Federal and \$111,108 state revenue increase

B. Smart Start Subsidy: \$45,215 state revenue increase

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

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(15-2475) GRANT APPLICATION -- HOME AND COMMUNITY CARE BLOCK GRANT - SENIOR CENTER OPERATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a \$125,000 grant application for a Senior Center Operations Home and Community Care Block Grant; and if awarded, recognize, receive and appropriate such funds.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners 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 7:22 p.m.

Tonette F. Spears, Deputy Clerk

Trevor M. Fuller, Chairman