

**JUNE 15, 2010**

**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, June 15, 2010.

**ATTENDANCE**

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

**Absent:** None.

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**-INFORMAL SESSION-**

*Commissioners Clarke and Dunlap were 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.*

**(1) STAFF BRIEFINGS - NONE**

**(2A)(2B) CLOSED SESSION – A) CONSULT WITH ATTORNEY, B) PERSONNEL  
MATER**

Prior to going into Closed Session, Attorney Bethune announced that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Cogdell, Cooksey, James, Leake, Murrey and Roberts voting yes, to go into Closed Session to discuss Personnel Matter.

*The Board went into Closed Session at 5:21 p.m. and came back into Open Session at 6:05 p.m.*

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

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**(3) REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 12, 13, 14, 15, 16, 17, 18, 19, 25, and 26.

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

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**-FORMAL SESSION-**

*Invocation was given by Commissioner Dunlap, 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 - NONE**

**(2) PUBLIC APPEARANCE**

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

Jeanie Welch addressed and extended an invitation to the Hickory Grove Independence Day Parade and Celebration scheduled for July 3, 2010.

**(3A) APPOINTMENTS**

**BOARD OF MOTOR VEHICLE REVIEW**

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Tommie Blakeney, James Bowers, Dietrich Brown, Eric Little and Bruce Hamlett to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2011. Secondly, that Bruce Hamlett be appointed chairman of the Board of Motor Vehicle Review for the duration of his term.

**BUILDING DEVELOPMENT COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Harry Sherrill (American Institute of Architects representative) and Jon Morris (Charlotte Chamber of Commerce representative) to the Building Development Commission for a three-year term expiring July 31, 2013.

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to nominate and appoint Travis Haston (National Association of Remodeling Industry representative) to the Building Development Commission to fill an unexpired term expiring November 30, 2012.

*He is replacing Trent Haston.*

Commissioner James nominated the following persons for appointment consideration to the Building Development Commission for the General Public slot: Rhett Keller and Kevin Silva.

*Note: An appointment will occur on July 6, 2010.*

**CRIMINAL JUSTICE CITIZEN'S ADVISORY COMMITTEE**

Commissioner Cooksey nominated the following persons for appointment consideration to the Criminal Justice Citizen's Advisory Committee District 4 slot: Renee Barfield, Ezekiel Burns, and D. Franklin Freeman.

*Note: An appointment will occur on July 6, 2010.*

**GROUNDWATER ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Michael Middleton (General Public/Well Owner representative) to the Groundwater Advisory Committee for a three-year term expiring July 31, 2013.

Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey and failed 7-2 with Commissioners Bentley, Clarke, Cogdell, Cooksey, James, Murrey and Roberts voting yes and Commissioners Dunlap and Leake voting no, to waive the attendance policy and allow Edwin Sullivan to serve the remainder of his term which expires May 31, 2012.

*Note: The above motion failed because it required a unanimous vote.*

Commissioner Cogdell nominated Edwin Sullivan for appointment consideration to serve the remainder of his term, which expires May 31, 2012.

*An appointment will occur on July 6, 2010.*

**HOMELESS PREVENTION COMMUNITY BASED BOARD**

Commissioner James nominated the following persons for appointment consideration to the Homeless Prevention Community Based Board: Christopher Jackson, Richard McElrath, Annabelle Suddreth, Lori Thomas, and Keith Wilson.

*Note: Appointments will occur on July 6, 2010.*

**PERSONNEL COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Henry Federal to the Personnel Commission for a three-year term expiring June 30, 2013.

**PLANNING COMMISSION**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Emma Allen and Lucia Griffith to the Planning Commission for a three-year term expiring June 30, 2013.

**PUBLIC ARTS COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Arthur Oudmayer to the Public Arts Commission for a three-year term expiring June 30, 2013.

**REGION F AGING ADVISORY COMMITTEE**

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to reappoint Hazel West to the Region F Aging Advisory Committee for a two-year term expiring June 30, 2012.

**PUBLIC HEARINGS**

**(4A) TRANSPORTATION GRANT APPLICATION – DSS**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to open a public hearing to receive comments on the Mecklenburg County Department of Social Services submittal of an application for the NC Department of Transportation's Section 5310 Elderly Individual and Individual with Disabilities Program for FY2011-2012.

Chairman Roberts read the following statement:

*Voluntary Title VI Public Involvement*

*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](mailto:slipscomb@ncdot.gov).*

**No one appeared to speak.**

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to close the public hearing on the Mecklenburg County Department of Social Services submittal of an application for the NC Department of Transportation's Section 5310 Elderly Individual and Individual with Disabilities Program for FY2011-2012; and adopt a Certified Statement/Public Transportation Program Resolution for the Mecklenburg County Department of Social Services to submit an application for the NC Department of Transportation's Section 5310 Elderly Individual and Individual with Disabilities Program for FY2011-2012.

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*Certified Statement/Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(4B) STREET NAME CHANGE – PORTION OF BELMEADE DRIVE TO OLD BELMEADE DRIVE**

Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to open a public hearing to hear comments on the proposed renaming of a portion of existing Belmeade Drive to Old Belmeade Drive.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Cogdell and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to close the public hearing on the proposed renaming of a portion of existing Belmeade Drive to Old Belmeade Drive and approve the renaming of a portion of existing Belmeade Drive to Old Belmeade Drive.

**ADVISORY COMMITTEE REPORTS**

**(5A) RESOLUTION RESTRUCTURING THE PARK AND RECREATION COMMISSION**

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve a revision to the Resolution Restructuring the Park and Recreation Commission, Article II, Section 8 and Article IV, Section 18.

Jim Garges, director of Park and Recreation addressed this matter, prior to the above vote.

*Note: As a result of budget reductions for FY11 and to best manage the park system, the Park and Recreation Department will be restructuring the park system into 3 park regions: North; South; and Central. At the May 11, 2010 Park and Recreation Commission (PRC) meeting, the PRC Commissioners were asked to endorse a revision to Article II, Section 8 to modify PRC representation and also revisions to Article IV, Section 18 regarding the advisory councils. The PRC will remain a 13-member board with 3 members representing each of the three regions, 1 member representing the northern towns, 1 member representing the southern towns and 2 at-large members. GIS will define the areas within each region for the purpose of PRC appointment by the BOCC (e.g. north 1, 2 and 3; south 1, 2 and 3; central 1, 2 and 3). A map showing these assignment areas is attached. The citizen advisory councils in each of the regions will combine to create one regional advisory council.*

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**MANAGER'S REPORT**

**(6A) OPERATING BUDGET AND WORK PROGRAM FOR FY 2010-2011**

County Manager Jones called on Budget/Management Director Hyong Yi to present the Operating Budget and Work Program for FY 2010-2011.

Director Yi noted the following:

- The budget ordinance reflects actions taken by the Board during the budget workshops. Those actions resulted in a total budget of \$1.3 billion with the County budget being \$955

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million, an unchanged county tax rate of 83.87 cents and changed law enforcement service district tax rate from 17.88 cents to 20.46 cents.

- Budget Reductions
- Availability of additional funds in the amount of \$316,000 as a result of projected interest on delinquent taxes for appropriation in FY2011.

Motion was made by Commissioner Murrey, seconded by Commissioner Leake, to approve the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2010-2011 and Work Program as presented with one amendment, that the additional \$316,000 available for appropriation in FY 2011 be allocated to Park and Recreation, bringing Park and Recreation's total budget to \$1.5 million.

Substitute Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke, to approve the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2010-2011 and Work Program as presented with the following amendments, that the additional \$316,000 available for appropriation in FY 2011 be allocated to restore funding to the Charlotte Coalition of Social Justice, The Latin American Coalition, and Community Building Initiative and allocate the remainder of the \$316,000 to Park and Recreation.

*Note: Commissioner Dunlap said his intent was to restore funding for each of the three outside agencies mentioned to what the County Manager recommended.*

Discussion occurred on the substitute motion.

Director Yi noted that the substitute motion would result in \$133,600 available to the outside agencies referenced and \$182,400 for Park and Recreation.

Finance Director Dena Diorio addressed the projected additional \$316,000 resulting from interest on delinquent taxes.

Per a question raised by Commissioner Cogdell, Director Diorio said the projected amount could be increased to \$400,000.

Commissioner Cogdell said if the projection could be increased to \$400,000, then it's possible that the outside agencies referenced by Commissioner Dunlap could be funded, as well as Park and Recreation and at the \$1.5 million mark as indicated in the original motion.

After discussion of the above motions, both the substitute motion and the original motion were withdrawn.

Chairman Roberts asked the Board to take straw votes with respect to any amendments to the budget as presented.

The consensus was to take straw votes, which do not require a second.

Motion was made by Commissioner Clarke, to increase the projected revenue from interest on delinquent taxes for FY 2011 by \$449,600 and appropriate \$316,000 of that amount to Park and Recreation, with the remaining \$133,600 to be used to restore funding to Community Building Initiative, the Charlotte Coalition of Social Justice, and The Latin American Coalition at the levels in the County Manager's recommended budget.

It was the consensus of the Board to vote on the revenue portion first.

Motion was made by Commissioner Clarke and failed 6-3 with Commissioners Bentley, Cogdell, Cooksey, James, Leake, and Roberts voting no and Commissioners Clarke, Dunlap, and Murrey voting yes, to increase the projected revenue from interest on delinquent taxes for FY 2011 by \$449,600.

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Motion was made by Commissioner Murrey and failed 6-3 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, James, and Leake voting no and Commissioners Clarke, Murrey, and Roberts voting yes, to increase the projected revenue from interest on delinquent taxes for FY 2011 by \$316,000.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 6-3 with Commissioners Clarke, Cogdell, Dunlap, Leake, Murrey, and Roberts voting yes and Commissioners Bentley, Cooksey, and James voting no, to approve the Mecklenburg County, North Carolina Budget Ordinance Fiscal Year 2010-2011 and Work Program as presented which reflects actions taken by the Board during the budget workshops and resulted in a total budget of \$1.3 billion with the County budget being \$955 million, an unchanged county tax rate of 83.87 cents and changed law enforcement service district tax rate from 17.88 cents to 20.46 cents.

*Ordinance recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(6B) RETIREE BENEFITS POLICY**

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve revisions to the benefits section of the County's Human Resources Policy eliminating retiree health care benefits for employees hired after July 1, 2010.

*Note: This policy change will not affect current employees who eventually retire from the County or those who have already retired and are receiving this benefit.*

*Policy amendment recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**COUNTY COMMISSIONERS REPORTS AND REQUESTS**

**(30) COMPENSATION COMMITTEE REPORT (CHAIRMAN ROBERTS)**

Commissioner Clarke presented the Board's Compensation Committee's recommendation for the County Manager's 2010 Compensation.

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

Commissioner Clarke said the intention was to continue this pay structure going forward and that it would require some amendments to the County Manager's Employment Agreement. Further, that these amendments will be done at the same time that the County Manager's employment agreement is restructured to eliminate the Pay-at-risk component that the Board has been using since 2003 or 2004.

Attorney Bethune asked was it the Board's intent that the County Manager's Employment Agreement be brought back to the Board or was the Chairman authorized to execute the agreement consistent with the motion. *The response was yes with respect to the Chairman being authorized to execute the agreement and was incorporated into the motion.*

Motion was made by Commissioner Clarke, seconded by Commissioner Murrey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve the Board's Compensation Committee's recommendation with respect to the County Manager's 2010 Compensation, which is as follows:

- 1) To renegotiate the Manager's contract, eliminate the pay-at-risk component of the Manager's compensation, and that the base salary for the County Manager position be adjusted for next

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fiscal year based on the prevailing market rate for the position for a reduction in his total compensation from the current fiscal year of approximately \$20,000 or 6.6%. In the future, the market rate for the County Manager position should be reviewed at the same interval as all other County positions. Any increase in the base salary other than the market adjustments will be based on the Board's annual evaluation of the Manager's performance.

- 2) As part of this year's restructuring of the County Manager's employment contract, the Compensation Committee recommends the following changes to his compensation:

<b>Element of Manager's Compensation</b>	<b>Current Year</b> FY ending 6/30/2010	<b>Next Year</b> FY Ending 6/30/2011
Base Salary	\$215,655	\$242,500
Pay-at-risk	\$38,400	0
Benefits & Retirement	\$5,822	\$5,822
Deferred Compensation Match	\$10,783	0
Deferred Compensation	\$13,824	\$15,545
Longevity	\$6,221	\$6,995
Expense Allowance	\$12,149	\$12,149
<b>Total Compensation</b>	<b>\$302,854</b>	<b>\$283,011</b>

*Note: The adjustment to the base salary is consistent with the average annual market rate adjustment for County positions (4%) since 2008 when the Manager last received an adjustment to his base salary. This adjustment, when coupled with the elimination of the pay-at-risk element and the elimination of the deferred compensation match, results in a reduction in his total compensation of 6.6% which exceeds that of other County employees.*

- 3) Amend the County Manager's employment contract to provide for (1) full payment (instead of 50%) payment of his health insurance if he is terminated before December 11, 2011 and (2) continued payment for the health insurance benefits of his spouse until she becomes Medicare eligible without regard to his retirement or termination.
- 4) That the Chairman be authorized to execute the agreement in accordance with the above stated motion and upon review by the County Attorney.

**CONSENT ITEMS**

**Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Murrey and Roberts voting yes, to approve the following item(s) with the exception of Items to be voted on separately 12, 13, 14, 15, 16, 17, 18, 19, 25, and 26:**

**(7) APPROVAL OF MINUTES**

Approve minutes of Regular meeting held June 1, 2010 and Special Meeting held June 3, 2010.



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**(8) BUDGET AMENDMENT – LAND USE & ENVIRONMENTAL SERVICES AGENCY (REVENUE INCREASE)**

1) Recognize, receive and appropriate \$20,600 from N.C Fuel Tax revenue to be used as local matching funds for the National Clean Diesel Fund Grant.

2) Authorize the carry forward of unspent match funds until expended.

**(9) BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)**

Amend the Health Department Budget to reflect a \$13,148 net increase in revenue due to changes in federal and state allocations.

**(10) BUDGET AMENDMENT – LAND USE AND ENVIRONMENTAL SERVICES (REVENUE INCREASE)**

Recognize, receive and appropriate \$305,000 for Land Development and carry forward the unspent balance at June 30, 2010 to FY2011.

*Note: Funds are being received due to the default of a bond obligation for completion of subdivision requirements in Birkdale Grove Subdivision. A letter of credit was provided on September 22, 2008 by Arterra-Birkdale, LLC for completion of this work. Mecklenburg County found the developer in default of the bond obligation because the work was not completed. The funds received by the County will be used to complete improvements required by the Town of Huntersville subdivision ordinance. Any funds remaining after completion of these improvements (including compensating the County for the staff time and attorney's expenses) will be returned to Arterra-Birkdale, LLC and its guarantor, First Citizens Bank.*

**(11) BUDGET AMENDMENT – LAND USE AND ENVIRONMENTAL SERVICES (REVENUE INCREASE)**

Recognize, receive, and appropriate Grant to Replace Aging Diesel Engines (GRADE) funding in the amount of \$25,130.

**(20) UPDATED MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

Adopt the Resolution Approving the Updated Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan.

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(21) STORM WATER FEE – CITY OF CHARLOTTE'S MINOR SYSTEM RATES**

Adopt the Resolution Authorizing Increasing the Minor System cost component of the Storm Water Service charges to be levied within the City of Charlotte.

*Note: Detached Single Family Properties*

- Tier I from \$4.21 to \$4.50
- Tier II from \$6.20 to \$6.63

*Non-Single Family Properties*

- The per acre fee will increase from \$103.27 to \$110.50

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(22) STORM WATER FEE – TOWN OF DAVIDSON’S MINOR SYSTEM RATES**

Adopt the Resolution Authorizing Increasing the Minor System cost component of the Storm Water Service charges to be levied within the Town of Davidson.

*Note: Tier I from \$1.33 to \$4.48*

*Tier II from \$1.47 to \$4.98*

*Tier III from \$1.99 to \$6.70*

*Tier IV from \$2.51 to \$8.45*

*The per acre fee for non-single family properties will increase from \$24.50 to \$82.51*

*It is anticipated that the new rates will increase revenue by \$147,700 per year.*

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(23) HAZARD MITIGATION PROGRAM**

1. Accept the “Offer of Sale of Land” from Carol T. Garland of 1812 Shannonhouse Drive (Parcel ID: 099-04-422) for \$113,364.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.
3. Adopt a Resolution Approving Transfer Of Reusable Building Materials To Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**(24) CARRY FORWARD OF FUNDS – COMMUNITY SUPPORT SERVICES**

Recognize, receive and appropriate \$1,830 in donations and carry forward the funds to FY 2011 to support the Homeless Veterans Stand Down event.

**(27) HISTORIC LANDMARKS COMMISSION SPECIAL REVENUE FUND**

Adopt the Historic Preservation Revolving Special Revenue Fund Ordinance.

*Note: The Historic Preservation Revolving Fund Program was established after the 1999 Historic Preservation bond referendum for the purpose of providing funds for the preservation of historic properties. Funds used for this program now consist of proceeds from sales or rentals of properties purchased by the Historic Landmarks Commission (HLC) and donations. This ordinance is being offered to expand the purposes for usage of these funds to include annual operating expenses of the HLC which has historically been funded in part by County revenue. The fund currently has a balance of \$4,854,500.*

*Ordinance recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

*Commissioner Cooksey left the meeting and was absent for the remainder of the meeting.*

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

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**(12) CARRY FORWARD OF FUNDS – NORTH CAROLINA DEPARTMENT OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION – JCPC FUNDING**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the carry forward to FY2011 of funds remaining at June 30, 2010 for the NC Department of Juvenile Justice and Delinquency Prevention to the Mecklenburg County JCPC for the Gang of One Program.

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

*Commissioner Cogdell returned to the dais.*

**(13) CARRY FORWARD OF FUNDS – GOVERNOR’S CRIME COMMISSION GRANT AWARD**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the carry forward to FY2011 of the unspent grant funds at June 30, 2010 for the Mecklenburg County Criminal Justice Data Warehouse.

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

**(14) CARRY FORWARD OF FUNDS – CROSSWINDS AT VERMILLION, LLC**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the carry forward of unspent appropriated revenue from FY10 to FY2011.

*Note: Funds were received due to the default of a bond obligation for completion of subdivision requirements in Vermillion Phase 4 Map 7. A letter of credit was provided by Crosswinds at Vermillion, LLC for completion of this work on October 5, 2007. The letter of credit was not renewed prior to its expiration date of October 5, 2008. The funds are being used to complete improvements required by the Town of Huntersville subdivision ordinance. Any funds remaining after completion of these improvements (including compensating the County for the staff time and attorney’s expenses) will be returned to Crosswinds at Vermillion, LLC and their guarantor, Wachovia Bank.*

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

**(15) CARRY FORWARD OF FUNDS – CROSSWINDS PHASE 2 MAP 1**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the carry forward of unspent appropriated revenue from FY10 to FY11.

*Note: Funds have been received due to the default of a bond obligation for completion of subdivision requirements in Crosswinds Phase 2 Map 1. A letter of credit was provided on March 9, 2005 by Crosswinds Realty, LLC for completion of this work. The letter of credit was not renewed prior to its expiration date of March 9, 2009. The funds will be used to complete improvements required by the Town of Huntersville subdivision ordinance. The County is contracting for the completion of the improvements. Any funds unused by the County to complete the improvements (including compensating the County for the staff time and attorney’s expenses) will be returned to Crosswinds Realty, LLC and their guarantor, SunTrust Bank.*

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

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

**(16) APPOINTMENT OF REVIEW OFFICERS**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to 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 add the name of Julie Millea.

*Resolution recorded in full in Minute Book 44-A, Document # \_\_\_\_\_.*

Commissioner Leake removed this item for clarification purposes.

**(17) MAINTENANCE CONTRACT – PARK AND RECREATION FACILITIES**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to authorize the County Manager to negotiate and execute a five-year service contract with Linc Facility Services in the amount of \$8,514,003 (maximum) for Park and Recreation facility maintenance.

Commissioner Leake removed this item from Consent for more public awareness and clarification purposes. Matthew Stiene with Real Estate Services addressed this matter.

*Commissioner Clarke returned to the dais.*

**(18) MAINTENANCE CONTRACT – LIBRARY FACILITIES**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to authorize the County Manager to negotiate and execute a five-year service contract with The Keith Corporation in the amount of \$6,918,212 (maximum) for Library facility maintenance.

Commissioner Leake removed this item from Consent for more public awareness and clarification purposes. Matthew Stiene with Real Estate Services addressed this matter.

**(19) MAINTENANCE CONTRACT – WALTON PLAZA**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to authorize the County Manager to negotiate and execute a five-year service contract with The Keith Corporation in the amount of \$979,323 (maximum) for Walton Plaza facility maintenance.

Commissioner Leake removed this item from Consent for more public awareness and clarification purposes. Matthew Stiene with Real Estate Services addressed this matter.

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**(25) DONATION – PARK & RECREATION COMMUNITY GARDEN PROGRAM**

Motion was made by Commissioner Leake, seconded by Commissioner Murrey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to recognize, receive and appropriate \$4,000 donation for expanding the Community Garden in Thomas McAllister Winget Park.

Commissioner Leake removed this item from Consent for more public awareness

**(26) HOME AND COMMUNITY CARE BLOCK GRANT FUNDING PLAN – DSS**

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey, and Roberts voting yes, to approve the Home and Community Care Block Grant funding plan for FY2011.

*Note: Annually, the Services for Adults Division of the Department of Social Services submit for Board approval the Home and Community Care Block Grant funding plan (also referred to as the County Aging Plan). Board approval is required prior to submission to Centralina Council of Governments, the local grant authority. The funding plan involves allocating \$3,232,384 for aging services, which includes a County match of \$323,225. Funding for the match is included in the Fiscal Year 2011 Services for Adults budget. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health, and Legal Services.*

**STAFF REPORTS AND REQUESTS – NONE**

**COUNTY COMMISSIONERS REPORTS AND REQUESTS**

**(28) SELECTION OF NACO VOTING DELEGATE (CHAIRMAN ROBERTS)**

Motion was made by Commissioner James, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to select Commissioner Leake to serve as the County's voting delegate for the 2010 National Association of Counties (NACo) Annual Conference to be held July 16-20, 2010 in Reno, Nevada and Commissioner Dunlap as the alternate.

**(29) CARRY FORWARD – CONTINGENCY FUNDING FOR VETERANS SERVICES (COMMISSIONER COGDELL)**

Motion was made by Commissioner Cogdell, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, to carry forward \$50,000 from FY2010 contingency to the FY 2011 Community Support Services Department budget for veterans services.

**COMMISSION COMMENTS** – General comments were made at this time by various Commissioners regarding upcoming events and/or events they attended, as well as, other matters which they deemed note worthy.

**ADJOURNMENT**

Motion was made by Commissioner Cogdell, seconded by Commissioner Bentley and carried 8-0

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with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Murrey and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:07 p.m.

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Janice S. Paige, Clerk

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Jennifer Roberts, Chairman