

DECEMBER 7, 2010

**MINUTES OF MECKLENBURG BOARD OF COUNTY 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, December 7, 2010.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

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

(1) REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 11, 12, 13, 19, 21, 25, 27, 28, and 29.

(2) STAFF BRIEFINGS - NONE

(3A) CLOSED SESSION – CONSULT WITH ATTORNEY

Attorney Bethune said there was no Consult with Attorney matter to be discussed in Closed Session.

Deputy County Attorney Tyrone Wade addressed Consent Item 31 – Settlement Agreement with Time Warner. He was assisted by Jeff Vince with Information Services and Technology. They addressed questions regarding the timetable and risks associated with the components of the agreement.

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

-FORMAL SESSION-

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

CITIZEN PARTICIPATION

(1) AWARDS/RECOGNITION – NONE

(2) PUBLIC APPEARANCE

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

Blanche Penn with the Winners Plus Agency addressed an upcoming workshop for parents regarding understanding the school system, to be held December 14, 2010, 6:30 p.m. – 8:00 p.m. at the Charlotte-Mecklenburg Police Department, 601 East Trade Street.

Pastor Brenda Stevenson of New Outreach Christian Ministry addressed an upcoming breakfast and gift giving on Christmas day sponsored by her church to benefit those in need. Pastor Stevenson invited Commissioners to participate and to make donations towards this cause.

(3) APPOINTMENTS

CITIZEN'S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to appoint Rhonda Odom to the Citizen's Transit Advisory Group to fill an unexpired term expiring June 30, 2011.

Note: She is replacing Thomas Gillam, III.

Prior to the above vote, Commissioner Leake asked about the full membership of the Citizen's Transit Advisory Group (CTAG), which was addressed by Sam Spencer, a member of CTAG.

The other nominees were: Rodney Conklin, Sheila Etheridge, and Robert (Rob) Watson.

(4) PUBLIC HEARINGS – NONE

(5) ADVISORY COMMITTEE REPORTS – NONE

MANAGER'S REPORT

(6A) COUNTY MANAGER STRATEGIC MANAGEMENT PLAN

County Manager Jones presented his proposed Strategic Management Plan for fiscal year 2010-2011.

**County Manager
Strategic Management Plan
Fiscal Year 2010-2011**

Organizational Vision

To be the best local government service provider.

Values & Guiding Principles

- **Ethics:** We work with integrity.
- **Customers:** We serve our customers with dignity and respect
- **Employees:** We recognize employees as our most important resource.
- **Excellence:** We invest in learning and improving.
- **Teams:** We work as a team, respecting each other.
- **Accountability:** We focus on results

Personal Philosophy

It is my privilege to serve.

- Complete assessment of Volunteer Fire Department (VFD) service delivery structure and funding options. (General Manager Bobbie Shields)
- Participate in the “Envision Charlotte” Program with a goal of 20% reduction in energy usage for program buildings. (General Manager Bobbie Shields)
- Develop and implement a compliance program (General Manager John McGillicuddy)
- Continue to implement financial management services structural and operational changes, including considering recommendations developed by Deloitte. (General Manager John McGillicuddy and Finance Director Dena Diorio)
- Finalize and implement changes to the capital investment planning and budgeting process. (Finance Director Dena Diorio)
- Recommend additional library services for consolidation within Mecklenburg County/library or for outsourcing. (General Manager John McGillicuddy)
- Develop implementation strategies for the county’s Consolidated Human Services Agency that results in greater sharing of resources and more formal functional consolidation of services. (General Manager Michelle Lancaster)
- Identify and implement additional shared services and /or internal consolidation of business support functions (e.g. Information and Technology Services, Human Resources, and Public Services and Information). (General Manager John McGillicuddy)
- Complete the Vision 2020 process to revisit the Board’s long-term vision for the community. (Planning and Evaluation Director Leslie Johnson)

Commissioner Bentley asked County Manager Jones which General Manager or other staff would work with him in the various areas of the County Manager’s Strategic Management Plan, which was addressed and is noted above by each area of the Management Plan.

Commissioner Bentley asked about the timeline for accomplishing each of the areas listed in the Management Plan. *County Manager Jones said he would provide that information.*

Commissioner Clarke asked what was included in the Consolidated Human Services Agency as referenced in the following Management Plan area: Develop implementation strategies for the County’s Consolidated Human Services Agency that results in greater sharing of resources and more formal functional consolidation of services. *County Manager Jones said this included Area Mental, the Health Department, and the Department of Social Services.*

DECEMBER 7, 2010

Commissioner Cogdell referenced the following area of the Management Plan: Identify and implement additional shared services and /or internal consolidation of business support functions (e.g. Information and Technology Services, Human Resources, and Public Services and Information). He also referenced recent action taken by the Board directing staff to pursue functional consolidation opportunities with the City of Charlotte. Commissioner Cogdell said Charlotte City Council had received a recommendation from the Mayor's Task Force recommending that Council also direct its staff to pursue this likewise with the County.

Commissioner Cogdell said in light of that, he would ask that the Board's recent directive be added to this portion of the Manager's Strategic Management Plan.

Commissioner Cogdell said staff should be looking at internal and external consolidation efforts.

County Manager Jones said not included in his Strategic Management Plan was discussion with Charlotte-Mecklenburg Schools regarding areas of functional consolidation. He said that discussion had taken place but was on hold at the present time.

County Manager Jones said with respect to working with the City of Charlotte staff, he would ask that the Board allow him to follow-up with City Manager Curt Walton regarding this issue. County Manager Jones said he would report back at the next meeting.

Commissioner Cogdell said it was acceptable to him that the County Manager be given an opportunity to speak with the City Manager of Charlotte, as well as, the Superintendent of Charlotte-Mecklenburg Schools.

Chairman Roberts said she was okay with giving the County Manager this opportunity as well. Chairman Roberts said the only areas not mentioned in the Manager's Strategic Plan were Permitting, Fire, and Medic and that she would like those added, if it's possible.

Commissioner Pendergraph asked about outsourcing and were there other areas being considered other than what's listed in the Strategic Management Plan, which was addressed.

County Manager Jones said he has asked staff to compile a list of some of the efficiencies, outsourcing, and functional consolidation efforts that the County has done over the last several years.

Commissioner Leake asked for clarification on the following area of the Strategic Management Plan: Develop implementation strategies for the county's Consolidated Human Services Agency that results in greater sharing of resources and more formal functional consolidation of services, which was addressed.

Commissioner James asked about discussions with Charlotte-Mecklenburg Schools (CMS) regarding efficiencies and was that related to the maintenance, which was addressed by General Manager John McGillicuddy.

Commissioner James asked about the status of the Law Enforcement Service District tax issue that was referred to a Board committee regarding pursuing legislation to allow the towns to take over this responsibility. Commissioner James said the deadline for notifying the City of Charlotte, if the County wanted to terminate the agreement, was April 30, 2011 and the deadline for submitting legislative items to staff was December 10, 2010. Commissioner James said he wanted to know what's being done to get everything done within the timeframes.

DECEMBER 7, 2010

Assistant to the County Manager Brian Francis and the County's legislative liaison, said a legislative agenda would be presented at the Board's next meeting (December 21) which will include a placeholder for Law Enforcement Service District.

Commissioner James said he would like the Board to develop a bi-partisan letter to send to the legislature to see if they'll move this matter up on their agenda.

Commissioner Cooksey commented on doing things differently and referenced the Board's discussion at its last Strategic Planning Conference where the focus was on the County's capital budget. Commissioner Cooksey said he'd like to have a similar discussion focusing on the operating side. Commissioner Cooksey said he was not sure if that was one of the topics scheduled for discussion at the upcoming January Strategic Planning Conference or not but whenever it did place, he would like there to be a presentation regarding Zero Based Budgeting and whether that approach would be appropriate for Mecklenburg County.

County Manager Jones said staff would be discussing with the Board different ways of doing business at the upcoming January Strategic Planning Conference

Motion was made by Commissioner Cogdell, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to defer approval of the County Manager's Strategic Management Plan until the December 21, 2010 meeting, in order to give him the opportunity to speak with the City Manager of Charlotte, as well as, the Superintendent of Charlotte-Mecklenburg Schools.

County Manager Jones informed the Board that the City of Charlotte would lease Greenville Center from the County for the Gang of One program, per the recent grant award received via the Juvenile Crime Prevention Council for its Culinary Program.

Commissioner Dunlap asked would the City of Charlotte be leasing the entire facility. *The response was yes.*

Commissioner Leake asked would the City be renovating the entire facility which she said was in dire need of repair. *County Manager Jones said he would find out.*

Commissioner Leake asked about the quality of the kitchen equipment to be installed in Greenville Center. *County Manager Jones said he would find out.*

STAFF REPORTS AND REQUESTS

(7A) ENVISION CHARLOTTE

The Board received an update on Envision Charlotte and the Smart Energy Now initial pilot project from Michael Smith, President and CEO Charlotte Center City Partners and Vincent Davis, Director of Smart Energy Now Community Partnerships, Duke Energy. They were introduced by Heidi Pruess.

Note: Center City Partners has embarked on a Center City 2020 Vision that includes measures for sustainability. Envision: Charlotte is a first-of-a-kind collaborative partnership among major employers, building owners and managers along with municipal and technology leaders. The purpose of Envision: Charlotte is to create the most environmentally sustainable urban core in the nation by connecting numerous environmental programs and initiatives, while linking to the Center City 2020 Vision.

DECEMBER 7, 2010

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

Comments

Chairman Roberts asked was there anywhere in the world where something like this was being done. *The response was no.*

Chairman Roberts expressed thanks to Duke Energy and Cisco for their investment in this project.

Commissioner Leake suggested Johnson C. Smith University and Queens University be contacted regarding their participation in this project.

Chairman Roberts mentioned Johnson and Wales also as a possible participant.

Commissioner Cogdell asked about the reduction of greenhouse gases, which was addressed.

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

COUNTY COMMISSIONERS REPORTS AND REQUESTS

(8A) MECKLENBURG BOARD OF COUNTY COMMISSIONERS 2011 MEETING SCHEDULE (CHAIRMAN ROBERTS)

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve the Mecklenburg Board of County Commissioners 2011 Meeting Schedule.

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

Commissioner Cooksey returned to the dais.

(8B) RESOLUTION – SUPPORT OF NORTH CAROLINA’S CURRENT PUBLIC ALCOHOLIC BEVERAGE CONTROL SYSTEM (CHAIRMAN ROBERTS)

Chairman Roberts presented a resolution supporting North Carolina’s current public Alcoholic Beverage Control System (ABC system).

Note: The Mecklenburg County ABC Board has requested that the Board adopt a resolution supporting the continuance of the current ABC system to maintain the current ABC system “with local control and decision making.” It was noted that a change would also deprive local ABC system’s of their control of the revenues.

Motion was made by Commissioner Pendergraph, seconded by Commissioner Leake, to adopt resolution in support of the continuance of North Carolina’s current public Alcoholic Beverage Control system.

Commissioners James, Cooksey, and Cogdell questioned whether the Board should support the resolution as presented.

Commissioner James said he was not opposed to looking at whether or not the ABC system should be privatized, but he would like the money to come back to the county that it’s from. Commissioner James said considering that “you’re faced with a huge budget deficit, selling the

DECEMBER 7, 2010

ABC stores to a chain for a ton of cash would either close the state budget hole or help us close ours or help Charlotte-Mecklenburg Schools close theirs. “

Commissioner James said although the ABC Board contribute some money to the County, a lot of it he said, they control themselves.

Commissioner James said if the resolution read that the Board would be opposed to selling if the money doesn't come back to the County, then he would be supportive of that, but he was not supportive of the current wording which states opposition to selling it at all.

Commissioner James said the County could get more from selling it, in terms of a “bump” in revenue.

Commissioner Cooksey said he was not sure if the proposed resolution was about control or about revenue. He said if the issue was about control that there were very few states in the U. S. that have a state controlled alcohol distribution system like N.C. Commissioner Cooksey said the states that allow private distribution of alcohol in retail establishments seem to do an adequate job of controlling that distribution through licensing systems.

Commissioner Cooksey said anytime you have a system that's controlled by government, such as the ABC System that it gives rise to “cronyism and favoritism”. He said if you open it up to private enterprise, “everyone is on an equal playing field and everyone is playing by the same rules.”

Commissioner Cooksey said if it's about revenue, then he felt the people who want to privatize the ABC stores would be able to “fashion” some type of franchise agreement that would provide a stream of revenue to county government and state government and that revenue stream could be higher than what it currently was.

Commissioner Cooksey said he was opposed to taking privatization off the table for consideration. Commissioner Cooksey said the concept of privatization should be looked at to see if it makes sense for N.C. and if it's determined that it doesn't then the current system could be maintained.

Commissioner Cogdell echoed Commissioner Cooksey's remarks. Commissioner Cogdell said he was not comfortable with supporting the resolution as presented because he doesn't know what the alternative looks like.

Commissioner Clarke said a reason to support the proposed resolution was because the alternative was not known. Commissioner Clarke said he felt with the current system the Board has certainty now that the ABC Board would provide the County with about \$2.5 million annually and that they support the Library and others as well. Commissioner Clarke said if the current system was abandoned of state control of the distribution and sale of alcohol, you would see significantly increased per capita consumption of alcohol, and you'd have a much more difficult system to police, requiring far more alcohol law enforcement resources. Commissioner Clarke said there would probably be more social problems that government has to pay for that would accompany the increased per capita consumption.

Commissioner Dunlap said if it were up to him he would keep the system as is. He said if it was privatized, he would be concerned about who the owners were and would all of the owners be “wealthy” people or would the “common” man have an opportunity to own an alcohol beverage store. Commissioner Dunlap said changing the system would mean putting it in the hands of the “rich.” Commissioner Dunlap said he didn't think that would be something the Board would want to do if it was going to be “fair and equitable.”

Commissioner Bentley said she was not opposed to studying the issue to see if there was a

DECEMBER 7, 2010

better way rather than saying to state no, we're not interested in privatizing. Commissioner Bentley said the Board should not cut off the debate or the opportunity to study this issue of privatization more closely to see if it would or would not work.

Chairman Roberts said per the North Carolina Association of County Commissioners (NCACC), the trend that counties see around the state is that the state is taking revenue from counties and that one of the themes from the NCACC is that counties want more local control and not less.

Commissioner Bentley said she would support the proposed resolution if the portion about opposing privatization was deleted.

Commissioner Pendergraph said he would amend his motion to delete the wording regarding privatization.

Paul Stroup, Chief Executive Officer of the ABC Board addressed this issue. Mr. Stroup said the ABC Board could accept the deletion of the wording regarding privatization.

Mr. Stroup said the ABC System was working as it was designed to. He said you're getting a lot of revenue from the sale of distilled spirits and it's controlling consumption at the same time. Mr. Stroup said the system was not perfect, but what we have in Mecklenburg and Wake County, Greensboro, was the scale to be able to do things that create efficiencies and control at the same time. He said they have the money to 1) invest in training for their employees, 2) to ensure that the proper systems and controls were in place to ensure financial transparency and accuracy, 3) to fund alcohol education programs, prevention programs, and 4) money to run an effective system that returns operating profit margins of about 12%, net assets of about 35%, and about \$11 million back to the community on average.

Mr. Stroup said the ABC Board was asking the Board to express to the state its support of the current system.

Commissioner Leake said she was not supportive of outsourcing. Commissioner Leake, who seconded Commissioner Pendergraph's motion, said she was not agreeable to amending the motion to delete the portion regarding privatization.

Substitute motion was made by Commissioner Cogdell, seconded by Commissioner Bentley and carried 8-1 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, James, Pendergraph, and Roberts voting yes and Commissioner Leake voting no, to amend the Now, Therefore, Be It Resolved portion of the resolution to read as follows:

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does hereby support the continuance of local control of Alcoholic Beverage sales, and opposes any efforts to diminish the local government revenue stream afforded from local ABC store profits.

instead of as presented, which was

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does hereby support the continuance of the Alcoholic Beverage Control System, and opposes any efforts to privatize the Alcoholic Beverage Control system, diminish local control or to diminish the local government revenue stream afforded from local ABC store profits.

Resolution recorded in full in Minute Book 45-A Document # _____.

Commissioner Leake asked that the ABC Board report back to the Board at a future meeting to give the Board an update on the operations of the ABC Board and local system.

Chairman Roberts asked Mr. Stroup to coordinate with staff regarding appearing at a future meeting.

Commissioner Leake asked about the status of filling the current vacancy on the ABC Board.

Commissioner Dunlap said the matter was deferred previously until after the Board received recommendations from the Board's Effective and Efficient Government Committee.

Clerk to the Board Janice S. Paige said she would research the matter and move forward with getting the matter back on the Board's agenda.

CONSENT ITEMS

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

(9) APPROVAL OF MINUTES

Approve minutes of Regular meeting held November 16, 2010; Special Meetings held May 27, 2010 and February 25 and 26, 2010 and Closed Session held November 16, 2010.

(10) FIRE DISTRICT RESOLUTION / MAP (HUNTERSVILLE)

Approve the Huntersville Resolution and Fire District Map.

Resolution recorded in full in Minute Book 45-A Document # _____.

(14) PURCHASE CONTRACT – LENCO BEARCAT ARMORED CAR – SHERIFF'S OFFICE

1) Approve the purchase of a Lenco BearCat Armored Car without competitive bidding, as authorized by the sole source exemption of G.S. 143-129(f); and

2) Approve a contract with Lenco Armored Vehicles for the purchase of a BearCat in the amount of \$309,920 from concealed carry revenue designated for law enforcement purposes.

(15) CONSERVATION DECLARATIONS ON COUNTY PROPERTY

(1) Authorize the County Manager to execute Conservation Declarations on the following County properties for stream restoration projects funded by NC Clean Water Management Trust Fund along Torrence Creek:

- (a) Tax Parcel 01714577
- (b) Tax Parcel 01714597
- (c) Tax Parcel 01714598

(2) Authorize the County Manager to execute Conservation Declarations on the following twelve County properties for stream restoration project funded by NC Clean Water Management Trust Fund along McAlpine Creek:

- (a) Tax Parcels 21309118-21309124

- (b) Tax Parcels 21309126-21309128
- (c) Tax Parcel 31209133

(16) MEDIC CORNELIUS STATION – FUNDING FOR REPAIRS

Authorize the use of the Capital Reserve Fund for repairs at the MEDIC Cornelius Station, and recognize and appropriate insurance reimbursements related to the damage to the MEDIC Cornelius Station to the Capital Reserve Fund.

Note: On August 12, 2010 while returning to their station, a MEDIC crew was attempting to back the ambulance inside the building to an enclosed parking area. While attempting to enter the building, the right rear bumper of the ambulance contacted the corner of the building. The impact resulted in a partial collapse of the roof system and exterior walls.

(17) HAZARD MITIGATION PROGRAM – FLOODPLAIN ACQUISITION

1. Accept the “Offer of Sale of Land” from Tajuana and Dana McDaniel of 5400 Galway (Parcel ID: 099-15-218) for \$88,207.71.
2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: This action is necessary for the purchase of a single floodplain property under the Hazard Mitigation Program.

(18) CAPITAL RESERVE REQUEST – CONSOLIDATED AQUATICS - PARK & RECREATION

Authorize and appropriate a capital expenditure of \$82,000 from the Consolidated Aquatic Capital Reserve Account to replace the large scoreboard at the Mecklenburg County Aquatic Center (\$75,000), to replace pool facility signage at all aquatic facilities (\$5,000) and replace the large umbrella canopy at the Double Oaks Pool (\$2,000).

(20) CAPITAL RESERVE REQUEST – OUTDOOR RECREATION – PARK AND RECREATION

Authorize and appropriate a capital expenditure not to exceed \$2,000 from the Outdoor Recreation Capital Reserve Account for repairs to segways at Latta Plantation Nature Preserve.

(22) LAND EXCHANGE - HABITAT FOR HUMANITY OF CHARLOTTE, INC.

Adopt a resolution of intent to exchange County-owned Tax Parcel 043-011-23 (+/- 0.344 acres) for the following seven parcels owned by Habitat for Humanity of Charlotte, Inc. (totaling +/- 13.456 acres) in the Reid Park neighborhood:

1. Tax Parcel #145-172-04, +/- 0.30 acres
2. Tax Parcel #145-172-10, +/- 8.163 acres
3. Tax Parcel #145-173-08, +/- 0.233 acres
4. Tax Parcel #145-173-11, +/- 0.79 acres
5. Tax Parcel #145-174-08, +/- 1.97 acres
6. Tax Parcel #145-186-04, +/- 1.2 acres
7. Tax Parcel #145-186-06, +/- 0.80 acres

Resolution recorded in full in Minute Book 45-A Document # _____.

(23) FY 11 MECKLENBURG COUNTY AQUATIC CENTER FEE INCREASES

Approve proposed fee increases for memberships only:

	Current	New	Amount
<u>Resident</u>	<u>Draft/Month*</u>	<u>Draft/Month*</u>	<u>Increase</u>
Youth	\$20/25	\$22/27	\$2
Adult	\$32/37	\$36/41	\$4
Family	\$44/49	\$48/53	\$4
Senior/Disable	\$20/25	\$22/27	\$2
Sen/Dis Family	\$29/34	\$32/37	\$3
<u>Non-Resident</u>			
Youth	\$23/28	\$25/30	\$2
Adult	\$37/42	\$41/46	\$4
Family	\$52/57	\$56/61	\$4
Senior/Disable	\$23/28	\$25/30	\$2
Sen/Dis Family	\$35/40	\$38/43	\$3

Draft is an automatic account draft from a financial institution that includes \$5 off the monthly fee.

*Monthly fee is the cost of purchasing a one month membership.

(24) REVISIONS TO THE BUILDING-DEVELOPMENT ORDINANCE

Amend the Building-Development Ordinance, expanding Building Development Commission authority and responsibilities, allowing the use of qualified industry discipline representatives to administer Journeyman’s Program examinations.

Ordinance recorded in full in Minute Book 45-A Document # _____.

(26) BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Recognize, receive and appropriate \$8,335 from The North Carolina Department of Health & Human Services for family planning services.

(30) GRANT SUBMISSION – IBM KIDSMART EARLY LEARNING

Approve submitting a grant request for IBM’s KidSmart Early Learning program. If the grant is awarded, approve recognizing and receiving the grant donation.

(31) SETTLEMENT AGREEMENT

Receive as information settlement of the lawsuit captioned as Mecklenburg County vs. Time Warner Entertainment- Advance Newhouse Partnership.

Note: On September 8, 2010, the Board was briefed regarding proposed settlement terms of the Time Warner lawsuit. The terms of the proposed settlement were discussed and the board unanimously authorized the manager to settle the litigation with Time Warner under the terms specified and presented. Pursuant to N.C.G.S 143.318.11 the terms of the settlement are being

reported to the Board to be received as information.

Settlement Agreement recorded in full in Minute Book 45-A, Document # _____.

**(32) BUDGET AMENDMENT-JOBBOOST SUBSIDIZED EMPLOYMENT PROGRAM-DSS
(REVENUE INCREASE)**

Amend the Department of Social Services (DSS) FY11 budget to recognize, receive and appropriate Federal revenue for the TANF JobBoost program in the amount of \$382,800.

Note: The purpose of the program is to create 145 jobs for TANF-eligible individuals and provide work experience necessary to maintain long-term employment.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner James left the meeting and was absent for the remainder of the meeting.

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

(11) BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to:

1) Recognize and appropriate for the Sheriff’s Special Revenue Fund, \$90,958 from Inmate Commissary.

2) Recognize and appropriate for Sheriff’s Special Revenue Fund, \$157,579 from Concealed Handgun Permit Fees.

3) Recognize and appropriate for Sheriff’s Special Revenue Fund, \$40,000 from Vocational Facility Telephone Revenue.

Note: 1) All funds collected through Jail commissary operations will be used for inmate education, inmate library and self-sufficiency programs as well as supplies and equipment to support inmate programs. 2) All funds that are the Sheriff’s Office share resulting from the issuance of Concealed Carry Permits will be used for law enforcement purposes only. 3) All funds distributed to the Sheriff’s Office as a result of asset seizure by federal or state authorities will be used for law enforcement purposes only. 4) All funds received from five-percent of commissions from the inmate telephone system will be used for inmate vocational education programs.

Commissioner Leake removed this item from Consent for more clarification and public awareness. Rachel Vanhoy with the Sheriff’s Office addressed this matter.

Commissioner Clarke returned to the dais.

(12) SHERIFF’S SPECIAL REVENUE FUND – VOCATIONAL FACILITY

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and

DECEMBER 7, 2010

carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, to approve the revision to the Sheriff's Office Special Revenue Fund Ordinance to restrict the use of the funds.

Note: The Sheriff's Office Special Revenue Fund is used to record funds from different sources. The funds are recognized, received and appropriated annually by the Board of County Commissioners. Under the new Government Accounting Standards Board (GASB) Statement 54, Special Revenue funds are required to account for revenues that are legally restricted to a specific use. The attached ordinance defines the specific uses of those funds. This revision will specifically: Increase the percent received from inmate telephone system from five-percent to 16.8 percent to be used for inmate vocational education programs based on renegotiation of the agreement.

Commissioner Leake removed this item from Consent for more clarification and public awareness. Rachel Vanhoy with the Sheriff's Office addressed this matter.

Ordinance recorded in full in Minute Book 45-A Document # _____.

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

(13) BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Leake, Pendergraph and Roberts voting yes, to recognize and receive \$50,000 from the Sheriff's Vending Account to the General Fund and appropriate \$50,000 from the General Fund for Sheriff-approved employee recognition and activities.

Commissioner Leake removed this item from Consent for more clarification and public awareness. Rachel Vanhoy with the Sheriff's Office addressed this matter.

(19) BUDGET AMENDMENT – PARK AND RECREATION (REVENUE INCREASE)

Motion was made by Commissioner Clarke, seconded by Commissioner Cogdell and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Leake, Pendergraph, and Roberts voting yes, to recognize and appropriate a \$5,000 donation by Landscape Structures Inc. for the Designing Natural Play Areas professional workshop.

Note: In partnership with CPCC Center for Sustainability, the County Park and Recreation Department will host a second "Designing Natural Play Areas" professional workshop and accompanying public showing of the documentary "Play Again." Funding for this initiative comes from a \$5,000 donation from Landscape Structures Inc. This action increases the revenue and offsetting expense budgets to conduct the event. The revenue account will be increased by \$5,000 and the corresponding expense account will be increased by \$5,000.

Commissioner Leake removed this item from Consent for more public awareness. Jim Garges, director of Park and Recreation addressed this matter.

(21) BOULEVARD HOMES REVITALIZATION – EXTENSION OF BROOKSVALE STREET

Motion was made by Commissioner Leake, seconded by Commissioner Cogdell and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Leake, Pendergraph, and Roberts voting yes, to authorize the County Manager to execute documents to:

- (1) Convey a portion of Tax Parcel 115-051-08 (+/-1.90 acres) to the City of Charlotte for right-of-way improvements associated with the extension of Brooksvale Street as part of revitalization plans for Boulevard Homes in west Charlotte ; and
- (2) Submit a Subdivision Application to the City of Charlotte's Planning Department associated with the extension of Brooksvale Street (above referenced Right-of-Way).

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

Commissioner Dunlap returned to the dais.

(25) HEALTH DEPARTMENT H1N1 AWARD

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to recognize, receive and appropriate \$5,000 from The North Carolina GlaxoSmithKline Foundation for the Health Department's H1N1 efforts.

Commissioner Leake removed this item from Consent for more public awareness. Dr. Wynn Mabry, director of the Health Department addressed this matter.

(27) BUDGET AMENDMENT – DEPARTMENT OF SOCIAL SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to amend the Department of Social Services (DSS) FY11 budget to recognize, receive and appropriate customer funds in the amount of \$13,675.

Note: The Senior Nutrition Program annually takes participants on a recreational field trip. This trip is paid for by the participants and organized by program staff. This request is to recognize the participants contributions to allow for payment of the trip cost.

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

(28) BUDGET AMENDMENT – DEPARTMENT OF SOCIAL SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to amend the Department of Social Services (DSS) FY11 budget to recognize, receive and appropriate Home and Community Care Block Grant funds in the amount of \$41,829.

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

(29) PURCHASE CONTRACT - LATEX-FREE SYNTHETIC GLOVES – SHERIFF'S OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph, and Roberts voting yes, to approve a unit price contract for Latex-Free Synthetic Gloves from Aramsco, Inc. of Thorofare, NJ for a term of one-year with the option to renew up to four additional one-year terms. The annual expenditures for this contract is estimated to be \$64,860.

DECEMBER 7, 2010

Commissioner Leake removed this item from Consent for more clarification regarding the vendor selection. Rachel Vanhoy with the Sheriff's Office addressed this matter.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Cooksey and carried 8-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake, Pendergraph and Roberts voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:15 p.m.

Janice S. Paige, Clerk

Jennifer Roberts, Chairman