

**FEBRUARY 26, 2010**

**MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS**

**NORTH CAROLINA  
MECKLENBURG COUNTY**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session at the Mahlon Adams Pavilion at Freedom Park located at 2435 Cumberland Avenue, Charlotte, NC. on Friday, February 26, 2010.

**ATTENDANCE**

**Present:** Chairman Jennifer Roberts and Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr. George Dunlap, Bill James, Vilma Leake and Daniel Murrey  
County Manager Harry L. Jones, Sr.  
Clerk to the Board Janice S. Paige

**Absent:** Commissioner Neil Cooksey

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*Commissioners Dunlap and Murrey were absent when the meeting was called to order and until noted in the minutes.*

*The meeting was called to order by Chairman Roberts.*

*The purpose of the meeting was to continue the Board's annual Strategic Planning Conference.*

Budget/Management Director Hyong Yi shared some comparative data for FY09, FY10 and Future Year FY10, FY11 with respect to the budget gap.

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

**STATE BUDGET UPDATE/IMPACTS BRIEFING**

Rebecca Troutman, Intergovernmental Relations Director for the North Carolina Association of County Commissioners (NCACC) and Sharon Scudder, Executive Counsel addressed the Board.

Ms. Troutman gave an update on the state budget and the impact on counties.

Ms. Scudder addressed judicial actions that could have budgetary impacts on counties. The following two cases were highlighted: Graham County Board of Elections v. Graham County Board of Commissioners (A dispute over the Board of Elections hiring of a part-time employee when the position was not specifically approved) and Charter Schools Funding case (The claim is failure to provide capital funding to charter schools violates NC Constitution).

*A copy of their presentation is on file with the Clerk to the Board.*

Comments

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Commissioner Leake asked about charter schools being formulated to be a “money making” process rather than making sure they “educate children.” She asked was this a part of the lawsuit. *Ms. Scudder said charter schools were ran by private nonprofit corporations. She said there were many outstanding charter schools across the state and that there was a lot of student achievement in these schools. Ms. Scudder said there were some charter schools managed by groups that have “motives” that would not be consistent with our “typical” public schools. Thus, when you start talking about public funds going for capital outlays for these schools there are a lot of other issues involved.*

Ms. Scudder said charter schools are supposed to be nonprofit and they have to show that they are nonprofit under their statutory development. She said they may be using those funds in other ways but they have to set themselves up as nonprofit. She said some charter schools have private funding coming in that makes it “appear” that they are “money making machines.” Ms. Scudder said she wasn’t sure which schools Commissioner Leake was referring to, so she can’t be more responsive.

Commissioner Clarke asked Ms. Troutman about state position cuts and the areas where those cuts occurred which was addressed.

Commissioner Clarke asked if the state’s numbers included the Child Support Enforcement Services positions that would be eliminated at the state level. *Ms. Troutman said she would have to find that out.*

Commissioner Clarke asked what was the total number of state employees. *Ms. Troutman said she would find that out.*

***Commissioner Murrey entered the meeting.***

Commissioner Clarke asked about the state retirement fund which was addressed.

Commissioner Clarke suggested the NCACC, with respect to Alcoholic Beverage Control System reform, encourage the General Assembly to include in the legislation a definition of cause for removal. Commissioner Clarke said the Board has the authority to remove Alcoholic Beverage Control Board members with cause but it’s undefined.

Commissioner Leake asked about collective bargaining which was addressed. *Ms. Troutman said per feedback received from members, the position of the NCACC is to oppose collective bargaining.*

Commissioner Cogdell asked about vehicle registration fees, which was addressed. It was noted that it has to be used for public transportation.

County Manager Jones asked Ms. Troutman what was the number one item that she felt was a “threat” to counties expensewise. *Ms. Troutman said there were two threats, additional expense and a hold back on state shared revenue. Ms. Troutman said there may be additional cuts in mental health and schools. It was noted that there’s also concern for the area of justice and public safety with respect to the use of jails on the local level by the state.*

Commissioner Bentley asked about the stimulus funds received by the state and the implications to county budgets when those funds cease, which was addressed. *Ms. Troutman said it would probably be the next bi-annual year when you see the impact of those funds going away.*

***Commissioner Dunlap entered the meeting.***

County Manager Jones asked about the legislature’s plan to study consolidation and administrative efficiencies of county department of social services, which was addressed.

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Ms. Troutman said the concern was not about regionalization, which they have no objection to if that's a county's desire but rather the state telling counties how to do their business. She said there needs to be some flexibility in the language.

*The Board recessed at 10:10 p.m. and reconvened at 10:20.*

## **BOARD MEMBERS' KEY INTERESTS**

Below are the remaining key interest items submitted by Board members, which were likewise addressed by the submitter(s). The others were addressed at the Board's session on February 25, 2010.

Note: Vi Lyles with The Lee Institute facilitated this portion of the meeting.

*A copy of the Key Interests detail is on file with the Clerk to the Board.*

### **Growth Management & Environment**

#### **Air Quality (Submitters: Commissioners Cogdell and Murrey)**

- Request – Educate the Board on what the County is doing to address Air Quality.

Commissioner Cogdell addressed this key interest and a concern that there's no money in the budget to fund air quality initiatives.

Commissioner Murrey said addressing air quality would involve dealing with regional transportation and planning issues. Commissioner Murrey said the County's EPA attainment area doesn't overlap its planning districts which makes it impossible to try and do anything regionally to address that.

Commissioner Murrey said he recognized that the Board has limited ability to do much to change the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) to make it a larger regional entity but that state and federal government may have to intervene to do that, if the Board thought it was support to do that. He asked the Board if that would be a worthwhile thing to propose for the County's legislative agenda to have the regional planning authority to coincide with the EPA attainment area. He said it would help the County on the regionalism level to have a structure in place.

Chairman Roberts said with respect to having the regional planning authority to coincide with the EPA attainment area that the Centralina Council of Governments received funds from NCDOT to commission a regional study to look at what the best governance structure would be for a planning organization with air quality responsibility.

No action was taken.

#### **Residential Energy Initiatives (Submitters: Commissioners Murrey and Roberts)**

- Educate the Board on the Residential Energy Initiatives undertaken by the County.

Commissioner Murrey and Chairman Roberts addressed this key interest.

Commissioner Murrey noted efforts being done with respect to residential energy initiatives and how that information needed to be brought to the public's attention.

Chairman Roberts said the City of Charlotte was conducting neighborhood meetings around this issue. She said unfortunately the City of Charlotte was not including the County in these

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meetings even though they should. She encouraged staff to try and work with the City in this area so that more information can be disseminated and/or that the County conduct meetings as well. Chairman Roberts noted weatherization as an example of something people needed to be aware of.

Commissioner Bentley said another organization involved in making residents aware of weatherization options in the northern part of the County was Help Empower Local People (H.E.L.P.). Commissioner Bentley suggested they be contacted as well.

No action was taken.

**Regionalism (Submitter: Chairman Roberts)**

- Request - Receive information on Mecklenburg County's regional contribution and discuss with fellow Board members whether there are areas where County could contribute more or be more effective in the Charlotte region.

Chairman Roberts addressed this key interest.

Commissioner Clarke said he was supportive of regional efforts and referenced MUMPO. He encouraged Board members to attend a MUMPO meeting as well as a COG meeting.

Commissioner Leake posed the question of how do you change the mindset of the Board's counterparts in other parts of the state and region that we're the "great state of Mecklenburg."

General Manager Bobbie Shields said one thing that's going on that might impact regionalism is the fact that there's a move by some area jurisdictions to get out of regional organizations. He said a number of organizations were dropping out of COG and have stopped paying dues to COG.

He said there's even been discussion regarding the Charlotte Regional Partnership and the value being received by the member organizations and whether they should continue.

General Manager Shields said there needs to be some new energy injected into regionalism and what form should regionalism take. General Manager Shields said Mecklenburg County could take the lead.

Commissioner Clarke said if members were pulling out of COG that would have a financial impact on those that remain, including Mecklenburg County, to carry the load. He urged staff to keep track of this issue.

No action was taken.

**Transportation (Submitter: Chairman Roberts)**

- Request – Seek input from fellow Board members on the role the Board of Commissioners would like to have concerning transportation issues in Mecklenburg County (such as CATS issues, regional connections, and roads).

Chairman Roberts addressed this key issue.

Commissioner Leake asked had there been any consideration of a payroll tax to help fund transportation needs. *Chairman Roberts and Commissioner Clarke said it would be very difficult to get legislative support for this from Mecklenburg County's own legislative delegation.*

Chairman Roberts ask for input on the best way to keep the Board informed of what's going on in the area transportation per her involvement with MUMPO.

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Commissioner Bentley suggested that perhaps at the first Regular meeting of the month that a report be provided to the Board. She said it could be called a Regional Update and could include updates on COG, MUMPO, and the Metropolitan Transit Commission (MTC).

**It was the consensus that at the first meeting of every month an update be provided by the Chairman and/or Commissioner Clarke on COG, MUMPO, and the MTC.**

### **Social, Education & Economic Opportunity**

#### **Workforce Development (Submitters: Commissioners Clarke, Cogdell, and Chairman Roberts)**

- Request – Receive information regarding the County’s role in job training and job creation

Commissioner Clarke addressed this key interest.

Commissioner Leake said there was a concern in the community with respect to re-educating the workforce for today’s job market and how do you do it and where would the funds come from for the training that would be necessary.

Commissioner Leake referenced Phillip O. Berry High School and how it’s not being used for its intended purpose which was to prepare students to be able to graduate and go into the work force with a skill.

Commissioner Cogdell said this is why he wouldn’t want to defund education support services.

Commissioner James said he concurred with Commissioner Leake with respect to Phillip O. Berry High School. Commissioner James said it was supposed to have been a vocational trade school.

Commissioner James said people need to be trained to do other things. He said the Board could put money in restricted contingency and require CMS to use it for vocational training.

Commissioner Bentley said the Board of Education needed to realize that not everyone is “college bond.”

No action was taken.

#### **Teacher Supplements (Submitter: Commissioner Leake)**

- Request – Discuss with fellow Commissioners the possibility of offering an additional supplement to CMS teachers and provide salary supplement information from other counties in North Carolina.

Commissioner Leake addressed this key interest.

Commissioner James said funds could be placed in restricted contingency for this purpose and that CMS would be informed of what it’s to be used for.

Commissioner Clarke said Mecklenburg County provides the third highest teacher supplement in the state.

No action was taken.

***The Board recessed for lunch at 11:12 a.m. and reconvened at 11:35 a.m.***

**PRIORITY SETTING EXERCISE**

Budget/Management Director Yi addressed the priority setting exercise. He said the list of priorities distributed was put together based on previous Budget/Public Policy Workshop discussions.

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

The Board went through the priority setting exercise. After going through the priority setting exercise, the Board then took the actions below in order to make additional changes.

*Note: Actions were taken on the straw vote concept. Thus, a second was not necessary and it was also permissible for the chairman to make a motion.*

Motion was made by Commissioner James and failed 5-3 with Commissioners Clarke, Cogdell, Leake, Murrey, and Roberts voting no and Commissioners Bentley, Dunlap, and James voting yes, to move Greenway Development & Management from Level 4 to Level 5.

Motion was made by Commissioner Dunlap but failed 5-2 with Commissioners Bentley, Cogdell, Leake, Murrey, and Roberts voting no and Commissioners Dunlap and James voting yes, to move Library Services from Level 4 to Level 3. (Note: Commissioner Clarke was out at the time of the vote.)

*Commissioner Clarke returned.*

Motion was made by Commissioner Bentley and failed 6-2 with Commissioners Clarke, Cogdell, Dunlap, Leake, Murrey, and Roberts voting no and Commissioners Bentley and James voting yes, to move Aging-in-Place from Level 2 to Level 3.

Motion was made by Chairman Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes to move Air Quality from Level 5 to Level 4 and to move Regional Planning from Level 4 to Level 5.

Motion was made by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to move Job Training/Employment Assistance from Level 3 to Level 2 and Court Services Coordination from Level 2 to Level 3.

Motion was made by Commissioner Murrey and carried 7-1 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Murrey, and Roberts voting yes and Commissioner Leake voting no, to move Water Quality from Level 5 to Level 4.

Motion was made by Commissioner Leake and failed 5-3 with Commissioners Bentley, Cogdell, Dunlap, James, and Murrey voting no and Commissioners Clarke, Leake, and Roberts voting yes, to move Ethnic and Cultural Diversity from Level 5 to Level 3.

Commissioner Dunlap said the title of Ethnic and Cultural Diversity was misleading. **It was the consensus of the Board that the title be changed to make it clearer what this means or what falls under this category.**

Motion was made by Commissioner Clarke and carried 7-1 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Murrey, and Roberts voting yes and Commissioner Leake voting no, to move Voting Services from Level 7 to Level 6.

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Motion was made by Commissioner Murrey and carried 5-3 with Commissioners Bentley, Cogdell, James, Murrey, and Roberts voting yes and Commissioners Clarke, Dunlap, and Leake voting no, to move Aquatic Services from Level 7 to Level 6.

Motion was made by Commissioner Bentley and carried 6-2 with Commissioners Bentley, Clarke, Dunlap, James, Leake, and Roberts voting yes and Commissioners Cogdell and Murrey voting no, to move Building Safety from Level 4 to Level 3.

The Board then voted unanimously to accept all of the priority rankings per the exercise it went through and per the changes reflected in the above votes.

*A list of the final priorities is on file with the Clerk to the Board.*

This concluded the discussion.

County Manager Jones and Chairman Roberts made closing remarks and thanked everyone for their participation.

*Note: The above is not inclusive of every comment.*

**ADJOURNMENT**

There being no further business to come before the Board the meeting was declared adjourned at 1:27 p.m.

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Janice S. Paige, Clerk

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Chairman Jennifer Roberts