

DECEMBER 18, 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 Tuesday, December 18, 2012.

**ATTENDANCE**

**Present:** Chairman Patricia Cotham and Commissioners Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour  
County Manager Harry L. Jones, Sr.  
County Attorney Marvin Bethune  
Clerk to the Board Janice S. Paige

**Absent:** Commissioner Karen Bentley

---

**-INFORMAL SESSION-**

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

***The meeting was called to order by Chairman Cotham, 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 12-0707,12-0708,12-0709, 12-0720, 12-0722, 12-0726, 12-0730, 12-0752.

**STAFF BRIEFINGS - NONE**

**(12-0746, 12-0754) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY**

Prior to going into Closed Session, Attorney Bethune announced the following Consult with Attorney matters to be discussed in Closed Session: Jerry Alan Reese vs. Mecklenburg County and Knights Baseball, LLC and Jerry Alan Reese vs. Mecklenburg County, City of Charlotte.

County Attorney Bethune said the Board did not need to go into Closed Session to discuss Business Location and Expansion because that matter was removed from the agenda.

Motion was made by Commissioner Leake , seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Ridenhour voting yes, to go into Closed Session to Consult with Attorney.

DECEMBER 18, 2012

*The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 5:51 p.m.*

*Commissioners Dunlap and Ratliff 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 Cotham called this portion of the meeting to order, which was followed by invocation by Commissioner Clarke, and the Pledge of Allegiance to the Flag; and then introductions; after which, the matters below were addressed.*

*Note: Boy Scouts Troop 11 from Providence Methodist Church participated in the Pledge of Allegiance to the Flag.*

**AWARDS/RECOGNITION - NONE**

**(12-0732) PUBLIC APPEARANCE**

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

Catherine Kouri addressed the denial of her refund for overpayment of 2007 taxes on land parcel #18306115. A copy of an e-mail from Ms. Kouri describing her situation was provided to the Board.

***A copy of Ms. Kouri's e-mail is on file with the Clerk to the Board.***

Chairman Cotham asked the County Manager to review Ms. Kouri's concern and provide the Board with a response.

**(12-0736) NOMINATIONS/APPOINTMENTS**

**ADULT CARE HOME ADVISORY COMMITTEE**

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Julianne Burke and Evelyn Moses to the Adult Care Home Advisory Committee for one-year terms expiring December 30, 2013.

*They replace Carol O'Dell and Linda Olige.*

**FIRE COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Ratliff and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Don Monteith to the Fire Commission for a three-year term expiring January 30, 2016.

**DECEMBER 18, 2012**

Motion was made by Commissioner James, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Harley Cook to the Fire Commission to fill an unexpired term expiring March 2, 2013.

*He replaces Donald Beard.*

**PERSONNEL COMMISSION**

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Eric McMillan to the Personnel Commission to fill an unexpired term expiring January 31, 2014.

*He replaces Jonathan Tobe.*

**MANAGER'S REPORT**

**(12-0743) 2013 LEGISLATIVE AGENDA**

Assistant to the County Manager Brian Francis presented the proposed Mecklenburg County 2013 Legislative Agenda for the 2013 General Assembly Session. The items were as follows:

Staff recommendations

1. Remove the sunset on Domestic Violence Fatality Review team and adjust the composition of the team.
2. Make uniform the penalties for various locally collected taxes.
3. Broaden the permitted uses of storm water fees.
4. Support legislation to enact the policies of the Board related to revaluation.
5. Protect Mecklenburg County's ability to implement the Mecklink MCO.

Commissioner Requests

1. Remove members of MPO and RPO from the state ethics regime. (Clarke)

Guiding Principles

1. Support legislation that grants greater flexibility to counties.
2. Oppose legislation that restricts county flexibility.
3. Oppose legislation that creates unfunded mandates to counties.
4. Oppose legislation that shifts costs from state to county government

***A copy of the proposed Legislative agenda is on file with the Clerk to the Board.***

---

**Staff Recommendations**

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session:

- 1. Remove the sunset on Domestic Violence Fatality Review team and adjust the composition of the team.**

**DECEMBER 18, 2012**

Action: (1) Re-authorize the Mecklenburg Domestic Violence Fatality Prevention and Protection Review Team, without a sunset provision, which otherwise will terminate by June 15, 2014. (2) Amend Section 1.(c) Composition to add: A representative from the Domestic Violence District Court, a representative from the Magistrate's Office, a representative from the Sheriff's Office, a representative from the faith community, a representative from the N.C. Department of Probation, and to delete: a representative from emergency services personnel.

*Note: If additional counties seek to form a Team, the language may need to be broadened to accommodate different representation needs in different counties.*

---

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session:

**2. Make uniform the penalties for various locally collected taxes.**

Action: Establish a uniform rate of three-fourths of one percent (0.75%) per month or fraction thereof for the following taxes: prepared food and beverage tax, short-term leases and rentals of vehicles, short-term leases and rentals of heavy equipment, and leases and rental of U-Drive-it vehicles and motorcycles. Secondly, to also submit this item to the North Carolina Association of County Commissioners for inclusion in their agenda.

---

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-2 with Commissioners Clarke, Cotham, Dunlap, Leake, Ratliff, and Ridenhour voting yes and Commissioners Fuller and James voting no, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session:

**3. Broaden the permitted uses of storm water fees.**

Requested Action: Amend N.C. General Statute 153A-277 with the intention of clarifying the public purpose and associated public benefits for a county having additional flood mitigation techniques that can be funded by revenue from the storm water fee.

---

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Fuller voting no, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session:

**4. Support legislation to enact the policies of the Board related to revaluation.**

---

Motion was made by Commissioner Ratliff, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session:

**5. Protect Mecklenburg County's ability to implement the Mecklink MCO.**

---

**Commissioner Requests**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve including the following legislative matter in Mecklenburg County's 2013 Legislative Agenda for the 2013 General Assembly Session as recommended by Commissioner Clarke:

**Remove members of MPO and RPO from the state ethics regime.**

Requested Action: Delete requirement that a MPO be treated as a board for purposes of Chapter 138A of the General Statutes. Delete any requirement that members of an MPO or RPO file a statement of economic interest with the State Ethics Commission.

---

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to support the following Guiding Principles as it relates to the Legislative Agenda for the 2013 General Assembly Session:

1. Support legislation that grants greater flexibility to counties.
2. Oppose legislation that restricts county flexibility.
3. Oppose legislation that creates unfunded mandates to counties.
4. Oppose legislation that shifts costs from state to county government

**(12-0750) MEDICAID WAIVER IMPLEMENTATION UPDATE**

The Board received an update on the Medicaid waiver implementation. General Manager Michelle Lancaster and Director of MeckLINK Behavioral Healthcare Phil Endress gave the update. The following was covered:

- Overview of MeckLINK Behavioral Healthcare
- Background on Medicaid Waiver Project
- December Waiver Implementation Update.

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

Comments

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

Commissioner Leake asked about the hiring of staff, which was addressed.

Commissioner Dunlap asked about 1) the credentialing process for providers, 2) coverage of current Medicaid consumers not included in the 76% covered by contracted providers, and 3) process for selection of providers by consumers, which were all addressed.

Commissioner Fuller asked about 1) the nature of the contracts between the County and providers, and 2) the process for determining which providers get selected to perform a service for the County, which were addressed.

Commissioner Ridenhour asked about the repayment of the \$8.4 million approved by the previous Board to fund the start-up costs, which was addressed.

This concluded the discussion of this matter.

**PUBLIC HEARINGS**

**(12-0733) LIMITED OBLIGATION REFUNDING BONDS**

**PUBLIC HEARING**

The Chairman announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) of the North Carolina General Statutes, as amended, for the purpose of considering whether the Board of Commissioners for the County (the "Board") should approve the amendment to an installment financing contract in order to refinance all or a portion of the obligations thereunder. Under the contract, the County obtained financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in the amount of \$34,720,000 to finance the Projects described in the Notice of Public Hearing

The Chairman announced that the notice of the public hearing was published in The Charlotte Observer on or before December 8, 2012.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on or who responded in writing to the notice of public hearing, are as follows: None

After the Board had heard all persons who had requested to be heard, Commissioner Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Dunlap and was adopted 7-0.

\* \* \*

Commissioner Clarke introduced the following Resolution which was read by title, and moved it be adopted:

**RESOLUTION AUTHORIZING AND APPROVING REFINANCING AMENDMENTS TO AN INSTALLMENT FINANCING RELATING TO CERTIFICATES OF PARTICIPATION (2008B MECKLENBURG COUNTY)**

WHEREAS, financing and refinancing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding refinancing amendments to an installment financing contract that financed certain capital projects;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) First Supplemental Installment Financing Agreement to be dated as of January 1, 2013 (the "Supplemental Agreement") between the County and Mecklenburg County Public Facilities Corporation (the "Corporation");
- (2) First Supplemental Trust Agreement to be dated as of January 1, 2013 (the "Supplemental Trust Agreement") between the Corporation and Deutsche Bank National Trust Company, as trustee;

**DECEMBER 18, 2012**

- (3) Official Statement (the “Official Statement”) relating to Taxable Limited Obligation Refunding Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation (the “Bonds”);
- (4) Bond Purchase Agreement (the “Purchase Contract”) between Fifth Third Securities, Inc. (the “Underwriter”) and the Corporation;
- (5) Escrow Deposit Agreement dated as of February 12, 2013, by and between the County and Deutsche Bank National Trust Company, as escrow agent;

WHEREAS, the Board of Commissioners of the County wants to approve those documents and the sale of the Bonds and to authorize other actions in connection therewith; and

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

1. The Board hereby finds and determines in connection with the proposed installment financing contract refinancing amendment that (a) such proposed installment financing contract amendment is necessary or expedient to the County, (b) such proposed installment financing contract amendment, under current circumstances, is preferable to a bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract amendment are adequate and not excessive for their proposed purpose, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract amendment will not be excessive and (f) the County is not in default regarding any of its debt service obligations.
2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract refinancing amendment under Article 8 of Chapter 159 of the General Statutes of North Carolina.
3. The County Manager, the Director of Finance and any Deputy Director of Finance are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract amendment with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation thereof and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.
4. Each of the Supplemental Agreement, the Escrow Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
5. The Supplemental Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
6. The Official Statement, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.
7. The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution. Without limiting the generality of the foregoing, the Director of Finance or any Deputy Director of Finance is authorized to approve all details of the refinancing. Execution of the Agreement Amendment by the Chairman of the Board, the County Manager, the Director of

**DECEMBER 18, 2012**

Finance or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.

8. All actions of the County effectuating the proposed refinancing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the documents referred to above.
9. This Resolution shall become effective immediately upon its adoption.

Commissioner Dunlap seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Trevor Fuller, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None.

**Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.**

**(12-0734) GENERAL OBLIGATION REFUNDING BONDS**

**REPORT FROM CLERK**

The Clerk to the Board of Commissioners reported to the Board of Commissioners that the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$276,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" which had been introduced on November 7, 2012, had been published in a qualified newspaper on or before December 12, 2012, with notice that the Board would hold a public hearing thereon on December 18, 2012. The Clerk also reported that the County's Director of Finance had filed in the Clerk's office a statement of debt complying with the provisions of The Local Government Bond Act and that such statement showed the net indebtedness of the County to be 1.56% of the assessed valuation of property in the County subject to taxation.

\* \* \*

**PUBLIC HEARING ON BOND ORDER**

Commissioner Clarke moved that the Board proceed to hold a public hearing on the bond order. The motion was seconded by Commissioner Fuller and was adopted 7-0.

At 7:50 P.M., the Chairman of the Board announced that the Board would hear anyone who wished to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds. None

After the Board had heard all persons who requested to be heard, Commissioner Clarke moved that the public hearing be closed. The motion was seconded by Commissioner Ratliff and was adopted 7-0.

\* \* \*

**ADOPTION OF BOND ORDER**

Commissioner Clarke moved that the Board adopt without change and direct the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled "BOND ORDER AUTHORIZING THE ISSUANCE OF \$276,000,000 REFUNDING BONDS OF THE COUNTY OF MECKLENBURG" introduced at the meeting of the Board of Commissioners held on November 7, 2012. The motion was seconded by Ratliff and was adopted by the following vote:



**DECEMBER 18, 2012**

AYES: Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Trevor Fuller, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None.

Commissioner James was not present at the meeting at the time this matter was considered.

\* \* \*

**RESOLUTION AUTHORIZING ISSUANCE OF REFUNDING BONDS**

Commissioner Ratliff moved adoption of the following resolution, the motion was seconded by Commissioner Leake, and the resolution was read by the above title.

WHEREAS, the bond order hereinafter described has taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

Section 1. Pursuant to and in accordance with the refunding bond order adopted by the Board of Commissioners on December 18, 2012, the Issuer shall issue its bonds in the aggregate principal amount not to exceed \$276,000,000.

Section 2. The bonds to be issued pursuant to the bond order described in the preceding paragraph shall be designated "General Obligation Refunding Bonds, Series 2013A" (the "Bonds"). The Bonds shall be dated the date of their delivery, and shall bear interest from their date at a rate or rates that shall be determined upon the private sale of the Bonds, and interest shall be payable on June 1, 2013, and semi-annually thereafter on December 1 and June 1. The Bonds shall mature on December 1, 2013 and thereafter on December 1 in years and amounts as determined upon the private sale of the Bonds.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

The Bonds shall be deemed to refund each of the issues of bonds being refunded within the respective periods of usefulness of the capital projects financed by each of the issues of bonds being refunded.

Section 3. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on and principal of the Bonds will be payable at the times described above, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or

**DECEMBER 18, 2012**

(b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC’s rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

Section 4. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

Section 5. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \_

United States of America  
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION REFUNDING BOND, SERIES 2013A

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
	December 1, _____	January 29, 2013	584002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

The County of Mecklenburg (the “County”), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202 (the “Bond Registrar”), the principal sum shown above and to pay to

**DECEMBER 18, 2012**

the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the June 1 or December 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a June 1 or December 1 to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on June 1, 2013, and semi-annually thereafter on June 1 or December 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, a bond order adopted by the Board of Commissioners of the County on December 18, 2012 (the "Bond Order") and a resolution adopted by that Board (the "Resolution") to provide funds, together with any other funds that may be provided, to refund all or a portion of the County's outstanding Variable Rate General Obligation Public Improvement Bonds, Series 2003B, Variable Rate General Obligation Public Improvement Bonds, Series 2004B, General Obligation Public Improvement Bonds, Series 2005A, General Obligation Refunding Bonds, Series 2005C which are subject to mandatory sinking fund redemption on February 1, 2013, General Obligation Public Improvement Bonds, Series 2007A, General Obligation Park and Recreation Bonds, Series 2008A, and General Obligation Public Improvement Bonds, Series 2008B.

[Insert sinking fund redemption provisions if there are term bonds.]

[Include the following if the bonds are subject to optional redemption.]

[The bonds maturing on and after December 1, 20\_\_, shall be subject to redemption prior to their stated maturities at the option of the County on or after December 1, 20\_\_, in whole or in part at any time at a redemption price equal to \_\_\_% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.]

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be

**DECEMBER 18, 2012**

responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Order or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated January 29, 2013.

\_\_\_\_\_  
Chairman of the Board of Commissioners

(SEAL)

\_\_\_\_\_  
Clerk to the Board of Commissioners

#### CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

\_\_\_\_\_  
Secretary, Local Government Commission

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Order and Resolution.

COUNTY OF MECKLENBURG  
DIRECTOR OF FINANCE, as Bond Registrar

**DECEMBER 18, 2012**

By: \_\_\_\_\_  
Authorized Signature

Date of Authentication: January 29, 2013

**ASSIGNMENT**

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_  
the within Bond and irrevocably appoints \_\_\_\_\_  
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of  
substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

\_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Section 6. If the Bonds are subject to optional redemption, those Bonds maturing on and after December 1 of a year to be determined at the private sale of the Bonds shall be subject to redemption prior to their stated maturities at the option of the County on or after December 1 of the preceding year in whole or in part at any time at a redemption price equal to a percentage of the principal amount of each Bond to be redeemed to be determined at the private sale of the Bonds, together with accrued interest thereon to the redemption date.

If less than all the Bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay

**DECEMBER 18, 2012**

the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

Section 7. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond and interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, 11th Floor, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 8. The Director of Finance is hereby authorized to determine and approve any details necessary in connection with the sale of the Bonds, including without limitation the principal amount of Bonds,

interest rates, maturity years and amounts, and redemption provisions not included herein. Such details shall be reflected in the Bond certificates.

Section 9. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

Section 10. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on such Bonds for federal income tax purposes.

Section 11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

Section 12. The Issuer hereby authorizes the officers of the Issuer designated therein to execute and deliver an Escrow Deposit Agreement, Bond Purchase Agreement and Official Statement relating to the Bonds in such forms as may be approved by them, their execution thereof constituting conclusive evidence of such approval. The Preliminary Official Statement and the Official Statement are hereby authorized for use in connection with the sale of the Bonds.

Section 13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;

- (9) defeasances;
  - (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
  - (11) rating changes;
  - (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
  - (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
  - (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and
- (d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (“Rule 15c2-12”) as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 14. The investment banking firm of First Southwest Company is hereby authorized to serve as financial advisor to the Issuer (the “Financial Advisor”) in connection with sale and issuance of the Bonds. The Financial Advisor and its affiliates are hereby expressly authorized to bid for the purchase of the Bonds.

The motion was adopted by the following vote:



DECEMBER 18, 2012

AYES: Commissioners Dumont Clarke, Patricia Cotham, George Dunlap, Trevor Fuller, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None.

***Extracts/Resolutions recorded in full in Minute Book \_\_\_\_\_ Documents # \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_.***

#### ADVISORY COMMITTEE REPORTS - NONE

#### STAFF REPORTS & REQUESTS

##### **(12-0724) REVALUATION REVIEW WORK PLAN IMPLEMENTATION**

The Board received a status report on the revaluation review work plan, per Pearson's Appraisal Service, Inc. report.

General Manager/County Assessor Bobbie Shields gave the report. The following was covered:

- Goals of Revaluation Action Plan
- The County's Organizational Vision and the Assessor's Office Mission
- 2011 Revaluation Work Plan with emphasis on "Immediate Board Action Items" (1-8)
- Proposed Contract with Pearson's Appraisal Services
- Proposed Contract with Customer Service Solutions
- Key dates for Board action.

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

#### Comments

Commissioner Clarke asked what was the future Board action date of May 7, 2013 for approval of the revaluation process referring to. *General Manager/County Assessor Shields said it was referring to the next revaluation. General Manager Shields said staff wants to make sure that when the next revaluation was performed that it's done right, there's good data, and that everyone is on board and understands what's being done, and the public is informed.*

Commissioner Clarke asked whether the cost estimate shown took into account the cost for implementing the customer service improvement recommendations. *General Manager/County Assessor Shields said it was to develop a plan for customer service.*

Commissioner Clarke said he wanted to make sure that as the County goes through this process of customer service improvements, that the Board is informed of the cost to implement the various improvements. Commissioner Clarke said the public needed to be aware of the cost as well.

Commissioner Leake asked if other companies applied to be considered to help the County develop the customer service improvement plan. *General Manager/County Assessor Shields said Customer Service Solutions was a company that the County already had an existing contract with. He said the County was pleased with the services they currently provide.*

Commissioner Leake asked was a representative from Customer Service Solutions present. *General Manager/County Assessor Shields said no. General Manager/County Assessor Shields said they asked if he wanted them to attend the meeting, but he told them it wouldn't be necessary.*

DECEMBER 18, 2012

Commissioner Leake said going forward, she would like for persons the County planned to do business with for matters of this nature to be present at the meeting.

Commissioner Leake asked about the location and size of Customer Service Solutions, which was addressed.

Commissioner Dunlap asked about neighborhoods that might not be identified as having major issues and how would an individual get their concern addressed. *General Manager/County Assessor Shields said each year if there's a change or a mistake, individuals have a recourse to appeal their value. General Manager/County Assessor Shields said individuals with concerns about information on their property card should contact the County Assessor's Office.*

Commissioner Dunlap asked was there a way of assessing whether the cost that Pearson's was going to charge the County, was in fact the best cost. *General Manager/County Assessor Shields said Pearson's Appraisal Service came in, in a relatively short timeframe and established credibility in the community and provided the County with a useful and creditable report. He said Pearson's proposal was based on \$600 per person, per day, which is \$75 per hour, which includes their overhead, such as hotel, travel, etc. General Manager/County Assessor Shields said when you look at all of those factors, staff felt Pearson's cost was reasonable.*

General Manager/County Assessor Shields said the County could have sought bids, but the previous Board was very specific that they wanted to extend the contract with Pearson's. He said there was a sense of urgency to continue moving forward.

Commissioner Fuller asked with respect to the major issues, was it correct that in order to determine where the major issues were that every neighborhood in the county would have to be looked at. *General Manager/County Assessor Shields said there was technology available that would make the job easier. He said when staff reports back, dealing with the minor issues, staff would share that process. General Manager/County Assessor Shields said with the appraisers that the county had and the level of experience, staff knows how to triage and identify where the problems might be.*

General Manager/County Assessor Shields said this would take a lot of review but he doesn't think, based on the process that staff intend to use, that they'll have to touch every parcel. He said using the process they have, it's felt they'll have accurate data, a good tax record, and a good representation of true value.

County Manager Jones said what he recalled from the Pearson's report was that they referred to looking at major issues in what they characterized as heterogeneous communities. County Manager Jones said heterogeneous communities were defined as communities constructed prior to 1980. As such, he doesn't believe that it will require a look at all neighborhoods, but primarily those that were pre 1980 and heterogeneous in nature.

Commissioner Fuller said he was concerned that when the term major issues is used and it only applies to some neighborhoods without reviewing all neighborhoods, that you'll wind up "in the same place" that we were after the 2011 revaluation.

Commissioner Fuller said he was concerned that there may be people who were not as vocal after the conclusion of the 2011 revaluation, who will find themselves having a reason to now be vocal. Commissioner Fuller said the County needed to "get this thing done "right."

Commissioner Fuller said he was concerned that if all neighborhoods are not reviewed that there will be a "lingering distaste" from the public that the County has not been "fair" to everybody.

**DECEMBER 18, 2012**

General Manager/County Assessor Shields said Pearson's was proposing a review of the remaining 1100 neighborhoods. He said Pearson's intends to do the comprehensive review that Commissioner Fuller talked about.

General Manager/County Assessor Shields said what staff was trying to point out with respect to the homogeneous and heterogeneous neighborhoods was that they would be reviewed and if Pearson's finds that this is an area where they know that its right, it doesn't mean that they would not have reviewed it, but the level of review may not be as detailed as it was for the heterogeneous neighborhoods. General Manager/County Assessor Shields said Pearson's plans to do what Commissioner Fuller was concerned about, so that there would be no neighborhood that would say they weren't reviewed.

Commissioner Fuller asked about the additional resources that might be needed and the costs associated with that, which was addressed.

Commissioner Fuller asked when did staff think the County would be ready do the next revaluation. *General Manager/County Assessor Shields said sometime between 2015 and 2019.*

Chairman Cotham expressed concern for the timetable in hiring a permanent County Assessor. Chairman Cotham said she thought the process would have started sooner than what was outlined.

Chairman Cotham said she hoped there would be a lot involvement between Pearson's and staff at the Assessor's Office because Pearson's experience would be of much value.

Chairman Cotham asked that it be kept in mind with respect to the evaluation of the Assessor's Office, that perhaps Pearson's should do this and offer recommendations, rather than the County Manager.

Chairman Cotham expressed interest and concern for the customer service component.

Chairman Cotham expressed disappointment that Customer Service Solutions was not present. Chairman Cotham said she'd like to meet representatives from Customer Service Solutions.

Chairman Cotham said she'd like to receive weekly updates that would be shared with the Board.

Commissioner Ridenhour suggested that Customer Service Solutions be asked to attend the next meeting of the Board and share what their vision was for improving customer service and how they plan to accomplish their objectives.

Chairman Cotham said perhaps Customer Service Solutions could be invited to a future Budget/Public Policy meeting.

Chairman Cotham thanked General Manager/County Assessor Shields for the update.

---

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff, to:

1) Approve a Work Plan for revaluation review as presented by staff 2) Authorize the County Manager to execute a contract amendment with Pearson's Appraisal Service, Inc. 3) Authorize the County Manager to negotiate an agreement with Customer Service Solutions to develop a customer service improvement plan for the Assessor's Office.

Substitute motion was made by Commissioner Fuller, seconded by Commissioner Leake and failed 4-3 with Commissioners Clarke, Dunlap, Ratliff, and Ridenhour voting no and

**DECEMBER 18, 2012**

Commissioners Cotham, Fuller, and Leake voting yes, to: 1) Approve a Work Plan for revaluation review as presented by staff. 2) Authorize the County Manager to execute a contract amendment with Pearson's Appraisal Service, Inc. and 3) to table action to authorize the County Manager to negotiate an agreement with Customer Service Solutions to develop a customer service improvement plan for the Assessor's Office, until the Board's January 2, 2013 meeting at which time Customer Service Solutions would be asked to appear before the Board to address any questions Board members may have.

The vote was then taken on the original motion, but in three parts as noted below.

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve a Work Plan for revaluation review as presented by staff.

Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to authorize the County Manager to execute a contract amendment with Pearson's Appraisal Service, Inc.

Motion was made by Commissioner Ratliff, seconded by Commissioner Dunlap and carried 4-3 with Commissioners Clarke, Dunlap, Ratliff, and Ridenhour voting yes, and Commissioners Cotham, Fuller, and Leake voting no, to authorize the County Manager to negotiate an agreement with Customer Service Solutions to develop a customer service improvement plan for the Assessor's Office.

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

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

**(12-0735)      CETIFICATES OF PARTICIPATION INTEREST RATE MODE CONVERSIONS**

Commissioner Clarke introduced the following Resolution which was read by title, and moved it be adopted:

**RESOLUTION AUTHORIZING AND APPROVING AMENDMENTS TO TRUST AGREEMENT AND CONVERSION OF INTEREST RATE MODE ON VARIABLE RATE CERTIFICATES OF PARTICIPATION (2008A MECKLENBURG COUNTY)**

WHEREAS, the Issuer previously issued its \$124,960,000 Variable Rate Certificates of Participation (2008A Mecklenburg County) (the "Certificates") pursuant to a Trust Agreement dated as of February 1, 2008 (the "Original Trust Agreement");

WHEREAS, the Certificates were originally issued in the Weekly Rate Period pursuant to the terms of the Original Trust Agreement;

WHEREAS, the Issuer wants the interest rate mode for the Certificates to be converted (the "Conversion") to a Index Floating Rate on January 29, 2013 (the "Effective Date") pursuant to the provisions set forth in a First Amended and Restated Trust Agreement dated as of the Effective Date (the "Amended Trust Agreement");

WHEREAS, there have been available at this meeting drafts of the forms of the following:

- (1) Amended Trust Agreement;
- (2) Reoffering Circular (the "Reoffering Circular") relating to the Certificates;

**DECEMBER 18, 2012**

- (3) Certificate Purchase Agreement (the "Purchase Contract") among Wells Fargo Bank, National Association (the "Underwriter"), the County and the Corporation;

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

1. The Conversion is hereby authorized and approved. The County Manager, the Director of Finance and any Deputy Director of Finance are authorized to take such action as may be advisable in connection with the negotiation of the above documents and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.
2. The Purchase Contract, in the form submitted to this meeting, is hereby approved, and the Chairman of the Board, the County Manager, the Director of Finance, any Deputy Director of Finance, and the Clerk to the Board are each hereby authorized and directed to execute and deliver that document, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.
3. The Amended Trust Agreement, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.
4. The Reoffering Circular, in the form submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Certificates is hereby authorized.
5. The Chairman of the Board, the County Manager, the Director of Finance, or any Deputy Director of Finance, the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution.
6. This Resolution shall become effective immediately upon its adoption.

Commissioner Leake seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia Cotham, Trevor Fuller, Vilma Leake, and Matthew Ridenhour

NAYS: None.

---

Commissioner Clarke introduced the following resolution, a copy of which had been provided to each Commissioner, which was read by title:

**RESOLUTION AUTHORIZING AND APPROVING AMENDMENTS TO TRUST AGREEMENT AND CONVERSION OF INTEREST RATE MODE ON VARIABLE RATE CERTIFICATES OF PARTICIPATION (2006 MECKLENBURG COUNTY)**

Upon motion of Commissioner Clarke, seconded by Commissioner Leake, the following resolution was passed by the following vote:

AYES: Commissioners Dumont Clarke, Patricia Cotham, Trevor Fuller, Vilma Leake, and

Matthew Ridenhour

NAYS: None.

Note: Commissioners Dunlap, James, and Ratliff were not present at the meeting at the time this matter was considered.

\* \* \* \* \*

BE IT RESOLVED by the Board of Commissioners (the "Board") of the County of Mecklenburg, North Carolina (the "Issuer"):

WHEREAS, the Issuer previously issued its \$108,000,000 Variable Rate Certificates of Participation (2006 Mecklenburg County) (the "Certificates") pursuant to a Trust Agreement dated as of February 1, 2006 (the "Original Trust Agreement");

WHEREAS, the Certificates were originally issued in the Weekly Rate Period pursuant to the terms of the Original Trust Agreement;

WHEREAS, the Issuer wants the interest rate mode for the Certificates to be converted (the "Conversion") to a Bank-Bought Index Floating Rate on January 10, 2013 (the "Effective Date"), with U.S. Bank National Association (the "Bank Holder") to own all the outstanding Certificates, all pursuant to the provisions set forth in a First Amended and Restated Trust Agreement dated as of the Effective Date (the "Amended Trust Agreement") and a Continuing Covenant Agreement dated as of January 1, 2013 (the "Covenant Agreement");

1. The Conversion and the terms of the Amended Trust Agreement and the Covenant Agreement are hereby authorized and approved.
2. Each of the officers of the Board, the County Manager and the County Director of Finance and employees are authorized and directed to execute and deliver any certificates or documents they, with the advice of counsel, may deem necessary or appropriate to effect the transactions contemplated by this resolution and the documents described above, such execution and delivery to be conclusive evidence of the approval and authorization thereof by the Board.
3. This resolution shall take effect upon its passage.

*Extracts/Resolutions recorded in full in Minute Book \_\_\_\_\_ Documents # \_\_\_\_\_ and \_\_\_\_\_.*

**(12-0737) GENERAL OBLIGATION BONDS**

**RESOLUTION AUTHORIZING ISSUANCE OF BONDS**

Commissioner Leake moved adoption of the following resolution, the motion was seconded by Commissioner Fuller, and the resolution was read by the above title.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Issuer"), as follows:

1. Pursuant to and in accordance with the park and recreation facilities bond order adopted by the Board of Commissioners on September 3, 2008, the Issuer shall issue its bonds in the aggregate principal amount of \$10,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 20, 2013.

**DECEMBER 18, 2012**

2. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$80,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 20, 2013.

3. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 5, 2007, the Issuer shall issue its bonds in the aggregate principal amount of \$10,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from February 20, 2013.

4. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 to 3, inclusive, shall be issued as one consolidated bond issue in the principal amount of \$100,000,000 and designated "General Obligation Public Improvement Bonds, Series 2013B" (the "Bonds"). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 to 3, inclusive, is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated February 20, 2013, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on September 1, 2013, and semi-annually thereafter on March 1 and September 1. The Bonds shall mature annually on March 1, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2014	\$5,000,000	2024	\$5,000,000
2015	5,000,000	2025	5,000,000
2016	5,000,000	2026	5,000,000
2017	5,000,000	2027	5,000,000
2018	5,000,000	2028	5,000,000
2019	5,000,000	2029	5,000,000
2020	5,000,000	2030	5,000,000
2021	5,000,000	2031	5,000,000
2022	5,000,000	2032	5,000,000
2023	5,000,000	2033	5,000,000

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

5. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on March 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the

**DECEMBER 18, 2012**

Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of \$5,000 or integral multiples thereof.

6. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

7. The Bonds and the endorsements thereon shall be in substantially the following form:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation (“DTC”), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

NO. R- \_\_\_\_\_ \$ \_\_\_\_\_

United States of America  
State of North Carolina

COUNTY OF MECKLENBURG

GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2013B

INTEREST RATE	MATURITY DATE	DATE OF BOND	CUSIP
		February 20, 2013	584002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: \_\_\_\_\_ DOLLARS

The County of Mecklenburg (the “County”), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Director of Finance of the County, 600 East Fourth Street, Charlotte, NC 28202 (the “Bond Registrar”), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the March 1 or September 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a March 1 or September 1 to which interest shall have been paid, in which case from that



**DECEMBER 18, 2012**

date, interest to the maturity hereof being payable on September 1, 2013, and semi-annually thereafter on March 1 or September 1 of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 3, 2008 and September 5, 2007 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after March 1, 2024, shall be subject to redemption prior to their stated maturities at the option of the County on or after March 1, 2023, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this

**DECEMBER 18, 2012**

bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated February 20, 2013.

\_\_\_\_\_  
Chairman of the Board of Commissioners

(SEAL)

\_\_\_\_\_  
Clerk to the Board of Commissioners

**CERTIFICATE OF LOCAL GOVERNMENT COMMISSION**

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

\_\_\_\_\_  
Secretary,  
Local Government Commission

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG  
DIRECTOR OF FINANCE, as Bond Registrar

By: \_\_\_\_\_  
Authorized Signature

Date of Authentication: February 20, 2013

**ASSIGNMENT**

**DECEMBER 18, 2012**

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints \_\_\_\_\_  
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in  
the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond  
with the name as it appears upon the face of the within Bond  
in every particular, without any alteration whatsoever.

Signature Guaranteed:

\_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

8. The Bonds maturing on and after March 1, 2024 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after March 1, 2023, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the

**DECEMBER 18, 2012**

order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

9. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Director of Finance of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Director of Finance, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

10. The actions of the Director of Finance of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chairman of the Board of Commissioners, the County Manager and the Director of Finance of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

11. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners and the Director of Finance of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

**DECEMBER 18, 2012**

12. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

13. The Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners, the Director of Finance and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements, certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

14. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board ("MSRB"):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading "The County - Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related default, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on any credit enhancements reflecting financial difficulties;
- (5) substitution of any credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar event of the Issuer;
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

**AYES: Commissioners Dumont Clarke, Patricia Cotham, Trevor Fuller, Vilma Leake, and Matthew Ridenhour**

**NAYS: None.**

***Extracts/Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.***

**COUNTY COMMISSIONERS REPORTS & REQUEST**

**(12-0744) AUDIT REVIEW COMMITTEE APPOINTMENTS – CHAIRMAN COTHAM**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 5-0 with Commissioners Clarke, Cotham, Fuller, Leake, and Ridenhour voting yes, to reappoint the following Board and staff representatives to the Board’s Audit Review Committee:

Commissioners Dumont Clarke (Chairman); George Dunlap; Karen Bentley; and Bill James; County Manager Harry L. Jones, Sr.; and General Manager John McGillicuddy.

*Note: The resolution that established the Audit Review Committee (ARC) states the ARC will comprise of five voting members and two non-voting ex officio members appointed by the Board of County Commissioners. The five voting members will comprise of four members of the Board of County Commissioners, two from each political party, all of whom should be financially literate as determined by the Board; and one outside person who has experience in accounting and auditing and who is appointed through the advisory board appointment process. The County Manager and a staff member designated by the County Manager will serve as the two non-voting ex officio members. Appointments are normally made in December of each year. The primary duty of the ARC is the overseeing of the County's independent audit, the recommendation for selection of the independent auditor and resolution of audit findings.*

**(12-0751) SELECTION OF VOTING DELEGATE - NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS LEGISLATIVE CONFERENCE - CHAIRMAN COTHAM**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 5-0 with Commissioners Clarke, Cotham, Fuller, Leake, and Ridenhour voting yes, to appoint Commissioner Ratliff as the Board's voting delegate for the North Carolina Association of County Commissioners (NCACC) 2013 Legislative Goals Conference to be held January 24-25, 2013 in Durham, N.C.(Durham County).

***Commissioner Ratliff returned to the meeting.***

**(12-0745) SMALL BUSINESS CONSORTIUM UPDATE – COMMISSIONER LEAKE**

The Board received a verbal update from Commissioner Leake and Pamela Lue-Hing regarding the Small Business Consortium.

*Note: The Small Business Consortium began holding bi-monthly meetings in 2011. The group has grown in attendance from approximately five attendees per meeting to its current attendance of approximately 60 attendees per meeting. Meetings are held bi-monthly, with lunch provided by small businesses in the Charlotte-Mecklenburg community. During the meetings, attendees are provided with networking opportunities, updates on contracting opportunities with the City, County and State, and hear messages from speakers on issues of importance to small businesses.*

Ms. Lue-Hing addressed how participants have benefited from attending the Small Business Consortium meetings. Ms. Lue-Hing said the purpose of the consortium was to 1) to build collaborations with the county, city, and the state and to educate business owners about the certification processes with the various entities, 2) to provide business development and education to business owners and make them aware of resources available in the community, and 3) to network and encourage business owners to build collaborations and partnerships to maximize all opportunities. She thanked Commissioner Leake for being instrumental in getting the consortium started and other Commissioners for their support.

**CONSENT ITEMS**

**Motion was made by Commissioner Ratliff, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):**

**(12-0712) PURCHASE AGREEMENT - HAZARD MITIGATION PROGRAM – LAND USE & ENVIRONMENTAL SERVICES AGENCY (LUESA)**

**DECEMBER 18, 2012**

Authorize the County Manager to negotiate and execute a contract with THC, Inc. to provide professional land acquisition services for implementation of current and future flood mitigation projects.

**(12-0715) BUDGET AMENDMENT - LUESA-AIR QUALITY (REVENUE INCREASE)**

A. Recognize, receive and appropriate \$2,254,000 in FY13 Congestion Mitigation and Air Quality (CMAQ) grant funds from the NC Department of Transportation.

B. Authorize the County Manager to execute the contracts with NCDOT.

C. Authorize the carry forward of unspent funds to subsequent years until completion of the project.

**(12-0723) LEASE OF FIRST WARD PROPERTY**

Adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Declaring Intent To Lease Property to Levine Properties, Inc."

*Note: On May 13, 2010, Mecklenburg County, Levine Properties, Inc. and the City of Charlotte entered into an Economic Development Grant and Reimbursement Agreement (the "EDGA") for the development of the First Ward area in Charlotte, NC. The public-private venture includes the construction of a public park, above-ground parking facilities, other infrastructure improvements and private development (the "First Ward Project"). To support the implementation of the First Ward Project, Mecklenburg County and Levine Properties desire to enter into a Lease to permit Levine Properties to occupy, use and lease the County's property bounded by North Brevard, East 8<sup>th</sup>, East 9<sup>th</sup>, and North Caldwell Streets. Levine Properties, Inc. intends to use the property for the staging of materials and parking for construction related purposes, rental of parking spaces for income, and to use the building at the corner of 9<sup>th</sup> & Brevard for its own use and/or subleasing. Because the development work in First Ward will benefit the County as a party of the public-private venture, the land will be leased to Levine Properties for \$1 per year with the County sharing in any net income from subleasing the building and/or from parking rental. Under the EDGA, the County will ultimately be responsible for the cost of Park construction, so keeping overhead costs low for construction staging will benefit the County. The County Manager will negotiate a lease consistent with the following business terms: Location -- County-owned property bounded by North Brevard, East 8<sup>th</sup>, Caldwell, and East 9<sup>th</sup> Streets (Parcels #08006301, #08006304, #08006308 and #08006311); Building at 400 East 9<sup>th</sup> St./Total Area -- Land: Approximately 2.49 acres; Building: 8,544 square feet/*

*Lease Term -- Two years/Base Lease Rate -- Construction Related Premises: \$1 per year/  
Building Premises -- Tenant to pay County 70% of net rental income from subleases/Parking Premises -- Tenant to pay County 50% of net rental income/ Improvements/Facility Maintenance -- Tenant shall be responsible for all improvements related to initial occupancy and all necessary routine and preventative facility maintenance and capital improvements.  
Utilities and Services -- Tenant shall be responsible for payment of all utilities and services, and other costs associated with the premises, except property taxes.*

**Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.**

**(12-0729) TAX REFUNDS**

Approve refunds in the amount of \$628.79 and interest as statutorily required to be paid as requested by the Assessor resulting from clerical errors, audits and other amendments.



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

**(12-0731) CAPITAL RESERVE EXPENDITURE REQUEST - MCDOWELL NATURE CENTER (PARK AND RECREATION)**

Authorize and appropriate expenditure not to exceed \$34,000 from the McDowell Park Capital Reserve for renovations and improvements to the McDowell Nature Center.

**(12-0738) BOARD BULLETIN**

Receive the County Manager's Board Bulletins published since the last Board meeting.

*Note: The Board Bulletin is a newsletter distributed by the County Manager to keep the Board informed about policy matters and other key issues related to Mecklenburg County government.*

**(12-0740) MINUTES**

Approve minutes of Swearing-In Ceremony held, December 3, 2012, Regular meeting held December 4, 2012, Regular meeting held November 20, 2012, Recessed meeting held November 27, 2012, and Closed Sessions held December 4, 2012 and November 20, 2012.

**(12-0741) RESOLUTION APPROVING TRANSFER OF EQUIPMENT TO PSYCHOTHERAPEUTIC SERVICES, INC.**

Pursuant to G.S. 160A-279, adopt a resolution approving transfer of equipment to Psychotherapeutic Services, Inc., a community-based agency that provides crisis prevention, wellness self-management, recovery education and recovery training, in a community education resource center setting, to people in mental health and addiction recovery.

*Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.*

**(12-0753) LEASE AGREEMENT - LATTA EQUESTRIAN CENTER**

Adopt a resolution authorizing a lease agreement with Country Times Carriages, LLC for the overall management, routine daily maintenance and operation of the Latta Equestrian Center.

*Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

---

**(12-0707) BUDGET AMENDMENT - SAMHSA GRANT FUNDS FOR PSO (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

- 1) Approve acceptance of Substance and Mental Health Services Administration (SAMHSA)

**DECEMBER 18, 2012**

grant funding through a subcontract with Duke University to provide substance abuse treatment services over five years in Charlotte, NC for people with and at high-risk for HIV and recognize, receive and appropriate \$179,498 for the first grant year funding.

Note: Services will begin in January, 2013.

2) Approve establishing two new positions with grant funding: 1 full-time counselor; and 1 full-time case manager.

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

**(12-0708) BUDGET AMENDMENT - DSS (REVENUE INCREASE/DECREASE)**

Motion was made by Commissioner Fuller, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY13 Budget to decrease certain revenues, and recognize, receive and appropriate other revenues as noted below.

- A. Adult Day Care: increase federal revenue \$12,288 and state revenue \$10,362.
- B. Home and Community Care Block Grant (HCCBG): increase of \$94,488 federal revenue and \$52,861 state revenue.
- C. Low Income Energy Assistance & Crisis Intervention Payments Administration (LIEAP/CIP): increase federal revenue \$92,538.
- D. Rural Operating Assistance Program (ROAP): increase state revenue \$317,933.
- E. Social Services Block Grant (SSBG): decrease federal revenue (\$573,172).
- F. State In-Home: increase federal revenue \$4,803.
- G. Low Income Energy Assistance Program (LIEAP): increase federal revenue \$202,569.

Commissioner Fuller removed this item from Consent for better clarity, which he said was provided by staff.

**(12-0709) BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

1. Recognize and appropriate for the Sheriff's Special Revenue Fund, \$75,490 from Inmate Commissary.

*Note: All funds collected through Jail commissary operations are used for inmate education, library and self-sufficiency programs as well as supplies and equipment to support programs.*

2. Recognize and appropriate for the Sheriff's Special Revenue Fund, \$57,545 from Vocational Facility telephone revenue.

*Note: All funds received from 16.8 percent of commissions from the inmate telephone system are used for inmate education programs.*

Commissioner Leake removed this item from Consent for more public awareness.  
Commissioner Leake requested information be provided to her regarding how the funds are allocated specifically.

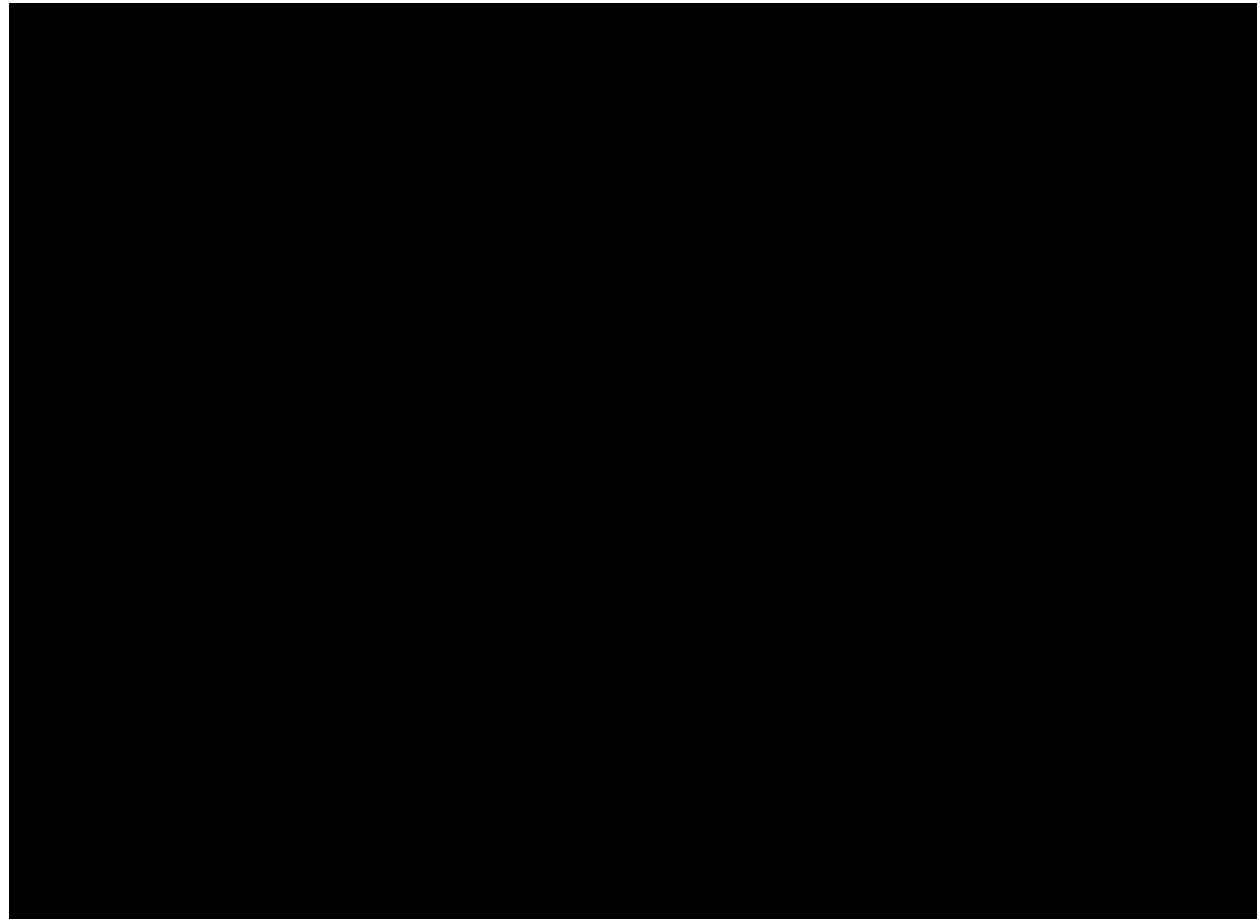
**(12-0720) BUDGET AMENDMENT - MECKLINK BEHAVIORAL HEALTHCARE (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate additional federal funds in the amount of \$50,000 to provide services to individuals with traumatic brain injury (TBI) within Mecklenburg County.

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

**(12-0722) MECKLINK BEHAVIORAL HEALTHCARE MONTHLY FINANCIAL REPORT**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to: Receive MeckLink's Monthly Financial Report.



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

Commissioner Fuller removed this item from Consent for better clarity, which he said was provided by staff.

**(12-0726) BUDGET AMENDMENT - PROVIDED SERVICES ORGANIZATION (REVENUE INCREASE)**

Motion was made by Commissioner Fuller, seconded by Commissioner Ridenhour and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to

A) Recognize, receive and appropriate Federal funds in the amount of \$379,732 from the North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services.

**DECEMBER 18, 2012**

B) Recognize, receive and appropriate State funds in the amount of \$829,068 from the North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services.

Commissioner Fuller removed this item from Consent for better clarity, which he said was provided by staff.

**(12-0730) WIC PROGRAM LEASE**

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution authorizing the County Manager to negotiate and execute a lease with Charlotte East, LLC for office space for the Women, Infants, and Children (WIC) program.

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

*Resolution recorded in full in Minute Book \_\_\_\_\_ Document # \_\_\_\_\_.*

**(12-0752) SERVICE AGREEMENT - CERNER APPLICATION SERVICE PROVIDER HOSTING - HEALTH DEPARTMENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve five-year Cerner Application Service Provider (ASP) Agreement for Hosting and Use of Practice Management and Electronic Health Record System.

Commissioner Fuller removed this item from Consent by mistake.

**(12-0754) CLOSED SESSION – CONSULT WITH ATTORNEY**

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt the Mecklenburg County Board of Commissioners Resolution on Agreement with Bryton Investments.

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

**ADJOURNMENT**

Motion was made by Commissioner Clarke, seconded by Commissioner Ratliff and carried 6-0 with Commissioners Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:21 p.m.

---

Janice S. Paige, Clerk

---

Patricia "Pat" Cotham, Chairman