

MARCH 5, 2013

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, March 5, 2013.

ATTENDANCE

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

Absent: Commissioner Kim Ratliff

-INFORMAL SESSION-

Commissioners Dunlap and James 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 13-0880, 13-0887, 13-0892, and 13-0789.

STAFF BRIEFINGS - NONE

(13-0895, 13-0896) CLOSED SESSION – BUSINESS LOCATION AND EXPANSION AND CONSULT WITH ATTORNEY

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 6-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake and Ridenhour voting yes, to go into Closed Session for the following purposes: Business Location and Expansion and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 6:07 p.m.

Commissioners Dunlap and James 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 invocation by Commissioner Clarke, the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

CONSENT ITEMS

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

(13-0872) CHARLOTTE-MECKLENBURG SCHOOL SAFETY INSPECTIONS

Designate Mecklenburg County Fire Marshal's Office and the Charlotte Fire Department Fire Prevention Bureau as the primary agencies to conduct public school inspections in accordance with North Carolina GS 115C-525.

Note: Per the North Carolina General Statutes 115C-525, every school building shall be inspected two times each year to make certain that no fire hazards exists and that all building systems and equipment are properly installed and maintained in a safe manner. GS 115C-525 also requires the Board of Commissioners of each county to designate the persons to make these inspections. For a number of years these inspections have been made by both the Mecklenburg County or City of Charlotte fire inspectors, and by the Mecklenburg County electrical inspectors. Since fire inspectors are trained to identify the types of hazards that are checked during these school safety inspections, the duplicate inspections by the electrical inspectors are not necessary. The Mecklenburg County Fire Marshal's Office (MCFM) will be the designee for schools located outside the City of Charlotte jurisdiction and the Charlotte Fire Prevention Bureau (CFD) for schools located inside the City of Charlotte jurisdiction as the persons to make the school inspections required by GS 115C-525, with Mecklenburg County Code Enforcement supporting efforts as needed.

(13-0878) DONATION - PARK & RECREATION DEPARTMENT

Recognize, receive and appropriate a \$50,000 sponsorship from Harris Teeter, Inc. for the Park and Recreation Department's Bark in the Park Event and dog park improvements.

(13-0884) PURCHASE AGREEMENT - ROMARE BEARDEN PARK FURNISHINGS

Authorize the County Manager to negotiate and execute a purchase agreement with Landscape Forms in the amount of \$189,732.39 for site furnishings at Romare Bearden Park.

(13-0888) TAX REFUNDS

Approve refunds in the amount of \$1,042,398.64 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.

(13-0889) FIRST AMENDMENT TO LEASE, EASEMENT AND MANAGEMENT AGREEMENT FOR THE OPERATION OF THE LATTA RECREATION CENTER

Adopt a resolution entitled, "Mecklenburg County Board of Commissioners Resolution Authorizing the First Amendment to the Lease, Easement and Management Agreement for the Operation of the Latta Recreation Center."

Note: The lease and management agreement is with The Charlotte Bridge Association, Inc. (the "CLUB").

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

(13-0901) BOARD BULLETIN

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

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

(13-0899) MINUTES

Approve minutes of Regular meeting held February 19, 2013, Budget/Public Policy meeting held December 11, 2012, and Closed Session held February 5, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-0880) GRANT APPLICATION - COMMUNITY ALTERNATIVES PROGRAM FOR DISABLED ADULTS SOCIAL WORKER (HEALTH DEPARTMENT)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to approve submitting a renewal grant application for \$65,000 to the Sisters of Mercy Foundation to be effective July 1, 2013 and if awarded, recognize, receive and appropriate awarded funds.

Note: The grant application is due March 18, 2013. These funds will support a social worker who assists families waiting for Community Alternatives Program for Disabled Adults to access necessary services that allows elderly clients to remain at home, reducing nursing home usage and saving Medicaid costs.

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

Health Director Winters "Wynn" Mabry, addressed this item.

(13-0887) AMENDMENT TO PARK AND RECREATION FACILITIES ORDINANCE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and

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Ridenhour voting yes, to approve amendment to the Mecklenburg County Park and Recreation Facilities Ordinance.

Note: Since all nine Commissioners were not present, this matter will require a second reading. It will be placed on the Board's March 19, 2013 agenda.

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

Park and Recreation Director Jim Garges, addressed this item.

(13-0892) LEASE AGREEMENT - ASSESSOR'S OFFICE

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to authorize the County Manager to negotiate and execute a lease with the Town of Mint Hill for office space for the budget and audit section of the Assessor's Office.

Commissioner Leake removed this item from Consent for more public awareness and clarity. Commissioner Leake questioned the cost of the office space for only three employees.

General Manager/County Assessor Bobbie Shields and County Attorney Marvin Bethune addressed this item.

(13-0789) MECKLINK BUDGET AMENDMENT

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake and Ridenhour voting yes, to recognize and appropriate \$5,000,000 in Medicaid revenue to provide for initial operation of MeckLINK for behavioral healthcare services.

Note: Based on readiness reviews completed in February 2013 by Mercer Human Services Consulting, it has been determined that MeckLINK is able to go live under the 1915 (b)/(c) waiver on March 1, 2013. MeckLINK will oversee services for beneficiaries in Mecklenburg County. This action will provide budgetary authority for initial operations, including claims payments, for MeckLINK.

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

MeckLink Behavioral Health Director Phil Endress addressed this item.

(13-0898) PUBLIC APPEARANCE

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

Betty Marlin, RN, CEO of Primary Health-Care of Charlotte, PA addressed the need for affordable healthcare and services available at Primary Health-Care of Charlotte. Ms. Marlin also addressed a Wellness Walk that will take place on March 16. She shared a brochure about the walk.

Flay Hoover spoke in opposition of his son, Devin Flay Hoover, being in the custody of the Mecklenburg County Department of Social Services. Mr. Hoover said his son was 22 years old,

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autistic and resided in a local Group Home. Mr. Hoover said his son needed to be home and that his son desired to be home. Mr. Hoover said his rights as a father were being violated.

A copy of a handout from Mr. Hoover is on file with the Clerk to the Board.

APPOINTMENTS - NONE

PUBLIC HEARINGS - 6:30 PM - NONE

ADVISORY COMMITTEE REPORTS

(13-0893) MOUNTAIN ISLAND LAKE MARINE COMMISSION

The Board received a report from the Mountain Island Lake Marine Commission. Kari Lanning, Chairman of the Mountain Island Lake Marine Commission gave the report. The following was covered in the report:

- Focus of the Commission
- Major 2012 Accomplishments
- 2013 Priorities
- Concerns
- Partnerships
- Contact Information
- 2013 Meeting Schedule

Note: The Mountain Island Lake Marine Commission deals with matters of boating, water safety, property use and recreational use of the lake. Mecklenburg County and Gaston County appoint three members each, and Lincoln County appoints one person.

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

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

Comments

Commissioner Ridenhour referenced soil erosion control issues at Brown's Cove, which was in the Lake Wylie area. He asked if Mountain Island Lake was experiencing that same problem. *Ms. Lanning said she didn't think so, but would have to defer to County staff in the water quality division to provide a definite response. Ms. Lanning said a concern for Mountain Island Lake was with the huge wake that "beats up" against the shoreline and erodes the shoreline as it stands.*

Commissioner Clarke asked about the relationship amongst the various entities represented on the Marine Commission. *Ms. Lanning said everyone was striving to work together for the benefit of those that use the lake.*

Commissioner Clarke asked about the location of coal waste ponds, which was addressed.

Chairman Cotham thanked Ms. Lanning for the report.

MANAGER'S REPORT

(13-913) FY2014 CAPITAL PROJECT PRIORITIES

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The Board received a report on the proposed capital project priorities for FY2014. Finance Director Dena Diorio presented this matter.

Commissioner Bentley returned to the dais.

The following was covered:

- Project Evaluation and Ranking Process
- Funding
- FY2014 List – Previously ranked projects and Newly ranked projects
- Allocation of FY2014 Capital Funds
- Next Steps

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

Comments

Commissioner James asked had anything been received from Central Piedmont Community College (CPCC). *Director Diorio said CPCC officials met with the County Manager and presented their capital plan. Director Diorio said one of the next steps was to figure out what's going to be done in terms of a possible referendum for CPCC. Director Diorio said CPCC was currently out of authorization and had exhausted all of the projects that had been authorized by the County. Director Diorio said a strategy also had to be determined for Charlotte-Mecklenburg Schools (CMS) because they were looking at a new capital needs assessment, as well.*

Director Diorio said staff would be working over the next several months on putting a plan together for presentation to the County Manager and the Board on how to put together a possible referendum for CPCC, CMS, and other County projects.

Commissioner James asked what was CPCC's reasoning for a \$438 million capital request. *Director Diorio said that's what CPCC said their needs were.*

County Manager Jones said the amount represented a 10-year plan for CPCC that took into consideration the growth CPCC has had in their student population.

Commissioner James asked had CMS revised their capital plan. *Director Diorio said it was her understanding they were working on a revised 10-year needs assessment.*

Commissioner James said based upon the amount of funds the County had and its projects, that CPCC and CMS capital requests needed to be within the realm of possibility.

Director Diorio said staff's goal was to bring back a plan for a referendum that was affordable for the County.

Commissioner James asked if anything changed with CMS' ranking. *Director Diorio said the projects shown were the projects that were remaining.*

Director Diorio said the only change CMS made was with Hawthorne Elementary School by pushing the construction dollars out to 2015, which allowed CMS to accommodate the Security Project.

Commissioner James asked what was the difference between CMS' ranking and the County's. *Director Diorio said it was pretty similar and explained further.*

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Commissioner Dunlap asked about the County's priorities and CMS'. He noted how Highland Creek Elementary didn't make the list for 2014 and how Hickory Grove Elementary made the list. He asked about the prior ranking of other projects shown as being newly ranked projects, some of which previously ranked lower than some that didn't make the list. *Director Diorio explained how the process worked with respect to the criteria used to rank projects.*

Director Diorio said CMS priorities didn't necessarily 100% aligned with the County's criteria.

Commissioner Dunlap said it gave the appearance the County was the one moving up the lower ranked priorities of CMS.

Director Diorio said the County was applying the criteria that the Board said was important for determining which projects got funded.

Director Diorio said CMS had different priorities which would move the project to a different place on the list.

Commissioner Dunlap asked was there a way to meet with CMS so that they could align their priorities with the County's priorities, so that what CMS ultimately prioritized got funded.

Commissioner Dunlap said he also wanted to know how could you rectify the issue that came up last year, of having CMS projects that made the list that were not ranked as high as those that didn't make the list.

Director Diorio said staff had worked with CMS to determine those things that were important, such as growth, which the County now took into consideration.

Director Diorio said CMS was aware of the County's criteria and could determine whether or not they wanted to align their priorities to the County's criteria or not. She said that was CMS' choice.

Director Diorio said the process used was a data driven process.

Commissioner Dunlap asked about Hickory Grove Elementary School and whether the existing Hickory Grove Elementary Schools would continue to be used. *Director Diorio said she would find out.*

Commissioner Dunlap asked about remaining capacity if all of the projects presented were funded. *Director Diorio addressed the question.*

Commissioner Leake commented on the CMS Security Plan. She noted that CMS did not present to the Board any information regarding bringing in school security experts to assist them with the plan. She questioned how CMS came up with their dollar amount.

Commissioner Leake asked about Lincoln Heights Park. *Director Diorio said it made the list for 2014.*

Commissioner Leake asked about CPCC's Broadcast Center, which was addressed by Director Diorio. *Director Diorio said staff would rename that to reflect the reallocated purpose of those dollars.*

Commissioner Bentley asked for clarification on the Regional Sports Complex. *Director Diorio said it was the Sports Complex in Matthews and not in north Mecklenburg.*

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Commissioner Bentley asked whether the amount shown for Ramsey Creek was for a complete build out or just design work. *Director Diorio said she would get more information regarding Ramsey Creek.*

Commissioner Bentley asked for clarification on the unallocated amount shown. *Director Diorio explained that this was set aside in order to address unanticipated capital needs that might come up.*

Commissioner Fuller asked about the \$20 million for the CMS Security Project and was it correct that CMS had asked for \$33 million. *Director Diorio said CMS removed the fencing, which decreased the amount.*

Commissioner Fuller asked was it correct that CMS was reconsidering the entire project. *Director Diorio said it was her understanding that CMS was reviewing and doing additional research on their request before bringing it back to the Board for consideration.*

Commissioner Fuller asked had or would there be additional movement of projects because of the CMS Security Project. *Director Diorio said if the amount remained close to the \$20 million there wouldn't be any further movement. Director Diorio said if the CMS Security Project didn't move forward, then there would be some things that could move up from FY15 to FY14.*

Director Diorio said if the CMS Security Project came in higher than \$20 million it would present somewhat of a problem, because the County's capacity was capped. Director Diorio said funds would not be available to add to that project.

Commissioner Fuller asked what communication was taking place with CMS regarding the effect of security project on the priority list. *Director Diorio said that conversation had taken place and that CMS understood and knew where the project fell on the list. Director Diorio said everyone was aware of what was on the list.*

Commissioner James said if CMS decided not to do the Security Project, they should not think that would "automatically" get them a pass to move something else into that slot, if it was not originally something they had listed.

Director Diorio said if the security project didn't move forward there were two options, 1) CMS could move the \$14 million for Hawthorne Elementary back up to 2014 or move Highland Creek Elementary up to 2014.

Commissioner James said it would be good to know if CMS planned to move things around if they don't do the security project.

County Manager Jones said it would be April before CMS came back to the Board regarding the security project.

STAFF REPORTS & REQUESTS

(13-0897) 2011 REVALUATION REVIEW STATUS REPORT

The Board received a status report from Pearson's Appraisal Services regarding review of the 2011 Revaluation. General Manager/County Assessor Bobbie Shields introduced Fred and Bob Pearson of Pearson's Appraisal Services who gave the report.

The following was covered:

- Neighborhood Review

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- Commercial Review
- Residential Review
- Residential Lake Review
- Software Engineering/Data Analysis Team
- Customer Service Discussion with Assessor's Office

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

Comments

Chairman Cotham asked about the reports that were turned over to the Assessor's Office and the turnaround time for a response or action. *Mr. Fred Pearson said per a meeting that was held with staff, it was agreed that 30 days from staff receipt of the reports was ample time for staff to review and notify taxpayers of any changes.*

Chairman Cotham asked about the status of the reviews and notification to taxpayers. *General Manager/ County Assessor Bobbie Shields said staff was working to meet the 30 days turnaround with respect to reviewing the recommendations and responding to taxpayers.*

Commissioner Bentley requested a report showing the number of Pearson's recommendations with respect to appraisals that were accepted by the Assessor's Office, rejected, or negotiated and if rejected or negotiated, the rationale behind it.

Commissioner James asked about the status of neighborhood reviews. He specifically asked what the findings were for the Eastover area. *Mr. Bob Pearson responded. Mr. Pearson said land value was a "big" problem in the Eastover area.*

Commissioner James requested a summary report of the dollar difference with respect to what land and home values were before the review and after the review by Pearson's Appraisal Services.

Commissioner James requested a report on the number of files submitted to the Tax Assessor's Office by Pearson's Appraisal Services to date, the number that had been reviewed, and the number pending review.

Commissioner Fuller asked for clarification on what's to occur once Pearson's Appraisal Services turned its findings/recommendations over to the Assessor's Office. *Mr. Bob Pearson explained.*

General Manager/County Assessor Shields said what staff was dealing with was a difference in approach. He said using the lot method was a standard method for mass appraisals, which was what the County was doing and not individual appraisals.

General Manager/County Assessor Shields said it was expedient to assign a value to a lot regardless of the size difference. He said Pearson's approach involved looking at each individual lot and making a distinction.

General Manager/County Assessor Shields said in light of Chairman Cotham's comment on several occasions that Pearson's Appraisal Services was the "expert," the instructions he gave to the Assessor's Office staff was that if the difference was solely a judgment difference between Pearson's and a County appraiser, then Pearson's judgment would prevail.

General Manager/County Assessor Shields said if the professional appraiser, however, in the Assessor's Office believed that there was something inherently wrong with the approach, they had a "professional" obligation to sit with Pearson's and discuss the matter.

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Commissioner Fuller said he'd heard from constituents that there were conflicts between Assessor's Office staff and Pearson's staff. *General Manager/County Assessor Shields said he would not refer to it as conflicts between staff and Pearson's but rather a difference of opinion amongst professionals.*

General Manager/County Assessor Shields said he made it clear to staff that there would not be any debate with Pearson's around a judgment call. He said staff understood Pearson's role.

Commissioner Fuller asked what needed to be done to speed the process up between what's transpiring between the Assessor's Office and Pearson's, so that taxpayers could get the relief they've been waiting on.

General Manager/County Assessor Shields asked that the Board allow staff to work with Pearson's through the process and to get the notices out to taxpayers, and as a Board, to not do anything at this point.

General Manager/County Assessor Shields said when staff reported back at a subsequent meeting, the Board could then make its assessment with respect to how well staff was working with Pearson's and whether issues of concern had been resolved.

Commissioner Fuller asked for clarity regarding the appeals process, which was confirmed.

Commissioner Fuller said he'd heard from constituents that there continued to be resistance from staff with respect to the appeals that constituents were making. Commissioner Fuller said he'd heard that when citizens go to Raleigh to appear before the Property Tax Commission that they encounter a lot of attorneys on behalf of the County.

General Manager/County Assessor Shields said there were mainly two attorneys that worked with the Assessor's Office. He stated further that taxpayers could have representation as well when they went before the Property Tax Commission.

Commissioner Fuller asked General Manager/County Assessor Shields if he believed it was true that staff was not accepting Pearson's recommendations. *General Manager/County Assessor Shields said he did not think that was the case, but that he would let Pearson's representatives respond.*

Mr. Bob Pearson said they had not been involved in the appeals process at the Property Tax Commission level for anyone that's going now.

General Manager/County Assessor Shields said Emmett Curl with Pearson's Appraisal Services had accompanied, on occasion, the County on cases before the Property Tax Commission.

Mr. Fred Pearson stated that per a meeting with Assessor's Office staff today, he felt better. He said he expressed the importance of getting things turned around and notifying property owners. He said he expressed Pearson's concerns, the Board's and the concerns of others that had been communicated to them.

Chairman Cotham asked whether Mr. Pearson felt bad with respect to staff prior to the meeting that was held today.

Mr. Pearson said he had not had that much dealing with staff prior to now and that he was not sure what the status of things were.

Mr. Pearson said they offered to assist staff in any way they could.

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Commissioner Dunlap asked whose authority was it to assess property in Mecklenburg County. *General Manager/County Assessor Shields said it was the County Assessor's authority.*

Commissioner Dunlap asked was it because of the County Assessor's authority that Pearson's Appraisal Services had to submit its findings to the County Assessor. *General Manager/County Assessor Shields said yes.*

Commissioner Dunlap commented on mass appraisals versus individual appraisals.

Commissioner Dunlap asked about the Eastover area. *Mr. Bob Pearson said all of the issues in the Eastover area were major issues. He said the same was true for Myers Park.*

Commissioner Dunlap asked about the Lake Norman area. *Mr. Bob Pearson said a good bit of the Lake Norman area would probably be as it was in Eastover and Myers Park. He said staff member Emmett Curl was handling that area of the County.*

Commissioner Dunlap asked the Pearson's about their appraisal process, which they addressed.

Commissioner Dunlap asked the Pearson's to comment on whether they thought County staff had been fair in this process.

Mr. Bob Pearson said they felt Pearson's and the Assessor's Office staff needed to work together on this process for the good of the project. He said they felt customer service had been very weak in the County.

Mr. Bob Pearson said "if you have good customer service and you're able to talk to people, you resolve problems." Mr. Pearson said there shouldn't be conflict with staff. He said it really wasn't a conflict between Pearson's and staff. He said the taxpayer was not the enemy. He said everyone was in this together.

Mr. Pearson said they heard from some of the staff present at today's meeting that they wanted to get back to having that one on one relationship with taxpayers.

Commissioner Dunlap said it sounded like somewhere along the way that the process the County use to follow, they stopped following. *Mr. Pearson said that's what he heard at today's meeting.*

Commissioner Dunlap said it was important that in hiring a new County Assessor, that all of the Board's concerns be made known to that individual and especially with respect to customer service.

Commissioner Ridenhour asked who was Pearson's specifically dealing with in the Assessor's Office regarding the acceptance of their recommendations for values. *General Manager/County Assessor Shields said the primary staff involved was Eric Anderson, Project Manager, David Vance and Chuck Hicks who work day to day with Pearson's, and Kimberly Horton, who's involved in the Property Tax Commission cases. General Manager Shields said occasionally he would meet with Pearson's executives, as well as.*

General Manager/County Assessor Shields addressed turnaround time and other factors that came into play.

General Manager/County Assessor Shields said needed resources in terms of staff was being reviewed and the results of that review would be shared with the Board.

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Mr. Fred Pearson said he believed Chuck Hicks and David Vance in the Assessor's Office were the main two staff approving Pearson's recommendations with respect to values.

Commissioner Ridenhour asked about the Board of Equalization and Review's role in this process. *General Manager/County Assessor Shields said the information was taken to the Board of Equalization and Review while they were in session because they have the responsibility of approving changes to the abstract.*

Commissioner Ridenhour asked was there any way to "tighten up" the 30 days turnaround schedule and perhaps get it changed to 14 days. *General Manager/County Assessor Shields said he'd asked that decisions regarding Eastover be made by Friday, March 8, 2013.*

Commissioner Clarke referenced a comment made by Pearson's staff member Emmett Curl at a previous meeting of the Board regarding staff's openness to Pearson's recommendations. He noted that Mr. Curl ranked the relationship between the Assessor's Office and Pearson's Appraisal Services at a 7 or 8.

Commissioner Clarke asked the Pearsons present if they stood by that ranking and the comments made by Mr. Curl with respect to the working relationship between the two.

Mr. Fred Pearson said everyone from the tax office had been very "courteous." He said he felt better after he met with staff today and talked with them about the process and how many neighborhoods they had approved, per the work Pearson's had completed. Mr. Pearson said what would "really" be the determination would be how quick staff could do a turnaround and notify the taxpayer of the decisions Pearson's made.

Mr. Bob Pearson in response to Commissioner Clarke's question regarding their stance with respect to Mr. Curl's previous comment, said Mr. Curl answered the question based on what happened at a date and time and that he stood behind what Mr. Curl said "at that day and time." Mr. Pearson said if the Board was to ask Mr. Curl that same question, he would say that they'd only done 12 of his parcels at that time and he believed they were all accepted. Mr. Pearson stated further that Mr. Curl had 67 more outstanding that he didn't know what staff's response was.

Commissioner Clarke said he sensed that the Pearson's present were saying something different from what Mr. Curl had said to the Board, since they felt the need to "qualify" their response to his question.

Commissioner Clarke said although there was a desire on the part of some Commissioners to speed this process up, that sometimes speeding up the process was not "exactly the best thing to do." Commissioner Clarke said process was about taking time to do things carefully and to consider not only Pearson's recommendations, but the background and the depth of experience that Assessor's Office staff had and taking the time to "do it right." He said "speeding it up lots of time can produce a bad result."

Commissioner Clarke asked about review of the Eastover area and whether they've only reviewed those parcels that were currently being appealed by the property owners to the Property Tax Commission. *Mr. Bob Pearson said those were the ones "sitting on the table ready to go."*

Mr. Pearson said he left a plan for the remaining parcels.

Commissioner Clarke asked had he only reviewed the 27. *Mr. Bob Pearson said yes.*

Commissioner Clarke asked were the 27 the only lots in neighborhood P530 (Eastover) that he'd made a recommendation to staff on. *Mr. Bob Pearson said they made a complete plan and*

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left it. He said they broke the plan into 12 sub-neighborhoods, they adjusted the lots in the neighborhood and that now the buildings have to go back in and be looked at.

Commissioner Clarke asked how many properties were currently in the Assessor's Office with a recommendation from Pearson's Appraisal Service as to a change in the value that were awaiting resolution. *Mr. Bob Pearson said 27.*

Commissioner Clarke asked General Manager/County Assessor Shields if the 27 referenced by Mr. Pearson, the cases he asked staff to have completed by Friday, March 8, 2013. *The response was yes.*

Commissioner Clarke asked the Pearsons if that was soon enough. *Mr. Bob Pearson said that was fine.*

Commissioner Clarke asked the Pearsons about a comment made regarding land value changes on streets in the Eastover area, but not on all streets. Commissioner Clarke asked who made those changes. *Mr. Bob Pearson said he was referring to the Board of Equalization and Review.*

Commissioner Clarke asked was it correct then that the changes were done by the Board of Equalization and Review and not staff. *Mr. Pearson said staff made recommendations to the Board of Equalization and Review, but that Commissioner Clarke was correct the Board of Equalization and Review made the changes he was referring to.*

Commissioner Clarke asked the Pearsons was it common for Boards of Equalization and Review that meet in panels for some of them to change land values but not all of them. *Mr. Bob Pearson said for the most part it worked that way, but they've never had this many appeals in their experience.*

Commissioner Clarke asked the Pearsons if they'd read the proposed legislation regarding revaluation. *Mr. Bob Pearson said yes.*

Commissioner Clarke referred to the proposed legislation and asked Mr. Pearson how long he thought it would take his firm to "conduct a total review of all the values in Mecklenburg County by neighborhoods and make recommendations as to the true value of those properties as of January 1, 2011."

Mr. Fred Pearson said they should have their work done on the reviews probably by the end of October.

Commissioner Clarke asked would that be on a parcel by parcel basis. *Mr. Fred Pearson said they were reviewing the parcels. He said they were doing an office review, that they have certain reports that they run and that they would field check those reviews. He said they would not be looking at every parcel on site.*

Commissioner Clarke said the legislation called for having "a qualified appraisal company to conduct a total review of all the values in the county by neighborhoods and make recommendations as to the true value of the properties."

Commissioner Clarke said in addition, the Board was to change the tax records to ensure the values reflect the true values. Commissioner Clarke said he didn't know how that could be done without a per parcel recommendation by Pearson's Appraisal Service.

Mr. Fred Pearson said they had a scope of work that they were working within and that it required them to do certain analysis. He said they would field check that analysis, major neighborhoods completely or they would recommend they be completely reworked.

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Mr. Pearson said their scope of work might be a little different from what's called for in the proposed legislation.

Commissioner Clarke said that was an important point with respect to Pearson's Appraisal Services scope of work versus what's called for in the proposed legislation. Commissioner Clarke said there's a belief by some that what Pearson's Appraisal Services was doing would "dovetail" with what the legislation was requiring. Commissioner Clarke said he was concerned that that wasn't the case. He said people's expectations would be that when Pearson's Appraisal Services completed its work in October that the County would be able to reset all of the values or make sure that all values in the county on every piece of property was correct.

Mr. Fred Pearson said they hoped to recognize neighborhoods that had major issues and get that corrected and also neighborhoods that had minor issues. He said they were responsible for correcting a lot of the lake sales and also like in Myers Park up to 5,000 parcels and County staff was to correct the balance of those.

Commissioner Clarke said he understood that Pearson's Appraisal Services was doing what the County asked them to do.

Commissioner Clarke said he had every expectation that the County, the acting County Assessor and his staff would work collaboratively with Pearson's Appraisal Services on the parcels being appealed to the Property Tax Commission and try to resolve them.

Commissioner Leake asked that the firm contracted with to assist the County with its customer service efforts as it relates to the Assessor's Office be present at the next Board meeting, so that the Board could receive an update.

General Manager/County Assessor Shields said the president of Customer Service Solutions was present and that he would be returning at the next Board meeting to address the Board.

Commissioner Bentley asked about lot evaluations, the County's approach and Pearson's Appraisal Services approach. *Mr. Bob Pearson addressed this question.*

Commissioner Bentley asked about Pearson's experience in Wake County, including their knowledge of their staffing levels. *Mr. Bob Pearson addressed this question.*

County Attorney Bethune noted in response to Commissioner Fuller's earlier comment regarding the County having lawyers at Property Tax Commission hearings, that the County was required by law to have a lawyer present. County Attorney Bethune said the norm was that there would only be one attorney, but that he was aware of one instance when two went up.

Chairman Cotham asked was there ever an occasion where the County had an attorney to sit in on a meeting between the County Assessor and a property owner. County Attorney Bethune said he didn't know the answer to that question, but that he did recall meetings that took place at his office between a property owner, an attorney and someone from the Assessor's Office in an attempt to get a matter settled to avoid going to the Property Tax Commission.

Chairman Cotham asked the Pearsons to give their assessment of the County's Board of Equalization and Review.

Mr. Fred Pearson said it was his understanding that Pearson's recommended the Board of Equalization and Review give taxpayers a specific appointment times, however, it didn't believe that recommendation had been implemented.

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General Manager/County Assessor Shields said the Board's Ad Hoc Revaluation Committee would begin meeting next week to discuss Board of Equalization and Review procedures.

Chairman Cotham also referenced the comment by Mr. Curl with Pearson's Appraisal Services at a previous meeting regarding how he would rank the County's relationship with Pearson's Appraisal Services. Chairman Cotham asked the Pearsons if they were comfortable with the 7 or 8 ranking stated by Mr. Curl.

Mr. Fred Pearson said no. He said prior to the meeting held today with Assessor's Office staff he would have ranked the relationship at 4-5, but since the meeting he would rank it a 5. Mr. Pearson said that could change. He said staff needed to go through the process, review the work they'd provided, and notify the property owners.

Chairman Cotham requested reports from staff on the progress being made by the Assessor's Office staff on a frequent basis. Chairman Cotham said the reports didn't have to be anything elaborate, just some basics about what had occurred say in a particular week.

General Manager/County Assessor Shields and Mr. Fred Pearson said they would work together to provide the Board with a routine status report of some sort.

Chairman Cotham asked about the remaining number of appeals to go before the Property Tax Commission. *General Manager/County Assessor Shields said to date, 546 Property Tax Commission cases had been completed and 1,377 were remaining.*

County Attorney Bethune noted that the Property Tax Commission scheduled the hearings and not staff.

Chairman Cotham asked about qualified and non-qualified appraisals and requested a definition in writing of what a qualified appraisal was.

Commissioner Dunlap asked the Pearson's were they frustrated because they've done the work but the taxpayers don't know what that new tax value was. *Mr. Fred Pearson said that was correct.*

Commissioner Dunlap asked Mr. Pearson would he feel better about the relationship between Pearson's Appraisal Services and Assessor's Office staff once they knew the notices had gone out to taxpayers. *Mr. Pearson said staff's points would "go up."*

The above is not inclusive of every comment but is a summary.

Chairman Cotham thanked General Manager/County Assessor Shields and the Pearsons for their report.

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

(13-0911) REPORT ON HIV ADVISORY BOARDS

The Board received a report on the Mecklenburg County HIV/AIDS Council that was formed in 2006 and on the Ryan White Charlotte Transitional Grant Area (TGA) Advisory Board that was formed in 2009. The report was a comparison of the two advisory boards.

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

General Manager Michelle Lancaster addressed this matter.

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General Manager Lancaster said with Board approval staff would report back with more specifics regarding this matter and the formation of a Ryan White Funding Planning Council for the Board to consider. She said staff would report back no later than the second Board meeting in April.

Commissioner Leake commented that the formation of a Ryan White Funding Planning Council was something that constituents had been inquiring about for quite some time.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to direct the County Manager/staff to prepare a process and plan for implementation of a Ryan White Funding Planning Council for Board action no later than at the April 16, 2013 Board meeting. Further, that this should follow the Ryan White federal guidelines for Ryan White funding recipients.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-0905) SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Commissioner Ridenhour addressed the formation of a Small Business and Entrepreneurship Advisory Board. The following was noted with respect to the need for a Small Business and Entrepreneurship Advisory Board:

"In recent years, Charlotte and Mecklenburg County have become a hub of small business and entrepreneurship. From Commissioner Leake's Small Business Consortium, to CLTJoule, there is a growing buzz about what is happening locally in the small business and entrepreneurial communities. It would be helpful to have a citizens advisory board, tasked with informing the Board about latest developments in these communities, what regulations are inhibiting small business, and how the county can assist in growing this important part of our business sector."

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to approve the formation of a new advisory board to the BOCC, comprising 11 members, (one from the existing city Business Advisory Committee), with the following as the duties/purpose: "To provide recommendations and advice to the Board of County Commissioners regarding ways to streamline permitting processes for new and expanding businesses; to provide input to the Board of County Commissioners regarding proposed changes in building codes, policies, and taxes; to advise the Board of County Commissioners about specific challenges small businesses and entrepreneurs encounter in the county; and to inform the Board of County Commissioners about new developments in the local small business and entrepreneurial communities."

(13-0912) RE-ESTABLISHMENT OF BOARD STANDING COMMITTEES

Chairman Cotham addressed the re-establishment of standing committees of the Board.

Chairman Cotham noted the boards that were previously in place. She also suggested the possible formation of a Customer Service Committee.

Commissioner Dunlap spoke in support of having committees, but noted issues that occurred in the past with respect to committees that caused them to become inactive.

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Commissioner Dunlap suggested this matter be placed on a Budget/Public Policy agenda for a more detailed discussion with respect to which committees should be re-established, rather than taking action at tonight's meeting to re-establish all of them.

Commissioner Bentley echoed Commissioner Dunlap with respect to discussing this matter in more depth at a future meeting to determine which committees would serve the needs of the Board the most.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, to table discussion on the re-establishment of standing committees of the Board of County Commissioners until the Board's Special Budget/Public Policy Meeting on March 26, 2013.

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:27 p.m.

Janice S. Paige, Clerk

Patricia "Pat" Cotham, Chairman