

MAY 19, 2009

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

NORTH CAROLINA
MECKLENBURG COUNTY

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, May 19, 2009.

ATTENDANCE

Present: Chairman Jennifer Roberts and Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr. Neil Cooksey, George Dunlap and Daniel Murrey County Manager Harry L. Jones, Sr. County Attorney Marvin A. Bethune Clerk to the Board Janice S. Paige

Absent: Commissioners Bill James and Vilma Leake

-INFORMAL SESSION-

Commissioner Cooksey was absent when the meeting was called to order and until noted in the minutes.

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

(1A) STAFF BRIEFINGS – NONE

(2A, B, C, D) CLOSED SESSION – A) TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1), B) CONSULT WITH ATTORNEY, C) LAND ACQUISITION AND D) PERSONNEL MATTER

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney and Land Acquisition matters to be discussed in Closed Session: the case of Deborah Leighton v. Mecklenburg County Area Mental Health Authority and property located at 5200 Spector Drive.

Motion was made by Commissioner Dunlap, seconded by Commissioner Cogdell and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, Murrey and Roberts voting yes, to go into Closed Session for the following purposes: A) To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1), B) Consult with Attorney, C) Land Acquisition and D) Personnel Matter.

The Board went into Closed Session at 5:24 p.m. and came back into Open Session at 5:55 p.m.

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

(3) REMOVAL OF ITEMS FROM CONSENT

The Board did not identify any item(s) they wanted removed from Consent and voted upon separately.

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

-FORMAL SESSION-

Invocation was given by Commissioner Cooksey, which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

CITIZEN PARTICIPATION

PROCLAMATIONS AND AWARDS

(1A) OLDER AMERICANS MONTH

Motion was made by Commissioner Murrey, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to adopt a joint proclamation designating May 2009 as Older Americans Month in Charlotte-Mecklenburg County.

The proclamation was read by Commissioner Murrey and received by Deborah Sparks, Executive Director of the Council on Aging and two of her staff.

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

(1B) FOSTER CARE MONTH

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to adopt a proclamation designating May 2009 as “Foster Care Month” in Mecklenburg County.

The proclamation was read by Commissioner Bentley and received by Mary Wilson, Director of Social Services.

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

(2) PUBLIC APPEARANCE

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

Larry Long spoke on behalf of United Steel Workers, the unemployed, and people that are about to lose their jobs. He asked the Board to consider adopting a 2009 Resolution on the Spending of Federal Economic Renewal Grants. The resolution calls for the creation of “American” jobs and restoring economic growth and opportunity by spending economic recovery plan funds on

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products and services that both create jobs and help keep Americans employed; purchasing only products and services that are made or produced in the United States whenever and wherever possible with any economic recovery monies. Mr. Long said he was laid off, went back to school to get retrained, but still can't find employment. He urged the Board to spend any funds received for creating jobs for that purpose.

A copy of the resolution referenced by Mr. Long is on file with the Clerk to the Board.

Blanche Penn introduced the Silver Fox's a senior cheerleading squad. Their ages range from 65 - 74. The Silver Fox's recently won a gold medal.

Martin Davis addressed abortion in Mecklenburg County.

(3A) APPOINTMENTS

ALCOHOLIC BEVERAGE AND CONTROL BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to reappoint James Polk to the Alcoholic Beverage and Control Board for a three-year term expiring June 30, 2012.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to appoint H. Parks Helms to the Alcoholic Beverage and Control Board for a three-year term expiring June 30, 2012.

Commissioner Clarke nominated H. Parks Helms for Chairman of the Alcoholic Beverage and Control Board.

Commissioner Cooksey nominated Elton Shoemaker for Chairman of the Alcoholic Beverage and Control Board.

The vote was taken on the nominees as follows:

H. Parks Helms	Commissioners Clarke, Cogdell, Dunlap, Murrey, and Roberts
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Voting Ceased

Elton Shoemaker

Chairman Roberts announced the appointment of H. Parks Helms as chairman of the Alcoholic Beverage and Control Board for the duration of his term.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to reappoint Sue Peck to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2013.

CRIMINAL JUSTICE CITIZEN'S ADVISORY COMMITTEE

The following persons were nominated for appointment consideration to the Criminal Justice Citizen's Advisory Committee as the Mecklenburg County Bar representative:

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Joseph Pearlman by Commissioner Cooksey
Anthony Scheer by Commissioner Cogdell

Note: An appointment will occur on June 2, 2009.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to reappoint Mark Lisy as the Realtor/Developer representative and Edwin Sullivan as the Industry/Manufacturing representative to the Groundwater Advisory Committee for a three-year term expiring May 31, 2012.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to nominate and appoint Laura Lupton as the Healthcare representative to the Groundwater Advisory Committee for a three-year term expiring May 31, 2012.

PLANNING COMMISSION

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to reappoint Dwayne Walker to the Planning Commission for a three-year term expiring June 30, 2012.

The following persons were nominated for appointment consideration to the Planning Commission by Commissioner Clarke:

Doug Baumgartner, Benjamin Bivens, Andrew Bonjean, Deborah Edwards, Claire Fallon
Kevin Garrison, Gregory Godley, Bryan Holladay, Thomas Lawing, Chris Minnix, Clark
Neilson
Christopher Olds, Francoise Prosper, Leigh Rounds, Michael Ruhe, Michael Schank, Lloyd
Scher, Kevin Silva, James Smith, DeShea Spurgeon, Katrice Thompkins, Ryan Tomberlin
Qian Wang, Mark Wasserman, Andrea White, Nancy Wiggins, Diane Yarborough, and
Andrew Zoutewelle

Note: Appointments will occur on June 2, 2009.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to reappoint Daryle Benson to the Waste Management Advisory Board for a three-year term expiring June 30, 2012.

The following persons were nominated for appointment consideration to the Waste Management Advisory Board by Commissioner Clarke: Chad Faubel, Connie Harris, Rita Plyler, and Daniel Schenstrom.

Note: An appointment will occur on June 2, 2009.

PUBLIC HEARINGS

(4A) STREET ASSESSMENT PROJECT FOR MEFFERT LANE

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to acknowledge receipt of certification that a copy of the Preliminary Assessment Resolution and a notice of the public hearing on the street improvements to Meffert Lane were mailed by first class mail to each property owner on the street.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to open a public hearing on the Roadway Improvement Assessment Resolution for Mecklenburg County's participation in the roadway improvement assessment project for Meffert Lane.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to close the public hearing on the Roadway Improvement Assessment Resolution for Mecklenburg County's participation in the roadway improvement assessment project for Meffert Lane and adopt the Final Assessment Roll Resolution for the Meffert Lane improvements.

Resolution recorded in full in Minute Book 44-A, Document # _____.

(4B) NCDOT AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 GRANT APPLICATION

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to open the public hearing on the Mecklenburg County Department of Social Services' N.C. Department of Transportation American Recovery and Reinvestment Act of 2009 Grant Application.

Chairman Roberts read the following statement:

Title VI of the Civil Right's Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency's federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project.

The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document.

The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact Sharon Lipscomb, the Title VI Manager at telephone number 919.508.1808 or email at slipscomb@ncdot.gov.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to close the public hearing on the Mecklenburg County Department of Social Services N.C. Department of Transportation American Recovery and Reinvestment Act of 2009 Grant Application, and to recognize, receive and appropriate and carry forward any unspent

funds.

(4C) STORM WATER FEE – COUNTY’S MINOR AND MAJOR SYSTEM RATES

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to open the public hearing to hear comments related to a proposed increase in the Major and Minor System components of Mecklenburg County’s Storm Water fee.

Dave Canaan, Director of Storm Water Services addressed the proposed fee increases.

Note: In 1994, the County started charging a Storm Water fee to fund the administration of storm water management programs to improve water quality, reduce flood losses and repair/maintain the storm drainage system.

Minor System Component (unincorporated area): By Interlocal Agreement, the minor system of the storm water system is defined as ditches, swales, pipes, etc that drain less than 1 square mile and is the responsibility of the County inside the unincorporated areas of the County. The revenue generated from the minor system component of the storm water fee charged in unincorporated areas is returned to the County to fund the storm water management programs.

Major System Component (Countywide): The major system of the storm water system is defined as large creeks and rivers (examples: Little Sugar Creek, McDowell Creek, West Branch Rocky River, Catawba River, etc) that drain more than 1 square mile and is the responsibility of the County throughout the County. Since inception in 1994, the major system component of the fee has not been split into tiers based on the amount of impervious area on residential property. A multi-tiered system is being recommended.

Comments

Commissioner Bentley asked for clarification on the administrative fee, which was addressed.

Commissioner Cooksey said if the proposed increase is being done to replenish the “rainy day” fund or reserves, what happens when the fund gets back up. Will the fee be reduced? *The response was that in two years staff will evaluate where things stand and make a determination and/or recommendation at that time.*

Commissioner Cooksey asked if the “rainy day” fund amount was set by the Board or staff. *The response was by staff.*

Commissioner Murrey asked for clarification with respect to credits, which was addressed.

The following persons spoke in opposition to increases in storm water fees: Martin Davis and Tariq Bokhari.

Mr. Bokhari suggested the Board choose a modest and across the board storm water fee increase using the current tier structure. Further, to direct staff to study a rate structure based upon percentage of impervious surface rather than absolute impervious surface and come back next year to discuss what a fair rate structure would be.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to continue the public hearing related to a proposed increase in the
Major
and Minor System components of Mecklenburg County’s Storm Water fee until the June 2nd Board meeting.

(4D) STORM WATER FEE – CITY OF CHARLOTTE’S MINOR SYSTEM RATES

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to open the public hearing to hear comments related to a proposed increase in the City of Charlotte’s Storm Water fee for the minor system inside the City.

Dave Canaan, Director of Storm Water Services and Jennifer Smith with the City of Charlotte addressed the proposed fee increase for the City of Charlotte’s Minor system.

No one appeared to speak.

Comments

Commissioner Cogdell asked for clarification with respect to square footage of the home vs. the impervious area, which was addressed.

Commissioner Cooksey asked if staff had a sense of what the rates would look like if this was a revenue neutral increase. *The response was that this was not considered. Staff only looked at going to four tiers and what amount of revenue that would generate.*

Commissioner Cooksey asked what the revenue would be used for, which was addressed.

Commissioner Bentley asked what other costs are incurred by a business owner or homeowner relative to the size of their property and what they build on their property relative to storm water. *The response with respect to commercial property was that if you add impervious area to the existing lot, you would need to go through the current land development process. With respect to single-family properties, if it’s an individual property, Ms. Smith said she doesn’t think there’s anything additional related to a storm water fee, except when you add impervious area, the fee could go up depending on where they fell in the tier.*

Commissioner Bentley asked with respect to commercial property, if the goals of the post construction ordinance and the fees generated through compliance with that ordinance and goals of the proposed fee, were overlapping. *The response was yes, but that there are credits available if you add impervious area and you build the appropriate controls for that runoff.*

Commissioner Bentley asked how often are credits awarded. *The response was not often.*

Commissioner Dunlap asked was it not correct that a 900 square foot home on an acre lot would absorb more water than a 900 square foot home on a half acre lot. *The response was there are many factors involved, which is why staff plans to go back and study that issue to see if there is some justification to revise fees based on that. It was noted when the storm water program was set up, it was based on contribution of the problem and impervious surface. Further, what staff has done is taken a two tier system to a four tier but have not looked at other options to either credit or what other measures are out there for reducing runoff.*

Commissioner Cogdell asked was the proposed increase being sought because of a depletion in the reserve fund. *The response was yes. It’s a depletion of the reserve fund for the major system and for the minor system, which is the revenue generated in the unincorporated area. With respect to the minor system, it’s to start a best management practice (BMP) or a water quality feature maintenance fund, so that in the future when these systems are built and taken over by the storm water services program, fees don’t have to be increased immediately, because a reserve will have been built up.*

Commissioner Cogdell asked when staff anticipates incurring those expenses. *The response was, depending on the rebound of the economy, three to four years from now.*

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Commissioner Cogdell asked about the impact of delaying any fee changes this year and waiting until the other study is done. *The response was that for Mecklenburg County and with respect to the Major System and the “rainy day” fund, instead of \$1.16 million at the end of next year, the County would have \$500,000.*

Commissioner Cogdell asked would the services the County provides to the community be impacted. *The response was it depends on whether it floods next year. The reserve fund is there for flooding instances like the one that occurred in August of 2008.*

Commissioner Cogdell asked how much was used of the reserve for the flood that occurred in August of 2008. *The response was \$4 million. There was a minimum of \$2.5 million in the “rainy day” fund and staff was able to access another \$1.5 million by moving some finances around, delaying some of the grant work, and putting projects on hold.*

It was noted a delay in the minor system would mean one less year to build up the reserve fund to maintain those water quality features in the future. Further, if asked to prioritize which was a higher priority, it would be to replenish the “rainy day” fund.

Commissioner Cogdell said it would be good to know, looking at the last ten years, what has been the average amount spent out of the “rainy day” fund, based on flood conditions. *The response was the August 2008 flood was one out of two times that staff has had to access the “rainy day” fund. The other was the 2003 flood.*

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

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, and Roberts voting yes, to close the public hearing related to a proposed increase in the City of Charlotte’s Storm Water fee for the minor system inside the City of Charlotte.

(4E) STORM WATER FEE – TOWN OF DAVIDSON’S MINOR SYSTEM RATES

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, and Roberts voting yes, to open the public hearing to hear comments related to a proposed increase in the Town of Davidson’s Storm Water fee for the minor system inside the Town.

Dave Canaan, Director of Storm Water Services addressed the proposed fee increase.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, and Roberts voting yes, to close the public hearing on a proposed increase in the Town of Davidson’s Storm Water fee for the minor system inside the Town.

Commissioner Murrey returned to the dais.

(5) ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

(6B) BUDGET ADOPTION PROCESS

The Board received as information the process for adopting the FY2009-2010 Budget.

Budget/Management Director Hyong Yi presented the process.

Motion was made by Commissioner Cooksey, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey, and Roberts voting yes, to receive and adopt the process for adopting the FY2009-2010 Budget, with the exception of the facilitator; and amend the budget calendar consistent with changes in the budget adoption process.

A copy of the process and budget calendar is on file with the Clerk to the Board.

(6C) COUNTY MANAGER'S FY2010 RECOMMENDED BUDGET

County Manager Jones presented the County Manager's FY2009-2010 Recommended Budget. The following was covered:

- Revenues
- Expenses
- Key Decision Points
- Next Steps

Highlights:

- \$1.39 Billion Budget
- Maintain Current Tax Rate of 83.87 cents
- Eight of 11 revenue sources declining
- Largest dollar declines in sales tax and fund balance
- Property tax revenue increasing 3%
- Debt Service increasing by \$27.1 million
- Total of 302 positions will be eliminated/unfunded (88 filled positions)
- No merit increase for employees
- No market adjustments
- Employees pay \$2.7 million in health benefit costs
- County assuming \$2.5 million increase in costs
- Flat or reduced funding for all outside agencies
- Agencies not meeting performance criteria phased out by 2012
- Explore collaboration opportunities (Agencies)
- Charlotte/Mecklenburg Schools operations funded at 90% of current budget (\$313.4 million)
- CMS capital replacement funded at 100% of current budget (\$5.2 million)
- Central Piedmont Community College operations funded at 91% of current budget (\$24.5 million)
- No tax rate increase for Law Enforcement Service District

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

Comments

Commissioner Cogdell said it's important for the public to understand that because of conditions outside of the County's control, the County is faced with close to a \$100 million decrease in the

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size of County government; and that the County Manager and his staff have come back with a recommendation that in essence results in less than one percent of possible positions being eliminated in departments outside of fee funded departments and still maintaining service levels that “we’ve come to expect of County government.

Commissioner Cogdell commended the County Manager and staff for all of their work.

Commissioner Bentley echoed Commissioner Cogdell’s remarks.

Chairman Roberts also commended staff and noted Mecklenburg County is a leader across the state and throughout the country.

(6A) CHARITABLE FUNDRAISING CAMPAIGN

Chris Peek, Director of Human Resources addressed the survey that was done with respect to Charitable Fundraising Campaigns by the County.

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

Comments

Chairman Roberts said she’s heard concerns regarding 1) the requirement that 95% of the contributions collected remain in the Greater Charlotte Metropolitan Area and 2) the requirement that the organization have a staffed facility or office in the Greater Charlotte Metropolitan Area. Chairman Roberts said many of the larger organizations have offices located outside of the County.

Commissioner Cooksey asked for clarification on what’s meant by the Greater Charlotte Metropolitan Area. *The response was Mecklenburg county and the six surrounding counties, excluding S. C.*

Commissioner Cooksey asked if employees were asked how they felt about their contributions being spent outside of the county. *The response was that the question was framed using the term the Greater Charlotte Metropolitan Area.*

Commissioner Cooksey asked were national and state organizations asked if they could segregate contributions made locally to make sure those funds came back to the community. *The response was some of the agencies have indicated they can but some cannot.*

Commissioner Cooksey asked how would the participating agencies be selected, which was addressed.

Commissioner Bentley said she would like to know which national organizations can’t meet the requirement that that 95% of the contributions collected remain in the Greater Charlotte Metropolitan Area. *The response was about two, the American Heart Association and the Federation of the Blind.*

Commissioner Cogdell said he feels if the funds are being used for research and development to find cures, it doesn’t matter if the funds remain here locally.

Commissioner Murrey suggested it be disclosed to employees where the funds are going and let the employee decide whether he or she wants to give to that particular organization.

Commissioner Murrey said he would like to know the amount being used for administrative cost versus services.

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Commissioner Dunlap said it should be the decision of the employee as to which organization they would like to contribute to.

The following persons spoke to this issue:

Martin Davis spoke in opposition to fundraising campaigns by employers. He suggested organizations contact employees directly for contributions rather than on their job.

Shannon Young on behalf of United Way of the Central Carolinas thanked the Board for its support of the United Way fundraising campaign partnership that has existed with the County for many years. She expressed the United Way's desire to continue that partnership.

The following persons spoke in support of expanding the County's charitable fundraising campaigns in order to give more choice to employees:

Chris Hunt on behalf of the American Cancer Society (It was noted the American Cancer Society could meet the requirement that 95% of the contributions collected remain in the Greater Charlotte Metropolitan Area. Mr. Hunt noted the importance of the comment made by Commissioner Cogdell with respect to contributions being used for research and development that may not occur locally, but ultimately benefits everyone.)

Audrey Rudisill on behalf of the American Heart Association (It was noted the American Heart Association could meet the requirement that 95% of the contributions collected remain in the Greater Charlotte Metropolitan Area. Ms. Rudisill also noted the importance of the comment made by Commissioner Cogdell with respect to contributions being used for research and development that may not occur locally, but ultimately benefits everyone.)

Heather Beard on behalf of Earthshare of NC and Community Health Charities of NC (It was noted the following requirements 1) that 95% of the contributions collected remain in the Greater Charlotte Metropolitan Area and 2) that the organization have a staffed facility or office in the Greater Charlotte Metropolitan Area would exclude Earthshare and Community Health Charities from participating. It was noted that their efforts are organized on a statewide basis.)

Tim Gestwicki on behalf of the NC Wildlife Federation (It was noted that Wildlife Federation would not qualify to participate under the proposed guidelines for the same reasons as Earthshare. The Wildlife Federation is a member organization of Earthshare.)

June Blotnick on behalf of the Clean Air Coalition (It was noted the Coalition recently became an Earthshare member. Further, they can meet the requirements, but support Earthshare's request that consideration be given to removing the two requirements that would exclude Earthshare.)

Lisa Rudisill Bradley, former fundraiser of a non-profit organization, said she understands what the County is trying to do. She said she understands the United Way model. She said a 25% administrative cost is not acceptable because it's too much.

Comments

Commissioner Cooksey asked what's the optimal number of organizations that would be put before employees. *The response was this was one of the details that would have to be decided. Further, that staff would research this and report back.*

Commissioner Clarke asked would contributions continue to be available via payroll deduction. *The response was yes.*

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to receive the County Manager's report on charitable fundraising campaigns outlining the results of the stakeholder engagement process; and refer the report to the

Board's Effective and Efficient Government Committee for further review and recommendation

back to the Board.

CONSENT ITEMS

Motion was made by Commissioner Cogdell, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to approve the following item(s):

(7) APPROVAL OF MINUTES

Approve minutes of Regular Meeting held May 5, 2009 and Closed Sessions held May 5, 2009, April 7, 2009, and March 17, 2009.

(8) US DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES 2005 TECHNOLOGY GRANT—SHERIFF'S OFFICE

Reduce funds from the COPS 2005 Technology Grant in the amount of \$40,615 because project costs were less than projected.

(9) TAX REFUNDS

Approve tax refunds in the amount of \$49,999.05 to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

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

(10) AREA MENTAL HEALTH SUBSTANCE ABUSE SERVICE CENTER PREPARED HOT TRAY MEAL CONTRACT

Approve a unit price contract to Morrison Management Specialists for providing prepared hot tray meals and snacks to the Area Mental Health Substance Abuse Services program for a term of one year with the option to renew up to four (4) additional one-year terms. The annual expenditures are estimated to be \$328,100.

(11) REPAIRS FOR HISTORIC ST. MARY'S CHAPEL

Authorize a capital reserve expenditure in the amount of \$11,000 from funds accrued to: 1) repair the brick walkway throughout the St. Mary's Chapel grounds, and 2) clean the stained glass windows in the Chapel.

(12) GRANT – NORTH CAROLINA COUNCIL ON DEVELOPMENTAL DISABILITIES REAL RELATIONSHIPS, RISK & RESPONSIBILITY

- 1) Approve submission of application for Real Relationships, Risk & Responsibility; and
- 2) Recognize, receive and appropriate funds if grant is awarded by the North Carolina Council on Developmental Disabilities.

(13) CLEAN WATER MANAGEMENT TRUST FUND GRANT CONTRACT

1. Recognize, receive, and appropriate \$740,000 from the Clean Water Management Trust Fund Grant Contract.
2. Authorize the County Manager to execute a contract with the Clean Water Management Trust Fund.
3. Authorize the carry forward of unspent grant funds to subsequent years until completion of project.

(14) DESTRUCTION OF DOCUMENTS – LUESA

Approve the disposal of LUESA (Code Enforcement Department) records and plans in accordance with North Carolina records retention policies.

Note: These records are comprised of: 401 commercial plans permitted April 2007

(15) FUNDING ADJUSTMENTS – AREA MENTAL HEALTH

A) Approve, recognize, receive and appropriate cash donations in the amount of \$1,000 to the MeckCares Program.

Note: This Board Action is necessary due to cash donations received from Law Office of Paul Goodson (\$500) and Scott Pridemore (\$500) for the MeckCares program. These donations were used to sponsor the Family Fun Fest event in conjunction with the Children's Mental Health Day.

B) Reduce State funding in the amount of \$50,000 due to a decrease in Traumatic Brain Injury.

C) Approve, recognize, receive and appropriate Federal funds in the amount of \$500,000 for CASAWORKS Cross Area Service Program (CASP) funding.

D) Approve, recognize, receive and appropriate cash donations in the amount of \$400 to the MeckCares Program.

(16) LINKS FUNDING INCREASE THROUGH THE JOHN H. CHAFEE FOSTER CARE INDEPENDENCE PROGRAM

Amend the Department of Social Services budget to recognize, receive and appropriate additional Chafee Program funds in the amount of \$13,100 for the Youth and Family Services Division LINKS program.

(17) DSS SENIOR CITIZENS NUTRITION PROGRAM MEAL CONTRACT

Approve service provider Canteen/Compass Group to provide hot tray and hot bulk congregate meals and shelf stable meals to Senior Citizens served by DSS Senior Citizens Nutrition Program.

(18) PARK ROAD PARK – LAKE ENVIRONS IMPROVEMENTS – CONSTRUCTION CONTRACT

Award a construction contract to Baucom's Grading, LLC. in the amount of \$491,515 for the

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construction of the Park Road Park Lake Environs Improvements Project.

**(19) NC DEPT. OF CRIME CONTROL & PUBLIC SAFETY GRANT REDUCTION—
SHERIFF'S OFFICE**

Reduce funds from the North Carolina Department of Crime Control & Public Safety Grant in the amount of \$29,012.69 *because project costs were less than projected.*

**(20) CHARLOTTE HOUSING AUTHORITY REQUEST FOR PROPOSALS FOR
FAMILY SELF-RELIANCE SUPPORTIVE SERVICES**

Authorize Mecklenburg County Department of Social Services to submit proposals to the Charlotte Housing Authority for the Family Self-Reliance Supportive Services and Family Self-Reliance Supportive Services - Boulevard Homes Community Programs.

(21) MINT HILL VOLUNTEER FIRE DEPARTMENT PURCHASE OF EQUIPMENT

Adopt a resolution submitted by the Mint Hill Volunteer Fire Department approving the incurrence by the Mint Hill Volunteer Fire Department of up to \$680,000 indebtedness from BB&T Governmental Finance to finance the acquisition of a ladder fire truck.

Note: The Mint Hill Volunteer Fire Department and BB&T Governmental Finance have asked that the Board of Commissioners consider taking this action so that the loan will qualify for a tax-exempt interest rate under the Internal Revenue Code. This action does not obligate the County in any way.

Resolution recorded in full in Minute Book 44-A, Document # _____.

**(25) AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
ADMINISTRATIVE FUNDING FOR FOOD AND NUTRITION SERVICES**

To amend the Department of Social Services' FY09 budget to recognize, receive, and appropriate additional funding for Food and Nutrition Services revenues of \$234,487; and approve carry forward of unspent funds at June 30, 2009 to the next fiscal year.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

STAFF REPORTS AND REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(22) LAW ENFORCEMENT SERVICE DISTRICT (COMMISSIONER BENTLEY)

Commissioner Bentley placed on the Board's agenda discussion of a way to determine a solution to avoid the Law Enforcement Service District (LESD) tax increase for FY2010; however, County Manager Jones noted in his budget presentation there would be no increase in the LESD tax for FY2010.

Commissioner Bentley said she was glad there would not be an increase and that she would still, at some point like to discuss the future of the LESD tax.

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and

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unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to direct staff to begin discussions with the Criminal Justice Advisory Group (CJAG) to identify solutions for providing law enforcement services in the unincorporated area. Secondly, that the matter also be referred to the Board's Criminal Justice Committee.

(23) BOARD COMPENSATION POLICY

Motion was made by Commissioner Cogdell, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to amend Board Compensation Policy to have the Board's compensation changes be consistent with the average percentage change in employee compensation each fiscal year.

Policy recorded in full in Minute Book 44-A, Document # _____.

(24) GREATER ENRICHMENT PROGRAM

Motion was made by Commissioner Dunlap, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, to adopt a resolution supporting Senate Bill 216 Greater Enrichment Program Funds. A Bill to be Entitled, An Act to Appropriate Funds to Greater Enrichment Program, Inc. To Replace Aging Vehicles.

Note: Senator Charlie Dannelly (Primary Sponsor) has requested support of Senate Bill 216. The co-sponsors of the bill are Senators Daniel Clodfelter, Katie Dorsett, Malcolm Graham, Ed Jones, Vernon Malone (recently deceased), Floyd McKissick and William Purcell. Senate Bill 216 is An Act to Appropriate Funds, in the amount of \$95,000 to Greater Enrichment Program, Inc. To Replace Aging Vehicles. The vehicles will be used to provide transportation to children in the Mecklenburg County area that attend Greater Enrichment Program's free after-school and summer programs. Greater Enrichment has provided this service for 34 years for at-risk school age children, kindergarten thru fifth grade.

Resolution recorded in full in Minute Book 44-A, Document # _____.

COMMISSION COMMENTS – NONE

ADJOURNMENT

Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey and unanimously carried Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Murrey and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:00 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman