

NOVEMBER 7, 2012

MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street 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 Wednesday, November 7, 2012.

ATTENDANCE

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

Absent: None

Note: Commissioner Neil Cooksey passed away on October 10, 2012.

-INFORMAL SESSION-

Commissioners Bentley and Roberts were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 12-0643, 12-0652, 12-0629, 12-0599, 12-0603, 12-0611, 12-0614, 12-0616, 12-0622, 12-0624, 12-0625, 12-0626, 12-0634, 12-0640, 12-0642, and 12-0644.

STAFF BRIEFINGS - NONE

(12-0646, 12-0650) CLOSED SESSION – CONSULT WITH ATTORNEY AND PERSONNEL MATTER

Motion was made by Commissioner Pendergraph, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Dunlap, James, Leake, and Pendergraph voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:12 p.m. and came back into Open Session at 5:57 p.m.

Commissioners Bentley and Roberts were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

-FORMAL SESSION-

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

Note: Commissioner Dunlap returned to the meeting during introductions.

AWARDS/RECOGNITION

(12-0651) MECKLENBURG COUNTY PARK AND RECREATION - 2012 NATIONAL GOLD MEDAL AWARD GRAND WINNER

The Board recognized and commended the Park and Recreation Department for receiving the National Recreation and Park Association Gold Medal Award (Class 1, Over 250,000 population).

Note: The Gold Medal Award honors communities throughout the United States that demonstrate excellence in long-range planning, resource management, and agency recognition. Each agency is judged on its ability to address the needs of those it serves through the collective energies of citizens, staff and elected officials. Mecklenburg County Park and Recreation Department was selected the winner in the Class I category (population 250,000 and over) competing against: · City of Henderson (NV) Parks and Recreation Department· Maryland-National Capital Park and Planning Commission, Riverdale, MD· Plano (TX) Parks and Recreation

Park and Recreation Director Jim Garges was present and received the recognition on behalf of his department.

(12-0647) PUBLIC APPEARANCE

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

Kathy Davis, a resident of District 5, addressed the loss of Commissioner Cooksey as the District 5 representative. Ms. Davis asked that in light of Commissioner Cooksey's passing that the At-Large members of the Board look out for the interest of District 5 to give them a "voice." She asked the At-Large Board members to attend the District 5 public meeting to be conducted by Pearson's regarding the 2011 Revaluation Review on November 13, 2012 from 7:00 p.m. – 9:00 p.m. at the Marion Diehl Center on Tyvola Road. Ms. Davis noted that at the first District 5 public meeting held by Pearson's that Commissioner Cooksey was unable to attend for health reasons and that there was no representation from the Board present. Ms. Davis encouraged all Commissioners to attend meetings held in their district.

Paul Risk, Division Director of Youth and Family Services, along with staff members Carla Holloman, Foster Care Social Worker, Carol Rickle, Foster Parent, and Peter McNeil, Supervisor in Investigations, addressed the work, dedication, and commitment of Youth and Family Services staff, in light of recent unfavorable statements in the newspaper.

APPOINTMENTS

(12-0636) APPOINTMENTS

JUVENILE CRIME PREVENTION COUNCIL

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

Round One

Lawrence Brinson	None
Stephanie Carter-Tyson	Commissioners Cogdell, James, and Roberts
Jamica LaFranque	None
Emmett Tankersley	Commissioners Bentley, Clarke, Dunlap, and Pendergraph

Round Two

Lawrence Brinson	None
Stephanie Carter-Tyson	None
Jamica LaFranque	None
Emmett Tankersley	Commissioners Bentley, Clarke, Cogdell, Dunlap, James, and Pendergraph

Chairman Cogdell announced the appointment of Emmett Tankersley to the Juvenile Crime Prevention Council as the General Public representative to fill an unexpired term expiring June 30, 2014.

He replaces Chris Ferguson.

LIBRARY BOARD OF TRUSTEES

Commissioner Dunlap presented the Board's Ad Hoc Appointment Committee recommendation for appointments to the Library Board of Trustees: Jennifer Appleby and Robert Harrington. Committee members were Chairman Cogdell and Commissioners Dunlap and Pendergraph.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to appoint Jennifer Appleby and Robert Harrington to the Library Board of Trustees for four-year terms expiring December 31, 2016.

They replace Sally Robinson and Darrel Williams, whose terms will expire December 31, 2012.

Note: Commissioner Leake asked that all Board members be informed of when ad hoc appointment committees meet to conduct interviews.

PUBLIC HEARINGS - 6:30 PM - NONE

ADVISORY COMMITTEE REPORTS - NONE

MANAGER'S REPORT

(12-0619) 2011 REVALUATION REVIEW STATUS UPDATE

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The Board received an update on the status of the 2011 Revaluation Review. The update was provided by County Manager Jones, Cary Saul, Director of LUESA and Emmett Curl with Pearson's Appraisal Service. The Board also heard from Tom Durham, chair of the Citizens Revaluation Advisory Committee (CRAC) regarding its involvement in the process.

Note: Pearson's Appraisal Service is conducting a review of the County's 2011 Revaluation process.

The following was noted:

- Pearson's has been working under a very aggressive schedule.
- Pearson's will present their findings and recommendations to the Board at its November 13, 2012 Budget/Public Policy meeting at 3:00 p.m.
- Pearson's final report will be available Thursday or Friday of next week, November 15 or 16 and will be provided to the Board in advance of the November 20, 2012 meeting.
- The Board will be asked to consider any action it wants to take with respect to the final report findings and recommendations at the November 20, 2012 meeting.
- Pearson's held six public meetings, one in each county commission district.
- The meetings lasted anywhere from 1 1/2 hours to 4 hours.
- Pearson's visited 151 different neighborhoods that were selected at random.
- Pearson's reviewed 52 neighborhoods that were from high to low with respect to land value increase.
- A total of 203 neighborhoods were visited.
- Pearson's reviewed 375 records.
- Pearson's has reviewed project management, the appeal process, and statutory compliance.
- Pearson's plans to do the citizen's review after the meeting on November 13, 2012.

Comments

Commissioner James asked would the report be presented to management first and then the Board. *The response was no, the first presentation of the report would be to the Board on November 13, 2012.*

Commissioner James asked would there be any advance copies of the report. *The response was no.*

Commissioner James asked would the final report include recommendations to fix problems that were found and where the problems occurred. *The response was yes.*

Commissioner Bentley asked would there be an executive summary of the report available prior to the final report being published. *Mr. Curl said he hoped so, but he couldn't promise that there would be. He said the actual report would not be too lengthy, but that the lengthiness of the report would mainly be due to exhibits and maps.*

Mr. Curl said they plan to have a PowerPoint, which could serve as an executive summary.

Commissioner Bentley asked about the purpose of the additional district meetings that were going to be held between now and the Board's receipt of the final report. *Mr. Curl said the purpose of the additional district meetings would be to share the information that was shared with the Board on November 13, 2012.*

Commissioner Roberts asked about the meeting schedule for the upcoming additional district meetings. *It was noted that the schedule was available on-line.*

Commissioner Clarke asked about the 375 records that were reviewed. *Mr. Curl explained the purpose for reviewing those records, which was to see the condition of the data that overall*

predicts the value.

Commissioner Clarke asked were the records reviewed records the County had on file for properties. *The response was yes.*

Commissioner Clarke said he wanted to see in writing what process was used to come to the conclusions that were drawn in the report.

Commissioner Leake said hard copies of the report should be made available because everyone did not have access to a computer.

Commissioner Leake asked would there be recommendations on how Mecklenburg County should conduct its revaluation going forward. *Mr. Curl said there would be recommendations to improve the process to make it acceptable to citizens and easier for citizens. He said the report would be customer focused. He said there would be timeline recommendations in the report.*

Commissioner Dunlap asked if all the test data was being valued at the same percentage of its value. *The response was yes.*

Commissioner Dunlap asked whether definitions would be provided for the various terms used in the revaluation process, such as market value, sales price, etc. *Mr. Curl said if he was referring to asking price vs. what it actually sells for, that they plan to define arms length transactions and define reasons why it's not arms length.*

Commissioner Dunlap questioned the timing of the presentation of the final report and the Board's ability to absorb the information and make an "intelligent" decision, in light of the fact that November 20, 2012 would be the last meeting for the current board.

Commissioner Dunlap suggested that whatever information was provided to the Board, also be provided to Commissioners elect. Also, that Commissioners-elect be invited to any meetings where this matter would be discussed.

County Manager Jones said in light of the timing, the Board could consider holding a Special Meeting after the November 20, 2012 meeting and prior to December 3, 2012.

Chairman Cogdell asked would feedback received at the upcoming additional district meetings be included in the final report. *Mr. Curl said they would try to include as much as they could given the timeline involved. He said there would be a digital record of everything that would be turned over to the County.*

Tom Durham, chair of the Citizens Revaluation Advisory Committee complimented staff on the RFP that was developed and Pearson's for adhering to what was requested in the RFP. Mr. Durham said there was a representative from the Citizens Revaluation Advisory Committee at each of the district meetings held by Pearson's. Mr. Durham said they would also attend the upcoming additional district meetings.

Mr. Durham said the concern heard frequently from residents was the question of equity.

Mr. Durham thanked the Board on behalf of the Citizens Revaluation Advisory Committee for allowing them the opportunity to serve the community in this fashion.

Commissioner Pendergraph asked about the possibility of holding another community meeting in the 49 South, South Tryon, Buster Boy Bridge/Lake Wylie area. Commissioner Pendergraph said the location of the District meetings for District 2 and District 6 were quite a distance away for residents in these areas.

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Director Saul explained the process staff went through working with the District representatives to find locations and the tight time schedule that Pearson's had left. It was also noted that Pearson's was required to conduct twelve meetings, six before they began their work and six at the end of the process. He said if they could do one more, it would be after the presentation of the final report on November 20, but it should be kept in mind that if you hold an additional meeting for one district, other districts may want the same opportunity.

Commissioner Pendergraph said he understood.

The following persons appeared to speak to this issue:

Jeff Hare of Cornelius thanked the Board for its decision to have an external review the 2011 Revaluation process. Mr. Hare encouraged the Board to release the Pearson's report to the public. He said it needed to be clear to everyone what the report concluded and recommended.

Mr. Hare asked the Board to think about what could be done to make any necessary value changes that might need to be done based upon the report. Mr. Hare said he's aware that the Board of Equalization and Review and the Tax Assessor's Office could make changes.

Mr. Hare said he, as well as others, had spoken with members of the N.C. House and Senate and they stand ready to propose legislation that would enable Mecklenburg County to do what it needed to do to get this matter "right."

Barb Scott of Cornelius said she was concerned about the schedule for the release of the Pearson's report. Ms. Scott said she understood the timeline was very tight, but suspected some of the findings had already been discussed. Ms. Scott said any findings that had been discussed should be released to the public.

Ms. Scott said some of the findings had already been "leaked" to the Press, per what was in the newspaper last week. Ms. Scott said she suspected staff and the Citizens Revaluation Advisory Committee had been briefed and that information should be released for the benefit of the County Commission and public, because this was a complicated issue.

Ms. Scott encouraged the Board to consider holding an additional meeting sometime after the November 20, 2012 meeting to make a decision, as suggested by the County Manager.

Ms. Scott thanked the Board, staff, the Citizens Revaluation Advisory Committee and Pearson's for its work in this effort.

Commissioner Leake inquired about Ms. Scott's statement that there was a "leak" with respect to information in the Pearson's report.

Chairman Cogdell said he didn't know if Ms. Scott was referring to the interview he did with the Charlotte Observer or not.

Chairman Cogdell said there was an email to him from General Manager John McGillicuddy where he outlined some key themes that were very preliminary and high level themes; that email was public record and made public.

Chairman Cogdell said it was his understanding the report had not been finalized and no one had seen the report or any preliminary versions of the report.

Chairman Cogdell said there was an important word that he used when he interviewed with the Charlotte Observer that was not used by the Observer, which was possible "inequities."

Chairman Cogdell said the Observer used for its headline the word “inaccuracies.”

Chairman Cogdell said he was not aware of any leaks.

Commissioner Roberts said to her knowledge, none of the Commissioners had seen the Pearson’s report.

County Manager Jones noted for the record that staff had not seen the Pearson’s report, preliminary or final.

This concluded the discussion. No action was taken or required.

(12-0670) NOTICE OF INTENT – SECOND AMENDMENT TO AGREEMENT OF SALE FOR COUNTY PROPERTY

Motion was made by Commissioner Dunlap, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph, and Roberts voting yes, to adopt a resolution authorizing the Clerk to the Board to publish a notice of intent to amend the Agreement of Sale for three (3) parcels of land (+/- 11.33 acres) to be subdivided from Tax Parcels 125-071-20 and 125-071-25 and to be sold to Spectrum Investment Services.

Bobbie Shields, General Manager presented this matter to the Board. It was noted that Jim Dulin, Chairman of Spectrum Investment Services was requesting a six month extension of the closing deadline to purchase the subject property.

Resolution recorded in full in Minute Book _____, Document # _____.

COUNTY COMMISSIONERS REPORTS & REQUEST

(12-0649) NAMING OF COUNTY FACILITY

Motion was made by Commissioner Bentley, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to acknowledge receipt of an application submitted by Commissioner Karen Bentley to name the Health Department's Southeast Campus facility located at 249 Billingsley Road in honor of the late Commissioner Neil Cooksey. Secondly, to schedule a public hearing on November 20, 2012 at 6:30 p.m. to receive public comment on the proposed naming of a County facility in honor of the late Commissioner Neil Cooksey.

Consent Items

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

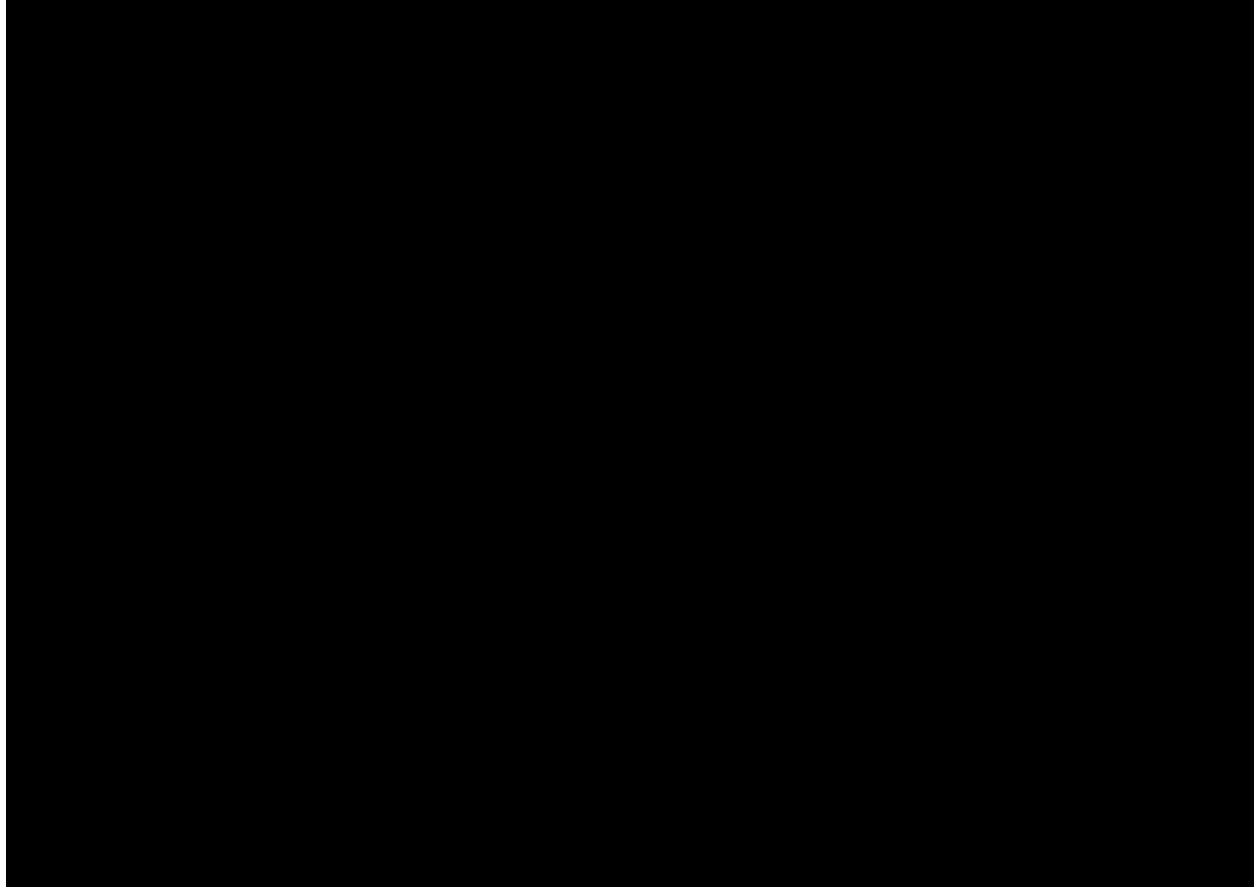
(12-0599) MECKLINK BEHAVIORAL HEALTHCARE MONTHLY FINANCIAL REPORT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to receive MeckLink's Monthly Financial Report for the period ending August 2012.

Note: In accordance with the Performance Agreement with the North Carolina Department of Health and Human Service, the program director of the county program (i.e., MeckLINK,

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formerly Area Mental Health) shall present to each member of the Board of County Commissioners a budgetary statement and balance sheet. This information shall be read into the minutes of the meeting at which it is presented.



Note: All revenue received from outside sources plus County revenue covers total expenditures incurred

Commissioner Leake removed this item from Consent to receive clarity on what department MeckLink was and its role. County Manager Jones explained that MeckLink was the department formerly known as Area Mental Health.

(12-0603) LATTA EQUESTRIAN CENTER

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to adopt a resolution declaring intent to enter into a lease agreement with the Country Times Carriages, LLC for the overall management, routine daily maintenance and operation of the Latta Equestrian Center.

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

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

(12-0609) BUDGET AMENDMENT - GREATER CHARLOTTE NC AIR AWARENESS GRANT (REVENUE INCREASE)

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to recognize, receive and appropriate \$165,961 from the NC Department of Environment and

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Natural Resources (NCDENR), Division of Air Quality, for the "Greater Charlotte NC Air Awareness Program" for each grant period.

(12-0611) JAIL HEALTH MEDICAL PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to approve the Jail Health Medical Plan as required by G. S. 153A-225.

Note: Any jurisdiction that operates a local confinement facility is required to develop a plan for providing medical care for inmates/prisoners in the facilities. G.S. 153A-225 requires that the plan be adopted by the governing body. The Jail Health Medical Plan is designed to protect the health and welfare of inmates/prisoners and to avoid the spread of contagious disease. It provides for medical supervision of inmates/prisoners and emergency medical care to the extent necessary for their health and welfare. It also provides for the protection, examination and treatment of inmates/prisoners who are infected with tuberculosis or other communicable diseases. The plan was developed in coordination with the Sheriff's Office medical provider and the Health Director and has been deemed adequate to protect the health and welfare of the inmates/prisoners.

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

A copy of the Plan is recorded in full in Minute Book _____, Document # _____.

(12-0614) BUDGET AMENDMENT - HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to recognize, receive and appropriate additional revenue in the amount of \$123,997 to reflect actual state and federal allocations.

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

(12-0616) BUDGET AMENDMENT - WORK FIRST BLOCK GRANT (TEMPORARY ASSISTANCE FOR NEEDY FAMILIES)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Roberts voting yes, to amend the Fiscal Year 2013 Adopted Budget by \$1,464,256 to recognize, receive and appropriate Federal Revenue for Work First Block Grant.

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

Commissioner Pendergraph returned to the dais.

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

(12-0617) PROCLAMATION - HOMELESS AWARENESS MONTH

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Adopt a joint proclamation designating November 2012 as "Homeless Awareness Month."

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

Commissioner Dunlap removed this item from Consent for more public awareness

(12-0629) PROCLAMATION - NATIONAL ADOPTION AWARENESS MONTH

Adopt a proclamation designating November 2012 as "National Adoption Awareness Month" in Mecklenburg County.

Chairman Cogdell removed this item from Consent for more public awareness.

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

(12-0652) PROCLAMATION - PANCREATIC CANCER AWARENESS MONTH

Adopt a proclamation designating November, 2012 as Pancreatic Cancer Awareness Month in Mecklenburg County.

Chairman Cogdell removed this item from Consent for more public awareness.

Note: County Manager Jones read the proclamation.

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

(12-0618) BOARD BULLETIN

Motion was made by Commissioner Pendergraph, seconded by Commissioner Roberts and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to receive the County Manager's Board Bulletins published since the last Board meeting.

(12-0622) NEW POSITION - COMMUNITY SUPPORT SERVICES DEPARTMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve establishing a new position to enhance job readiness and job placement services for displaced homemakers.

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

(12-0623) GRANT APPLICATION - SUSAN G. KOMEN FOUNDATION – BREAST CANCER SERVICES - HEALTH DEPARTMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve submission of a \$130,000 grant application for breast cancer screening and support for needed diagnostics from the Susan G. Komen Foundation. If awarded, recognize, receive, and appropriate awarded funds for the duration of the grant period.

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

(12-0624) GRANT APPLICATION - NC DHHS - TEEN PREGNANCY PREVENTION PROGRAM

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve submission of a \$300,000 grant application for the Adolescent Pregnancy Prevention Program from the NC Department of Health and Human Services, Office of Women's Health. If awarded, recognize, receive and appropriate awarded funds for the duration of each grant period.

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

(12-0625) GRANT APPLICATION - HIV/STD INTEGRATED TARGETED TESTING SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve submission of a three-year, \$120,000 per year (\$360,000 total) grant application for the Integrated Targeted Testing Services Program from the NC Department of Health and Human Services, HIV/STD Prevention Program. If awarded, recognize, receive and appropriate awarded funds for the duration of the grant period. This grant application is due November 13, 2012. The grant becomes effective June 1, 2013.

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

(12-0626) GRANT APPLICATION - HIV/STD COUNSELING, TESTING AND REFERRAL IN SUBSTANCE ABUSE TREATMENT CENTERS

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to approve submission of a three-year, \$120,000 per year (\$360,000 total) grant application for the HIV/STD Counseling, Testing and Referral in Substance Abuse Treatment Centers Program from the NC Department of Health and Human Services, HIV/STD Prevention Program. If awarded, recognize, receive and appropriate awarded funds for the duration of the grant period. This grant application is due November 13, 2012. The grant becomes effective June 1, 2013.

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

(12-0627) PROCLAMATION - GIS DAY

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to adopt a proclamation designating Wednesday, November 14, 2012 as GIS Day in Mecklenburg County.

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

(12-0628) SET PUBLIC HEARING - NCDOT COMMUNITY TRANSPORTATION GRANT APPLICATION

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Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to:

- 1) Set a public hearing for December 4, 2012 to receive comments on the Mecklenburg County Department of Social Services application for the North Carolina Department of Transportation's Community Transportation Grant for Fiscal Year 2013-2014.
- 2) Authorize the Clerk to the Board to publish Notice of Intent to hold a public hearing on December 4, 2012.

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

(12-0630) NOTICE OF INTENT - FIRST AMENDMENT TO AGREEMENT OF SALE FOR COUNTY PROPERTY TO FIBER MILLS, LLC

Adopt a resolution entitled, "Mecklenburg County Board of Commissioners Resolution Declaring Intent to Amend the Agreement to Sell Property to Fiber Mills, LLC."

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

(12-0633) PROPERTY TRANSFER TO THE CITY OF CHARLOTTE FOR THE BLUE LINE EXTENSION PROJECT

Approve the transfer of Parcel 049-241-05 (1.18 acres) to the City of Charlotte for \$437,500 to be added to the City/County Land Transfer Ledger and authorize the County Manager to negotiate and execute all documents necessary to complete the transfer.

(12-0634) RESERVE FUND APPROPRIATION - DISCARDED WHITE GOODS FUND

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to appropriate \$190,933 from the fund balance of the Discarded White Goods Fund for the purchase of one tandem drive compressed natural gas (CNG) rolloff truck.

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

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

(12-0635) TAX REFUNDS

Approve refunds in the amount of \$573, 222.58 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.

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

(12-0637) GRANT APPLICATION - ESRI AND PCI GEOMATICS NATURAL RESOURCES IMAGERY (GIS)

Approve submitting a \$100,000 grant application to ESRI for a Natural Resources Imagery Grant. If awarded, recognize, receive and appropriate awarded funds for the grant period. This grant application is due November 16, 2012. Winners will be announced on January 18, 2013.

(12-0639) TORRENCE CREEK AT HUNTERSVILLE BUSINESS PARK CONSERVATION EASEMENT AND AGREEMENT

1. Authorize the County Manager to execute a conservation easement for the stream restoration project funded by NC Clean Water Management Trust Fund along Torrence Creek at The Park-Huntersville on portions of Tax Parcels: 01716506 & 01718401.
2. Authorize the County Manager to execute a stream restoration and maintenance agreement for portions of Tax Parcels: 01718117, 01718108, & 01718116.

(12-0640) NOVA PROGRAM LEASE

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to authorize the County Manager to negotiate and execute a lease with Rozzelles Ferry, LLC for the NOVA Program.

Note: The New Options for Violent Actions (NOVA) program, which is part of the County's Community Support Services Department, is a state-certified batterer intervention program that aims to end violent behavior between intimate partners. NOVA serves residents of Mecklenburg County, and is the largest program of its kind in North Carolina. Program participants are referred by the court system, the Department of Social Services, or other human service providers. It is a 26-week, fee-based service that attempts to initiate change in abusers' behavior and introduce non-controlling, non-violent ways of relating to partners and loved ones.

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

Commissioner Roberts asked to be excused from voting on Item 12-0643 Refunding Bonds to avoid a conflict of interest.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to excuse Commissioner Roberts from voting on Item 12-0643 Refunding Bonds to avoid a conflict of interest.

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

RESOLUTION RELATING TO REFUNDING BONDS

Chairman Harold Cogdell, Jr. introduced the following resolution, which was read by the above title:

WHEREAS, the Board of Commissioners for the County of Mecklenburg, North Carolina (the "County"), is considering authorizing the issuance of refunding bonds of the County in an aggregate principal amount not exceeding \$276,000,000 for the purpose of providing funds, with other available funds, for refunding all or a portion of certain outstanding general obligation bonds, including paying expenses related thereto, and it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of such bonds that (i) the issuance of such bonds is necessary or expedient in order to realize debt service and other savings and benefits for the County, (ii) the principal amount of such bonds is adequate and not excessive for the proposed purpose of such bonds because it is based upon the best estimate of the County of the funds needed for such purpose and takes into account other funds of the County available for such purpose, (iii) the County's debt management procedures and policies are good and are managed in strict compliance with law, (iv) no increase in taxes will be necessary to service such bonds because it is expected that debt service and other savings will be realized in connection with the issuance of such bonds and (v) such bonds can be marketed at reasonable rates of interest.

Section 2. The County Manager, the Director of Finance and the County Attorney of the County are each hereby authorized to take such actions as may be advisable in connection with authorizing the issuance of such bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The Board recommends the selection of the following professionals to be on the financing team for the bonds and that their services be utilized to the extent required and where appropriate:

Bond Counsel	Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina
Financial and Swap Advisor	First Southwest Company Charlotte, North Carolina
Underwriters	Wells Fargo Securities and Citigroup Global Markets, Inc. (senior managers) U.S. Bank, N.A. (co-manager)
Underwriter's Counsel	McGuireWoods LLP

The Board hereby requests the Local Government Commission to approve such professionals as members of the financing team. The County will at a later date make recommendations for the selection of other parties required in connection with the issuance of the bonds.

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Section 4. The Board hereby requests that the Local Government Commission of North Carolina sell the bonds at private sale without advertisement at prices and at interest rates determined by Local Government Commission, subject to the approval of the Director of Finance of the Board. The minimum purchase price shall be the statutory minimum set forth in G.S. 159-123(c), and the maximum interest cost shall be 8%.

Section 5. The Board hereby authorizes the full or partial termination or modification of any interest rate swap agreements in connection with issuance of the bonds, and further authorizes using proceeds of the bonds to make any termination payments due from the County in connection with such swap terminations or modifications. The Board hereby requests the Secretary of the Local Government Commission to approve any such swap terminations or modifications.

Section 6. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner George Dunlap, seconded by Commissioner Bill James, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., George Dunlap, Bill James, Vilma Leake, and Jim Pendergraph.

Noes: None.

* * *

RESOLUTION INTRODUCING REFUNDING BOND ORDER

Commissioner Bill James introduced the following bond order, which was read by the above title.

* * *

BOND ORDER AUTHORIZING THE ISSUANCE OF \$276,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG

WHEREAS, the County of Mecklenburg (the "County") has issued Variable Rate General Obligation Public Improvement Bonds, Series 2003B (the "2003B Bonds"), a certain portion of which remain outstanding (the "Outstanding 2003B Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2004B (the "2004B Bonds"), a certain portion of which remain outstanding (the "Outstanding 2004B Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2005A (the "2005A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2005A Bonds"); and

WHEREAS, the County has issued General Obligation Refunding Bonds, Series 2005C (the "2005C Bonds"), a certain portion of which are subject to mandatory sinking fund redemption on February 1, 2013 (the "2013 2005C Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2007A (the "2007A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2007A Bonds"); and

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WHEREAS, the County has issued General Obligation Park and Recreation Bonds, Series 2008A (the "2008A Bonds"), a certain portion of which remain outstanding (the "Outstanding 2008A Bonds"); and

WHEREAS, the County has issued General Obligation Public Improvement Bonds, Series 2008B (the "2008B Bonds"), a certain portion of which remain outstanding (the "Outstanding 2008B Bonds"); and

WHEREAS, the Board of Commissioners of the County deems it advisable to refund all or a portion of the Outstanding 2003B Bonds, the Outstanding 2004B Bonds, the Outstanding 2005A Bonds, the 2013 2005C Bonds, the 2007A Bonds, the 2008A Bonds, and the 2008B Bonds (collectively referred to herein as the "Bonds to be Refunded") pursuant to and in accordance with The Local Government Finance Act;

NOW, THEREFORE, BE IT ORDERED by the Board as follows:

Section 1. The County Board of Commissioners has ascertained and hereby determines that it is advisable to refund the Bonds to be Refunded.

Section 2. To raise all or a portion of the money required to refund the Bonds to be Refunded as set forth above and to pay expenses in connection therewith, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be \$276,000,000.

Section 3. Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County's debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

Section 5. The bond order shall take effect upon its adoption.

The motion to introduce the above bond order was seconded by Commissioner Jim Pendergraph and adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., George Dunlap, Bill James, Vilma Leake, and Jim Pendergraph.

Noes: None.

* * *

RESOLUTION AUTHORIZING PUBLIC HEARING ON BOND ORDER

Commissioner Bill James moved the adoption of the following resolution, the motion was seconded by Commissioner Jim Pendergraph, and the resolution was read by title:

WHEREAS, the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$276,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" has been introduced at the meeting of the Board of Commissioners (the "Board") for the County of Mecklenburg (the "County") held on November 7, 2012, and the Board desires to provide for a public hearing thereon and the submission of a statement of debt in connection therewith as required by The Local Government Finance Act;

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NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

The public hearing upon that bond order shall be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, at a meeting that begins at 6:00 P.M. on December 18, 2012.

The Clerk to the Board is hereby directed to cause a copy of the bond order to be published with a notice of the hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to the public hearing.

The County's Director of Finance is hereby directed to file with the Clerk to the Board prior to publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County.

The motion to adopt the resolution was adopted by the following vote:

Ayes: Commissioners Karen Bentley, Dumont Clarke, Harold Cogdell, Jr., George Dunlap, Bill James, Vilma Leake, and Jim Pendergraph.

Noes: None.

Extracts and Resolutions recorded in full in Minute Book _____ Documents # _____, _____ and _____.

Commissioner Roberts returned to the dais.

(12-0642) TRAIL OF HISTORY ARTWORK MAINTENANCE CAPITAL RESERVE FUND ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to adopt the Trail of History Artwork Maintenance Capital Reserve Fund Ordinance.

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

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

(12-0644) PARK & RECREATION EQUIPMENT FINANCING

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to authorize the County Manager and the Director of Financial Services to negotiate and execute financing for acquisition of equipment for Park and Recreation for an amount not to exceed \$500,000 and a term not to exceed 59 months.

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

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

(12-0641) REVALUATION RESERVE FUND ORDINANCE

Adopt Revaluation Reserve Fund Ordinance and authorize the transfer of \$254,400 from the Revaluation Reserve Fund to the General Fund.

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

(12-0648) MINUTES

Approve minutes of Regular Meeting held October 16, 2012 and Closed Session held October 16, 2012.

CLOSED SESSION

Motion was made by Commissioner James, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, Pendergraph and Roberts voting yes, to go into Closed Session for the following purposes: Personnel Matter and Consult with the Attorney.

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

The Board went into Closed Session at 8:40 p.m. and came back into Open Session at 10:15 p.m.

ADJOURNMENT

Motion was made by Commissioner Pendergraph, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cogdell, Dunlap, James, Leake, and Pendergraph voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:18 p.m.

Janice S. Paige, Clerk

Harold Cogdell, Jr., Chairman

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