

JULY 2, 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, July 2, 2013.

ATTENDANCE

Present: Chairman Patricia Cotham and Commissioners Karen Bentley, Dumont Clarke, George Dunlap, Trevor Fuller, Bill James, Vilma Leake, Kim Ratliff and Matthew Ridenhour
Interim County Manager Bobbie Shields
County Attorney Marvin Bethune
Clerk to the Board Janice S. Paige

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Fuller and Ridenhour 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 13-1171, 13-1183, and 13-1190.

STAFF BRIEFINGS - NONE

(13-1187) CLOSED SESSION – CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 6-0 with Commissioners Bentley, Cotham, Dunlap, James, Leake, and Ratliff voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:14 p.m. and came back into Open Session at 5:56 p.m.

Commissioners Clarke, Fuller and Ridenhour 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. She then recognized Commissioner Leake to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Chairman Cotham said if there was no objection, she would suspend the rules and grant Vice-Chairman Ratliff's request to make a statement prior to the start of this portion of the meeting.

There was no objection.

Vice-Chairman Ratliff made the following statement: "Madam Chair, members of the Board, citizens of Mecklenburg County, I want to apologize for my words regarding the county manager's search that may have offended the citizens of Mecklenburg County and my colleagues. My comments were meant to encourage all candidates to apply for the position and not meant to exclude anyone. I realize now that my comments may not have been appropriate and I regret having made them. It is important to me that the Board, as well as the citizens of Mecklenburg County, know that I believe our next county manager should possess strong leadership skills with executive experience in the private sector or local government and one who can lead and implement our vision for Mecklenburg County. I, Kim Ratliff look forward to working with the next county manager. Thank You."

Chairman Cotham asked if any other Commissioners desired to make a comment. The response was as follows:

Commissioner Leake said despite what some people have stated, the Board was not "dysfunctional." "We are people who agree to disagree and there are issues that we agree on and issues that we do not agree on." Commissioner Leake said as a Board member she had been "humiliated and hurt" in the past as she has sat around the dais, by what was said and the Board said and did "nothing" in reference to her late son.

Commissioner Leake said she didn't have "malice" against anyone about it, but she thought this was an "opportune time" that she could bring this issue to the body.

Commissioner Leake said she hoped that in the future, "as any of us step out of line that we will know what to do and how to do it and make sure that we say and do the right thing and not offend any of us."

Commissioner Leake asked that there be consistency with respect to the Board and citizens of the community "that if we're going to say something to one, we must say it to all of us and make sure that we do what we ought to do and hold people accountable for what they've said and what they've done; not just in this situation but in any situation."

Commissioner Clarke thanked Vice-Chairman Ratliff for her apology. Commissioner Clarke said at the "core" of the Democratic Party was the principle that "no one should face discrimination." Commissioner Clarke said it was critical that the county manager search be conducted without any "preconceived notions" about who was the right person for the job.

Commissioner Clarke said everyone was within their rights to be upset about the remarks made by Vice-Chairman Ratliff and the concerns they created. He said it should not be forgotten, however, that it's only been a very short period of time since the only persons who were considered "fit and capable" of performing executive jobs and ever being hired for them were "white men." "We're just a little bit removed from a history of overt discrimination against basically everybody except white men."

JULY 2, 2013

Commissioner Clarke said “we live in a different world these days and we all need to be very careful about what we say.” Commissioner Clarke said “during the county manager recruitment process we need to remain vigilant that we’re going to be fair and consider all candidates based on their qualifications and without regard to their race, gender, ethnicity, or other factors.” He said the Board was looking for someone who was highly qualified to lead this county. He said the County has had great leadership in the past and he’s certain that the Board would choose someone highly qualified again.

Commissioner Bentley acknowledged and expressed appreciation for Vice-Chairman Ratliff’s apology, but said it was a “few days late in coming.” She said Vice-Chairman Ratliff had the opportunity the day after the statement was made to the press to apologize. Commissioner Bentley said if that had been done, it probably would have averted a lot of national and international press on Mecklenburg County. Commissioner Bentley said she’d received emails from people saying that they would never visit Mecklenburg County because this was not “a tolerate place.”

Commissioner Bentley said “it seems today that the only people that are free and open to criticism is the white male and if they’re Christian they’re really open for target. “

Commissioner Bentley said “as elected officials we have a high standard. The words we say have meaning. Let us never forget that what we say has impact in our community. We have made tremendous progress in our race relations. We do not, as elected officials, need to say or do anything that sets us back. What happened last week I’m afraid did that.”

Commissioner Bentley said “it seems like reversed discrimination is acceptable in this community, but it is not to be tolerated.”

Chairman Cotham thanked Vice-Chairman Ratliff for her apology. Chairman Cotham said Vice-Chairman Ratliff’s comments regarding the selection of a county manager “offended” a lot of people. Chairman Cotham said “it also brought people back to a place in time where they remembered something in their past.” “A time when things were not very inclusive in this country and brought back painful memories to some people.” Chairman Cotham said she was glad Vice-Chairman Ratliff made a statement.

Chairman Cotham said she agreed with Commissioner Bentley that words “make a difference.”

Chairman Cotham said “we look forward to more positive words from all of us and hopefully a renewed attitude of collaboration and respect that we can work with each other in a more positive way and help each other, and if we do make a mistake that we will come together and try to help each other.”

Vice-Chairman Ratliff said she looked forward to that.

AWARDS/RECOGNITION - NONE

(13-1189) PUBLIC APPEARANCE

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

Bill McCoy, Chair of the Council on Aging Board of Directors addressed the Status of Seniors Initiative 2012 Update.

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

JULY 2, 2013

Christian Hine expressed support for the removal of former County Manager Harry L. Jones, Sr. He addressed qualifications the next county manager should possess, such as open communication skills, an understanding that the county manager works for the Board and not “the other way around;” and a sense of fiscal responsibility to root out waste and excess and inappropriate expenditures in the County’s budget. Mr. Hine also addressed Vice-Chairman Ratliff’s comment regarding the selection of the next county manager, “just someone who is not a white male.” Mr. Hine said he hoped the Board would seek to find the most qualified person for the position. Mr. Hine said the comment made by Commissioner Ratliff painted a picture of prequalification and damaged the County’s ability to succeed in the hiring process. He said he wondered now how many highly qualified candidates would no longer place themselves into contention. Mr. Hine said the comment made by Vice-Chairman Ratliff was not well thought out and not constructive to the functioning of county government or to race and gender relations as a whole. Mr. Hine asked Vice-Chairman Ratliff to excuse herself from any vote concerning the hiring of the next county manager. Mr. Hine said he appreciated Vice-Chairman Ratliff’s apology, but there should be consequences for her action. He said the appropriate consequence should be for Vice-Chairman Ratliff not to vote on the next county manager.

Wayne Powers said he appreciated Vice-Chairman Ratliff’s apology, but that it was late coming. Mr. Powers said “for Ms. Ratliff to advocate discrimination against someone for a job strictly because of the color of his or her skin is not just an insult or a bad word, it’s the text book definition of racism.” He said the Board needed to take immediate action to repudiate that statement and the commissioner that made it. He said it was not a “party” issue. He said he agreed with Commissioner Leake that “double standards are wrong.” Mr. Powers said Vice-Chairman Ratliff should not be allowed to vote or participate in the county manager selection process. He said she should be censured and replaced as vice-chairman of the Board.

Loan Tran spoke in support of the next county manager being “a person of color.” Ms. Tran also defined racism. Ms. Tran said racism still existed and that the “status quo for centuries has been white people.” Ms. Tran said the “sooner we openly talk about racism, the closer we will be to making Charlotte a better place.”

Yash Mori spoke in support of Vice-Chairman Ratliff. He said Vice-Chairman Ratliff was not “racist.” He said the comments made towards Vice-Chairman Ratliff were “hateful and rude.” He said he concurred with Loan Tran that the next county manager should be a “person of color.”

Paula Harvey spoke in support of Vice-Chairman Ratliff and said that she was a “good person.” She said it was never Vice-Chairman Ratliff’s intention to be discriminatory. She said Vice-Chairman Ratliff needed to be “forgiven,” that it was a “misstep that we should move on, and let the Board move forward with doing the important work that it needed to do for the citizens of this county.”

Daniel Rufty spoke in opposition to the comment made by Vice-Chairman Ratliff. Mr. Rufty said he was “disgusted” because Board members had not asked for Vice-Chairman Ratliff’s resignation. He asked the Board to “demand equality and justice” and replace Vice-Chairman Ratliff.

Charles Suter spoke in opposition to the comment made by Vice-Chairman Ratliff. Mr. Suter said Vice-Chairman Ratliff’s comment encouraged racism and that she should be removed.

John White thanked Vice-Chairman Ratliff for her apology. He encouraged the Board to work together and that every commissioner be assigned to committees.

(13-1185) APPOINTMENTS

BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Chris Price to the Board of Motor Vehicle Review for a one-year term expiring July 18, 2014.

He replaces Tommie Blakeney.

Note: The Board's Ad Hoc Appointment Committee recommended Mr. Price.

A copy of the Board's Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

The vote was taken on the following nominees for appointment to the Central Piedmont Community College Board of Trustees:

Madelyn Caple	Commissioners Bentley, Clarke, Dunlap, Fuller, Ratliff, and Ridenhour
Angelia Fryer	Commissioners Cotham, Leake, and James Voting Ceased
Melandee Jones	
Sholeh Kornegay	

Note: Zach Anderson was nominated but asked that his name be removed from consideration, per Commissioner Ratliff.

Note: The Board's Ad Hoc Appointment Committee did not make a recommendation in this instance because there was not a consensus on who to recommend.

A copy of the Board's Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

Chairman Cotham announced the appointment of Madelyn Caple to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2017.

She replaces Sue Peck.

CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment to the Citizen's Capital Budget Advisory Committee:

Leigh Altman	None
Sue Peck	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Ratliff, and Ridenhour
David Tibbals	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour

JULY 2, 2013

Chairman Cotham announced the appointment of Sue Peck and David Tibbals to the Citizen's Capital Budget Advisory Committee to fill unexpired terms expiring July 31, 2014.

They replace Roger Brown and Sarah Funkhouser.

PLANNING COMMISSION

The vote was taken on the following nominees for appointment to the Planning Commission:

Randy Fink	None
Laurissa Hunt	None
Kwesi, Nichols	Commissioner Ratliff
Wayne Powers	Commissioners Bentley, James, and Ridenhour
Joel Randolph	None
Samuel Spencer	None
Michael Sullivan	Commissioners Clarke, Cotham, Dunlap, Fuller, and Leake
	<i>Voting Ceased</i>
Nancy Wiggins	
Marshall Williamson	
Amanda Wolfe	

Chairman Cotham announced the appointment of Michael Sullivan to the Planning Commission for a three-year term expiring June 30, 2016 effective July 1, 2013.

He replaces Lucia Griffith.

Note: The Board's Ad Hoc Appointment Committee recommended four candidates for consideration, one of whom was Mr. Sullivan.

A copy of the Board's Ad Hoc Appointment Committee letter of recommendation is on file with the Clerk to the Board.

WOMEN'S ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Women's Advisory Board:

Andrea Arterburn	Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake and Ridenhour
Heather Blake	None
Sarah Byrne	None
Lynnette Carr	None
Valerie Dorsett	Commissioner Ratliff
Devonya Govan-Hunt	None
Charlene Henderson	None
Kathi Knier	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, and Ridenhour
	<i>Voting Ceased</i>
Imana Legette	
Nichole Patterson	
Christen Richardson	
Sasha Tomaszycski	
Latonja Worsham	
Denise Young-Boyd	

JULY 2, 2013

Chairman Cotham announced the appointments of Andrea Arterburn and Kathi Knier to the Women's Advisory Board for three-year terms expiring June 30, 2016.

They replace Faith Fickling and Amanda Prothero.

(13-1186) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to nominate and appoint Rosalind Bland to the Adult Care Home Advisory Committee for a one-year term expiring July 31, 2014.

She replaces Barbara Pace.

ALCOHOLIC BEVERAGE CONTROL BOARD

Commissioner Dunlap nominated all applicants for appointment consideration to the Alcoholic Beverage Control Board: Phyllis Barnette, Ernest Barry, Malachi Greene, Earl Leake, Robert Nixon, Wayne Powers, Lloyd Scher, Elton Shoemaker, Donna Smith, and Nancy Wiggins.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chairman. Per Board policy, persons seeking appointment to the Alcoholic Beverage Control Board must undergo an interview process. Interim County Manager Shields noted that he'd been informed that there were now two vacancies on the Alcoholic Beverage Control Board rather than one. Once confirmed, when the matter returns to the Board it will reflect the need to appoint two members.

Commissioner Leake volunteered to serve on the Ad Hoc Appointment Committee.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Commissioner Bentley nominated all applicants for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee: Lynnette Carr, Sarah Demarest, Sophia Gaither, Trymaine Gaither, Melandee Jones, Ola Mitchell, Kwesi Nichols, Dana Sidberry, and Nadia Vanderhall.

Note: An appointment will occur on August 6, 2013.

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

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint Paula Lester to the Historic Landmarks Commission for a three-year term expiring July 31, 2016.

PUBLIC HEARINGS - NONE

ADVISORY COMMITTEE REPORTS - NONE

Commissioner Clarke returned the dais.

MANAGER'S REPORT

(13-1200) COUNTY ASSESSOR RECRUITMENT

The Board received an update on the County Assessor recruitment from Interim County Manager Shields. The following was noted:

- A revised scope of work was given to The Mercer Group, the executive search firm being used for the recruitment of a new County Assessor.
- A revised recruitment schedule was developed
- An update on the status of the recruitment process will be provided at the August 6, 2013 meeting.
- The hope is to have an assessor on board in September.

A copy of the revised scope of work is on file with the Clerk to the Board.

Comments

Commissioner Dunlap asked what happens if someone's interested but not identified through The Mercer Group. *Interim County Manager Shields said if informed of that person, they would be advised to contact The Mercer Group, so that they could be vetted like other interested applicants.*

Commissioner Ridenhour asked would there be any changes in The Mercer Group's recruitment methods. *Interim County Manager Shields and Chairman Cotham addressed this question.*

Interim County Manager Shields suggested that going forward the Board Ad Hoc County Assessor Recruitment Committee may want to review more or all of the applications received.

Commissioner Bentley, chair of the Board Ad Hoc County Assessor Recruitment Committee concurred that the committee should be provided with more applications to review going forward than what was provided to the committee by The Mercer Group previously.

STAFF REPORTS & REQUESTS

(13-1230) MECKLINK MONTHLY UPDATE, RESPONSE TO SENATE BILL 208

The Board received a monthly update on MeckLINK Behavioral Healthcare Medicaid Waiver operations and staff recommendations in response to Senate Bill 208. Assistant County Manager Michelle Lancaster and Ken O'Neil, MeckLINK Chief Finance Officer gave the update.

Prior to receiving the update, Sandy DuPuy, immediate past chair of the MeckLink Consumer and Family Advisory Committee said there was much concern regarding the changes in the state's mental health reform, i.e. Senate Bill 208. She addressed the impact of those changes on consumers and families receiving mental health services. She asked the Board to do whatever it could to bring as much stability to the local mental health system as possible, until it's known how the Governor's Plan works out. Ms. DuPuy said the Consumer and Family

JULY 2, 2013

Advisory Committee would be happy to provide input regarding the establishment of an area authority to keep what's currently here in Mecklenburg County for as long as possible.

Assistant County Manager Michelle Lancaster asked the Board to consider appointing a transition committee to work with staff to provide a recommendation to the Board regarding transition options for MeckLINK based on the passage of S208. The following was also noted:

- There were two important aspects to the request - 1) staff was able to schedule a meeting with Carol Steckle, head of DMA (state medicaid) for July 15, staff was hopeful that this meeting will provide valuable information to consider in regards to transition. 2) staff was trying to work with Representative Dollar to extend the deadline for transition and hopeful that the County would get some relief from the January deadline.
- Appoint a three person committee to assist staff in developing a recommendation for the Board's consideration regarding transition options for MeckLINK. Recommendations for appointment are: Sandy Dupuy - immediate past-Chairman of the Consumer and Family Advisory Committee (CFAC); Dammeon Chisholm - immediate past-President of the MeckLINK Provider Council; Sandra Bisanar, retired Deputy County Attorney.

Timeline

- Meetings will be held on a regular basis (at least bi-weekly) through September to review information and identify follow-up items in order to provide the Board of County Commissioners a recommendation at a September Board meeting.
- The Transition Committee will provide a recommendation that includes:
 - the steps necessary and a timeline to implement a single-county authority;
 - the steps necessary and a timeline to merge with a multi-county authority
 - each of these will include organizational implications, including finance, human resources, IT, legal and asset and facility management
 - The transition committee would also be responsible for identifying potential candidates to fill the authority membership requirements for a single county authority and also providing recommendations on appropriate representation on a multi-county authority.
 - The options will be considered from the standpoint of stakeholders, including consumers, providers and employees. The committee and staff will request technical assistance from the North Carolina Department of Health & Human Services as needed.

Items for Consideration

- current per member/per month (PM/PM) is inadequate based on actual, medically necessary utilization. Staff has a meeting scheduled July 15 with Carol Steckel - Director of DMA (State Medicaid) to discuss this issue.
- a January transition deadline presents a significant challenge for either a single county authority or a multi-county authority.
- consideration of MeckLINK staff that have long term employment with Mecklenburg County.
- consideration of local funding utilized to leverage state funding for needed services in Mecklenburg County.

Written updates will be provided to the Board frequently throughout the process and questions or inquiries are welcomed to assist staff in developing a thorough recommendation for the Board's consideration.

Motion was made by Commissioner James, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint a three person committee to assist staff in developing a recommendation for the Board's consideration regarding transition options for MeckLINK and appoint the following individuals to serve on the committee: Sandy Dupuy - immediate past-Chairman of the Consumer and Family Advisory Committee (CFAC); Dammeon Chisholm - immediate past-President of the MeckLINK Provider Council; Sandra Bisanar, retired Deputy County Attorney.

Commissioner Leake asked how much had the County spent to date on MeckLINK. *Assistant County Manager Lancaster said \$17 million.*

The following was covered in Mr. O'Neil's presentation:

- Finance Process Recap
- First Quarter Financial Results
- Contract Financial Metrics Compliance
- Next Steps

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

Comments

Commissioner James said with respect to the County's local funding utilized to leverage state funding for needed services in Mecklenburg County via MeckLINK, that it was important the state be informed of what the County's true administrative cost was. He said at some point the Board should know that as well, so that the Board would know what the loss was, if any. Commissioner James said he did not want the County to mitigate the loss in order to present a "false picture" to the state.

Mr. O'Neil said the question that would have to be answered was whether or not the County was providing that additional administrative support with the intent of being reimbursed or as in-kind services.

Commissioner Leake asked what was the County's administrative cost per month to run MeckLINK. *Mr. O'Neil said he didn't think the County had paid any incremental increase or cost. He said the County did not increase its own administrative costs in order to provide services to MeckLINK. He said since MeckLINK was the "benefactor" of those services, MeckLINK has to recognize the cost of those services going forward because what's being reported was not a true reflection of the administrative burden associated with managing an organization like MeckLINK.*

Assistant County Manager Dena Diorio said the County Finance Department treated MeckLINK like any other County department and there's no charge for Finance to run their checks or payroll. Assistant County Manager Diorio said staff was aware that MeckLINK was a little different and that a cost allocation methodology was needed to report that. She said because MeckLINK was so new, there hadn't been an opportunity to work through that yet, but it's recognized that those were costs that needed to reflect on the financial statements that are reported to the state.

Commissioner Fuller said clarity was needed if the County was giving the impression that it was underreporting the expenses associated with MeckLINK, which was the concern raised by Commissioner James.

Assistant County Manager Diorio said in a way the County was subsidizing MeckLINK by providing those services to MeckLINK. She said the question was how do you capture the cost of that subsidy and charge it back to MeckLINK.

Mr. O'Neil said in response to Commissioner Leake's question regarding what was the monthly administrative cost to the County to run MeckLINK, that the answer was zero. Mr. O'Neil said administrative costs were being paid from the administrative component that's received from the state, the capitation component.

JULY 2, 2013

Commissioner Clarke questioned the accuracy of the statement that the County wasn't incurring any incremental costs for services provided to MeckLINK. *Assistant County Manager Diorio said the County Finance Department did not add any additional staff to provide services to MeckLINK. She said the work was just absorbed internally.*

Commissioner Clarke asked about County Human Resources (HR) involvement. *Assistant County Manager Diorio said it was her understanding that HR just absorbed the work internally as well.*

Mr. O'Neil said the Board should keep in mind as it processes the question of the intent of the services provided to MeckLINK by the County that there were contractual consequences.

Commissioner Dunlap asked about provider claims that were denied because MeckLINK determined it was not medically necessary, which was addressed. *Mr. O'Neil said there was an established protocol for determining whether a service was medically necessary and a pre-authorization process that providers were aware of.*

Commissioner Dunlap said there was additional costs to the County because of the services provided to MeckLINK. He used as an example, the increased workload on the part of County Finance staff. He said the issue was that the County was not in a position at this time to calculate that costs.

Mr. O'Neil said there was an indirect cost.

Commissioner Ridenhour asked what the impact would be to the County if the existing contract was terminated at this point, in light of the fact that the state would be taking MeckLINK over through the establishment of an authority anyway next year.

Assistant County Manager Lancaster's response was that the Board would not have any control over what mental health services were in the community.

This concluded the discussion.

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

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1201) COUNTY ASSESSOR'S OFFICE--HIRING OF SUBJECT-MATTER EXPERT-- COMMISSIONER BENTLEY

Commissioner Bentley addressed the hiring of a Subject-Matter Expert to assist the County Assessor and the scope of work for that individual. See below.

County Assessor's Office Independent Consultant

Consultant: Debbie King
Reports to: Dena Diorio, Assistant County Manager

Scope of Work

1) Implement Recommendations in Internal Audit Report dated April 26, 2013

Purpose: Ensure that all recommendations are fully implemented

Tasks:

- Prepare status report of implementation of recommendations to date
- Pursuant to Issue #1 in the report, ensure that documented policies and procedures

exist for key business activities for RMV valuations, property appeal processes and information system access

- Pursuant to Issue #2 in the report, validate and document that procedures related to routine reviews of appeals and supporting documentation ensure compliance with the Machinery Act
- Pursuant to Issue #3 in the report, validate and document that the pre-billing edit process for RMV is effective. Validate and document the revised procedures have been developed in response to the changeover to the State Vehicle Tax System (VTS)
- Pursuant to Issue #4 in the report, document and validate that the revised reconciliation procedures for ensuring all assessed registered motor vehicles are processed for billing. Validate and document the revised procedures have been developed in response to the changeover to the State Vehicle Tax System (VTS)
- Pursuant to Issues #5 & #8 in the report, collaborate with the IT Program Manager to develop and implement an IT Security Policy for all the systems in the Assessor's Office
- Pursuant to Issue #6 in the report, validate and document that the review and approval of property valuation changes are properly documented
- Prepare weekly status reports for the Board of County Commissioners

Deliverables:

Implementation Plan
Weekly Status Reports
Documented Policies & Procedures for key business activities
Training Plan for staff on policies and procedures
IT Security Plan

2) Prepare Implementation Plan for Recommendations in the Customer Service Solutions Report

Purpose: Ensure that there is a documented strategy & plan for implementing recommendations

Tasks:

- Prioritize recommendations based on input from Assessor's Office staff
- Categorize recommendations based on ease of implementation
- Prepare a detailed project plan that assigns accountabilities, tasks and timetables for completion
- Develop internal & external communication plans. This includes strategies for communicating internally, and with other County departments including the Office of the Tax Collector, Public Information and 311
- Develop customer service survey and document process for tabulating & reporting results
- Document key business processes
- Recommend key performance indicators (KPI's) tied to key business processes
- Develop recommendations for applying customer service strategies across the Assessor's Office and the Office of the Tax Collector
- Prepare weekly status reports for the Board of County Commissioners

Deliverables:

Implementation Plan
Weekly Status Reports
Documented procedures for key business processes
Communication plans
Customer Service Survey
Cross departmental customer service recommendations

3) Preparation for Implementation of HB 200

Purpose: Ensure the Assessor's Office has a documented plan for successful implementation of the legislation

Tasks:

- Prepare a detailed project plan that assigns accountabilities, tasks and timetables for completion
- Review documentation received from Pearson's Appraisal Service that the four

JULY 2, 2013

conditions stipulated in the legislation have been met

- Prepare RFP documents for the procurement of services from qualified appraisal companies. RFP will include a detailed scope of work, minimum qualifications of proposers, appraisal methodology to be followed and timetables. Develop evaluation criteria and matrix for evaluating proposals.
- Develop and document procedures for tracking the results of the review and reporting to the Board of County Commissioners
- Develop and document procedures for tracking and reporting changes in value and forecasting assessed valuation for the FY2015 budget
- Prepare weekly status reports for the Board of County Commissioners

Deliverables:

Project Plan and updates as needed

Weekly Status Reports

RFP for Appraisal Services

Documented procedures for tracking and reporting the results of the review

Documented procedures for tracking and reporting changes in value

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke, to approve the proposed scope of work for Debbie King to assist the County Assessor in the performance of his duties.

Commissioner Fuller expressed opposition for the need to hire a Subject-Matter Expert.

Interim County Manager Shields and Assistant County Manager Diorio addressed this matter in response to Commissioner Fuller's opposition, specifically the scope of work.

It was noted by Assistant County Manager Diorio that in the event Ms. King did not come on board, someone should still be hired to assist with managing the special projects listed in the scope of work.

After further discussion, the vote was taken on the motion as follows:

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to approve the proposed scope of work for Debbie King to assist the County Assessor in the performance of his duties.

Motion was made by Commissioner Bentley, seconded by Commissioner Dunlap, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work.

Substitute motion was made by Commissioner Fuller, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work, but that there needed to be a specific end date for the work to be completed and a dollar cap on the amount to be spent for this service.

Commissioner Clarke asked Interim County Manager Shields to comment on the intent with respect to the length of time and cost for this service.

Interim County Manager Shields said some parameters were needed. He said what he had in mind was to initially have a four-month window of time for this service to be completed and a not to exceed amount of \$50,000. He said there would also be certain performance expectations and termination provisions.

Commissioner Fuller withdrew his substitute motion, however, the substitute motion was

never seconded.

After further discussion, the vote was then taken on the original motion as follows:

Motion was made by Commissioner Bentley, seconded by Commissioner Clarke and carried 8-1 with Commissioners Bentley, Clarke, Cotham, Dunlap, James, Leake, Ratliff, and Ridenhour voting yes and Commissioner Fuller voting no, to authorize the Interim County Manager to negotiate and execute a contract with Ms. King to fulfill the scope of work.

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

(13-1191) RESTRICTED CONTINGENCY - COUNTY ASSESSOR'S OFFICE -- COMMISSIONER BENTLEY

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to transfer the FY2014 funding increase for the County Assessor's Office in the amount of \$1,800,000 from the agency's operating budget to restricted contingency. The Board will consider appropriating funds from restricted contingency to the Assessor's Office operating budget following the Board's appointment of a new Assessor and after the Board determines the appropriate dollar amount to appropriate to the Assessor's Office, based on the completion of the Board's revaluation review action plan and implementation of an action plan based on the recommendations of Customer Service Solutions.

Assistant County Manager Diorio addressed this matter prior to the above vote.

STAFF REPORTS & REQUESTS

(13-1202) REPORT ON NC FAST-NORTH CAROLINA FAMILIES ACCESSING SERVICES THROUGH TECHNOLOGY

The Board received an update from staff regarding the implementation of NC FAST in Mecklenburg County. Rodney Adams, Director, Economic Services Division of the Department of Social Services gave the update. The following was covered:

- Work Support Strategies
- Work Support Strategies Tenets
- What is NC FAST
- NC FAST Targeted Deployments
- NC FAST Activities
- Challenges

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

Comments

Commissioner Leake asked how information regarding NC FAST would be disseminated to the public. *Director Adams addressed the question.*

Commissioner Bentley asked about the "Woodwork" Impact mentioned in the report that stated 210,000 + individuals identified as "potentially" eligible for services based upon Census information. She asked how that number was derived. *Director Adams addressed the question.*

JULY 2, 2013

Commissioner Leake asked about the qualifying income level to be at the poverty level.
Director Adams addressed the question.

This concluded the discussion.

COUNTY COMMISSIONERS REPORTS & REQUEST

(13-1192) SELECTION OF NACO VOTING DELEGATE AND ALTERNATE -- CHAIRMAN COTHAM

Motion was made by Commissioner Dunlap, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to select Commissioner Fuller to serve as the County's voting delegate and Commissioner Ratliff as the alternate for the 2013 National Association of Counties (NACo) Annual Conference to be held July 19-22, 2013 in Tarrant County/Fort Worth, Texas. In the event the Board's representatives are unable to attend, authorize the president of the NC Association of County Commissioners (or his/her designee) to pick up the County's ballot and cast the County's votes.

Note: The following Board members are attending the conference: Commissioners Dunlap; Fuller; and Leake; and Vice-Chairman Ratliff.

(13-1203) DISTRICT 2 UPDATE -- COMMISSIONER LEAKE

The Board received a verbal report from Commissioner Leake on activities in District 2.

CONSENT ITEMS

Motion was made by Commissioner Fuller, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the following item(s):

(13-1181) GRANT APPLICATION - FEMA LETTERS OF MAP REVISION -- LUESA

- 1) Approve submitting a grant application for up to \$20,000 with the Federal Emergency Management Agency
- 2) If awarded, recognize, receive and appropriate grant funds and authorize the Interim County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement
- 3) Authorize the carry-forward of unspent funds for the duration of the grant

(13-1182) TAX REFUNDS

Approve refunds in the amount of \$14,426.84 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.

(13-1188) MINUTES

Approve minutes of Regular meeting held June 18, 2013 and Closed Session held June 18, 2013

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1171) SOLE SOURCE VENDOR PURCHASE -- GREENWAVE ASSOCIATES

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6) from GreenWave Associates as requested by the Park and Recreation Department for its Computer Controlled Irrigation System.

NOTE: North Carolina General Statute 143-129 and the County Procurement Policy mandate that Mecklenburg County procure all apparatus, supplies, materials and equipment totaling \$30,000 or more by competitive bidding. An exemption is allowed if a needed product is available from only one source of supply or standardization or compatibility is the overriding consideration. The City/County Procurement Services Division (PSD) has approved a sole source exemption to purchase weather stations, controllers and other irrigation equipment on an ongoing basis. Installation of equipment will allow the County to participate in the Charlotte-Mecklenburg Utilities Department (CMUD) Smart Water Program, which will result in an estimated savings of up to \$274,000 per year in water expenses. GreenWave is the only authorized reseller of the controllers currently utilized by the Park and Recreation Department and required to maintain compatibility and standardization.

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

(13-1183) BROOKLYN VILLAGE

Motion was made by Commissioner Leake, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to adopt a resolution entitled: RESOLUTION APPROVING THIRD AMENDMENT TO THE BROOKLYN VILLAGE / KNIGHTS BASEBALL STADIUM INTERLOCAL COOPERATION AGREEMENT.

**MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION
APPROVING THIRD AMENDMENT TO THE BROOKLYN VILLAGE /
KNIGHTS BASEBALL STADIUM INTERLOCAL COOPERATION
AGREEMENT**

WHEREAS, the County and the City have previously entered into that certain "Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement" approved by the City on May 14, 2007 (the "Interlocal Agreement"); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of December 7, 2007 ("First Amendment") to defer the time for closing on the sale of certain real property by the County to Brooklyn Village LLC (the "Second Ward Property"); and

JULY 2, 2013

WHEREAS, the County and Brooklyn Village LLC entered into an Agreement of Sale for County Property dated January 17, 2008 (the "Sales Agreement") under which the County agreed to sell the Second Ward Property to Brooklyn Village LLC; and

WHEREAS, the County and Brooklyn Village LLC amended the Sales Agreement effective September 8, 2010 to defer the time for closing under the Sales Agreement; and

WHEREAS, by agreement dated October 11, 2011, Brooklyn Village LLC assigned its rights as Buyer under the Sales Agreement to Spectrum Investment Services, Inc. ("Spectrum"), as allowed by the Sales Agreement; and

WHEREAS, the County and Spectrum amended the Sales Agreement effective as of November 20, 2012 to extend the time for Spectrum to close on purchase of the Second Ward Property to June 1, 2013 (the "Second Extension to Sales Agreement"); and

WHEREAS, the County and the City amended the Interlocal Agreement effective as of January 29, 2013 ("Second Amendment") to defer the time for closing on the sale of the Second Ward Property by the County to Brooklyn Village LLC (the "Second Ward Property") until June 1, 2013; and

WHEREAS, Brooklyn Village LLC did not close on the sale of the Second Ward Property by June 1, 2013, and thereby lost its right to purchase the Second Ward Property; and

WHEREAS, the Interlocal Agreement, as amended through the Second Amendment, provides in Section 2.04 b) that should the County not sell the Second Ward Property to Brooklyn Village LLC by June 1, 2013, the City could require the County to re-convey Marshall Park to the City if the City provides notice to the County to do so within sixty (60) days; and

WHEREAS, the County believes that it can find a purchaser within the next year for just the apartment parcel (one of three parcels to be sold from the Second Ward Property) even though it believes that it cannot currently find a purchaser for all three of the parcels, and has started working on a possible arrangement among the City, the County, the Housing Authority of the City of Charlotte, NC ("Housing Authority") and the Charlotte-Mecklenburg Board of Education ("Board of Education") for a possible phased sale approach, with just the apartment parcel to be sold initially; and

WHEREAS, in order to provide the necessary time for the City, the County, the Housing Authority and the Board of Education to come to some agreement on this phased sale approach, and to preserve the right of the City to require re-conveyance of Marshall Park should this phased sale approach not be acceptable to all parties, the City and the County desire to amend the Interlocal Agreement to change the June 1, 2013 date to October 1, 2013, and to provide that the County cannot sell any of the former Marshall Park property until there has been either a further amendment of the Interlocal Agreement or a new interlocal agreement dealing with Marshall Park has been approved and executed; and

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements "be ratified by resolution of the governing board of each unit spread upon its minutes"; now, therefore, be it

RESOLVED by the Mecklenburg County Board of Commissioners that the Board authorizes the County Manager to execute the "Third Amendment to Brooklyn Village / Knights Baseball Stadium Interlocal Cooperation Agreement" in substantially the form presented to the Board of Commissioners with such technical corrections and minor modifications as he may deem necessary consistent with the spirit and intent of the transaction described herein.

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

JULY 2, 2013

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

(13-1190) GRANT APPLICATION -- NC DEPARTMENT OF PUBLIC SAFETY (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to:

(1) Approve the submission of a grant application for funding in the amount of \$305,568 from the North Carolina Department of Public Safety (NCDPS)

(2) If awarded, recognize, receive and appropriate such funds; no match is required

(3) If awarded, establish two Criminal Justice Case Manager positions in Criminal Justice Services

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner Ratliff and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:53 p.m.

Janice S. Paige, Clerk

Patricia "Pat" Cotham, Chairman