

DECEMBER 3, 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, December 3, 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

Note: Commissioner Fuller became Chairman during the Formal Session of the meeting as noted below.

Absent: None

-INFORMAL SESSION-

Commissioners Bentley, Dunlap 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: 13-1433, 13-1450, 13-1453, 13-1462, and 13-1464.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cotham, Fuller, James, Leake and Ratliff voting yes, to move Consent Item 13-1462 Purple Heart County Presentation and Proclamation from Consent to Awards/Recognition.

STAFF BRIEFINGS - NONE

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(13-1465, 13-1474, 13-1476, 13-1479, 13-1485)

**CLOSED SESSION – LAND ACQUISITION,
BUSINESS LOCATION AND EXPANSION, TO PREVENT
DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL
PURSUANT TO G.S. 105-259 (G.S. 143-318.11(a) (1),
CONSULT WITH ATTORNEY AND PERSONNEL MATTER**

Commissioner Bentley entered the meeting.

It was noted that there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, James, Leake and Ratliff voting yes, to go into Closed Session for the following purposes: Land Acquisition, Business Location and Expansion, To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a) (1), and Personnel Matter.

The Board went into Closed Session at 5:16 p.m. and came back into Open Session at 6:35 p.m.

Commissioners Dunlap 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. Chairman Cotham then recognized Commissioner Dunlap to give the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

Note: Dr. Dwayne A. Walker, Pastor of Little Rock A.M.E. Zion Church gave invocation as well following remarks by Commissioner Dunlap.

(13-1444) ELECTION OF CHAIRMAN

Chairman Cotham passed the gavel to Vice-Chairman Ratliff to conduct the process for the election of Chairman for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Vice-Chairman Ratliff asked for nominations for Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Commissioner James nominated Commissioner Pat Cotham. Commissioner Bentley seconded the nomination.

Commissioner Clarke nominated Commissioner Trevor Fuller. Commissioner Leake seconded the nomination.

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Commissioners then addressed the reason for their nominations and/or their view of why additional nominations were made.

Commissioners James, Bentley, Ridenhour, Leake, and Clarke thanked Commissioner Cotham for her leadership for the past year.

In light of the anticipated vote, Commissioner Cotham withdrew her name from consideration.

Commissioner Fuller said his focus was on “getting a job done.” He noted that the Board had dealt with a lot of challenges in the past year and had done so as best it could. Commissioner Fuller said it felt, however, as if the Board was “a drift” and lacked “coherent and clear direction.”

He noted that N.C. law provided the opportunity for Boards of County Commission to change its leadership every December, if they desired to do so.

Commissioner Fuller said his thoughts had been on how could the Board as a whole move forward together. He said his assessment of the past year was that transparency had not been the “order of the day.” Further, that over the past year some Commissioners felt included and some felt excluded. He said in light of the many changes that were coming before the County, that it was “imperative” that the Board “find a way together, to huddle together and chart a new way forward.”

Commissioner Fuller said it brought him “no joy” to bring the issue of the Board’s past leadership up. He said it was a difficult issue for him personally. He said he liked Commissioner Cotham very much and knew that her “heart was in the right place.” Commissioner Fuller said he had to, however, put aside his personal feelings, to consider what was the right path going forward. In light of that, he has presented himself to serve as Chairman for the next year. Commissioner Fuller said many people approached him about serving in that capacity.

Commissioner Fuller said the one thing he hoped the Board wouldn’t do was “fracture” as a result of the proposed change in leadership.

Commissioner Fuller informed Commissioners James, Ridenhour, and Bentley that they should “have no worry” that they would be excluded or that their ideas would not be considered.” Commissioner Fuller said he hoped that their past work together would serve as “evidence” of his intention to continue to seek out their guidance and to discuss issues.

Commissioner Fuller thanked everyone for the “anticipated honor” to serve as chairman of the Board.

The vote was then taken on the remaining nominee, Commissioner Fuller and carried 5-4 with Commissioners Clarke, Dunlap, Fuller, Leake and Ratliff voting yes and Commissioners Cotham, Bentley, James and Ridenhour voting no, to elect Commissioner Trevor Fuller as Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Vice-Chairman Ratliff announced the election of Commissioner Fuller as the Board’s new Chairman.

Vice-Chairman Ratliff passed the gavel to Chairman Fuller.

(13-1481) ELECTION OF A VICE-CHAIRMAN

Chairman Fuller asked for nominations for Vice-Chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

Commissioner Bentley nominated Commissioner Cotham.

Commissioner Cotham declined the nomination but thanked Commissioner Bentley for nominating her.

Commissioner Cotham said she would like to afford that opportunity to someone else, since she had already served in a leadership role.

Commissioner Leake nominated Commissioner Clarke.

Commissioner Ridenhour nominated Commissioner Bentley.

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 close nominations.

Commissioners then addressed the reason for their nominations.

Commissioner Bentley noted for the record that she had no idea that she would be nominated for Vice-chairman. She said she would be honored to serve if elected.

The vote was then taken on the following nominees as follows:

Commissioner Clarke: Commissioners Dunlap, Clarke, Fuller, Leake and Ratliff

Commissioner Bentley: Commissioners Bentley, James and Ridenhour

Note: Commissioner Cotham did not vote.

Chairman Fuller announced the election of Commissioner Clarke as Vice-Chairman of the Mecklenburg County Board of Commissioners for a one-year term effective December 3, 2013 and expiring Monday, December 1, 2014.

AWARDS/RECOGNITION

(13-1462) PURPLE HEART COUNTY -- PRESENTATION AND PROCLAMATION

The Board received a presentation from Mike Stubbs, Commander of Chapter 634 of the Military Order of the Purple Heart regarding Mecklenburg County becoming a Purple Heart County. Mr. Stubbs was joined by several Purple Heart Veterans.

Note: The Military Order of the Purple Heart is the second smallest military organization, second only to the Congressional Medal of Honor Society. The Military Order of the Purple Heart is the only organization chartered by Congress for combat wounded veterans. The Purple Heart, an American decoration, is the oldest Military Decoration in the world in present use. The Purple Heart is awarded in the name of the President to members of the

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Armed Forces of the United States who have been wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds in action. The mission of the Military Order of the Purple Heart is to foster an environment of goodwill and camaraderie among combat wounded veterans, promote Patriotism, support necessary legislative initiatives, and most importantly, provide service to all veterans and their families.

The Board welcomed and acknowledged the contributions of those present, other Purple Heart Veterans and all veterans, as well as those currently serving in the U. S. Armed Forces.

A plaque was presented to County from Chapter 634 of the Military Order of the Purple Heart.

Motion was made by Commissioner Dunlap, seconded by Commissioner Ratliff and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to adopt a Proclamation declaring Mecklenburg County a Purple Heart County.

The proclamation was read by Commissioner Ridenhour.

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

PUBLIC APPEARANCE

(13-1477) PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the meeting: Pete Heuberger, chair of the Mr. Hare's Nature Walk committee of the NorthEnd Partners addressed the Mr. Hare's Nature Walk at Little Sugar Creek in Hidden Valley.

A copy of Mr. Heuberger remarks is on file with the Clerk to the Board.

APPOINTMENTS

(13-1475) APPOINTMENTS -- MECKLENBURG EMS JOINT AGENCY BOARD OF COMMISSIONERS

In 1996, the Mecklenburg Board of County Commissioners along with County management staff worked with EMS management and leaders in both the medical and business communities to address the needs of the County's EMS department. The Amended and Restated Joint Undertaking Agreement, approved by the Board of County Commissioners in November 2009, states the affairs of the Agency shall be governed by a seven-member Board of Commissioners which shall be appointed by the Mecklenburg County Board of Commissioners as follows: Three (3) persons shall be Charlotte-Mecklenburg Hospital Authority (CMHA) employees nominated by the CMHA Chief Executive Officer; Three (3) persons shall be Novant Health Southern Piedmont Region (Presbyterian) employees nominated by the Presbyterian Chief Executive Officer; and One (1) person shall be a County employee nominated by the County Manager. Each Agency Commissioner shall be appointed for a term of three (3) years or until such Commissioner's successor is nominated and appointed. There is no limit to the number of successive terms in which a Commissioner may serve.

Assistant County Manager Michelle Lancaster addressed this matter.

Commissioner Leake asked whether persons serving received compensation. *The response was no.*

Commissioner Leake asked whether there were term limits. *The response was no.*

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to reappoint the following Hospital nominated Commissioners to the EMS Joint Agency Board for a three-year term (12/31/2013 -12/31/2016), Carolinas Healthcare System: Dr. Matthew Hanley, Katie Kaney, and Dennis Phillips, Novant Health: Tanya Blackmon, Paula Vincent, Dr. Thomas Zweng; and that County representative Harry Weatherly be reappointed to continue his term through December, 2014.

(13-1478) APPOINTMENTS

CITIZEN'S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Bentley, seconded by Commissioner Leake and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to appoint Suresh Vottikonda to the Citizen's Capital Budget Advisory Committee to fill an unexpired term expiring July 31, 2014.

He replaced Jason Roach.

Note: Leigh Altman was nominated but asked that her name be removed from consideration.

DOMESTIC VIOLENCE ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Domestic Violence Advisory Board:

Monique Horace	None
Rosalind Smith	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ridenhour
Glenda Spann-Hinnant	None

Chairman Fuller announced the appointment of Rosalind Smith to the Domestic Violence Advisory Board to fill an unexpired term expiring April 30, 2015.

She replaced Teresa Smith.

INFORMATION SERVICES & TECHNOLOGY COMMITTEE

The vote was taken on the following nominees for appointment to the Information Services & Technology Committee:

Natalie Donovan	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, and Leake
Shelton Ivey	Commissioners Fuller, Dunlap, and Ratliff
Bill Lynch	Commissioners Bentley, Clarke, Cotham, Leake, and Ridenhour

Voting Ceased

Tony Stone

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Chairman Fuller announced the appointments of Natalie Donovan to the Information Services & Technology Committee to fill an unexpired term expiring February 28, 2015 and Bill Lynch to fill an unexpired term expiring February 28, 2016.

They replaced John Carson and Mike Hill.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

The vote was taken on the following nominees for appointment to the Small Business and Entrepreneurship Advisory Board:

Mitchell Abdullah	None
Travis Bucholtz	None
Dorian Carter	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff and Ridenhour
Trymaine Gaither	None
James Guin	Commissioners James and Ridenhour
Shelton Ivey	None
Pamela Lue-Hing	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake and Ratliff

Voting Ceased

Eleanor McIntire
Michael Minnix
Kristin Prentice
Dana Sidberry
Rico Wagner

Chairman Fuller announced the appointments of Dorian Carter and Pamela Lue-Hing to the Small Business and Entrepreneurship Advisory Board to fill unexpired terms expiring June 30, 2015.

They replaced Jonathan Hassell and Erin Martin.

Note: Commissioner Bentley requested a future report from the Small Business and Entrepreneurship Advisory Board regarding matters they've addressed, their goals, and plans for moving forward. There was no objection from the Board for receiving such a report.

WOMEN'S ADVISORY BOARD

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

Round One

Alinda Angerville	None
Jaclyn Blair	Commissioner Cotham
Sarah Byrne	None
Valerie Dorsett	None
Sophia Gaither	None
Devonya Govan-Hunt	None
Charlene Henderson	None
Alicia Jones-Muhammad	Commissioners Clarke and Dunlap

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Shalawn Moore	Commissioners Bentley and Cotham
Cynthia Pride	Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff and Ridenhour
Alba Sanchez	None
Wanda Strickland	None
Jennifer Styczen	None
Darnell Walker	None
Marjorie White Molina	None

Round Two

Alinda Angerville	None
Jaclyn Blair	Commissioners Bentley, Cotham, Dunlap, Ratliff and Ridenhour

Voting Ceased

Sarah Byrne
Valerie Dorsett
Sophia Gaither
Devonya Govan-Hunt
Charlene Henderson
Alicia Jones-Muhammad
Shalawn Moore
Cynthia Pride
Alba Sanchez
Wanda Strickland
Jennifer Styczen
Darnell Walker
Marjorie White Molina

Chairman Fuller announced the appointments of Jaclyn Blair to the Women's Advisory Board to fill an unexpired term expiring April 30, 2015 and Cynthia Pride to fill an unexpired term expiring June 30, 2016.

They replaced Andrea Arterburn and Li Mia Bowen.

PUBLIC HEARINGS

(13-1461) PUBLIC HEARING -- STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to acknowledge receipt of certification that a notice of the public hearing was mailed by first class mail to all property owners in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open a public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

No one appeared to speak.

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Motion was made by Commissioner Cotham, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to close the public hearing on Street Lighting Preliminary Assessment Rolls for Mecklenburg County's participation in the Street Lighting Assessment project for the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions and adopt Final Assessment Resolutions for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

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

(13-1463) QUEENS UNIVERSITY OF CHARLOTTE TEFRA HEARING

Motion was made by Commissioner Cotham, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to open the Queens University of Charlotte TEFRA public hearing and receive comments on the proposed financing.

Note: Queens University of Charlotte, the University is in the process of working out arrangements to refinance several series of existing bonds previously issued on behalf of the University. To accomplish the refunding, the University's financial advisor has arranged for the Public Finance Authority, a public body created under the laws of the State of Wisconsin, to issue bonds on behalf of the University, which will allow the University to obtain favorable financing terms that would not otherwise be available if the bonds were issued by a North Carolina issuer. To comply with federal law, the University has requested that the Mecklenburg County Board of Commissioners hold a public hearing and approve the bond issue. This approval will not make the County responsible in any way for the bonds or the projects financed or refinanced with bond proceeds. Hosting the public hearing and approving the issuance of the bonds are merely ministerial acts that will enable the University to comply with federal tax law requirements.

At 8:20 p.m., the Chairman announced that the Board would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), of its Educational Facilities Revenue Refunding Bonds (Queens University of Charlotte), Series 2013 (the "2013 Bonds"), in an aggregate principal amount not to exceed \$56,500,000, the proceeds of which will be loaned to Queens University of Charlotte (the "University") for the following purposes:

(1) to refund in advance of their maturities the following bonds previously issued by the North Carolina Capital Facilities Finance Agency (the "Agency"):

(a) the Agency's \$12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999A, of which \$5,965,000 remains outstanding, and its \$12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999B, of which \$5,965,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction of University facilities, including Sykes Learning Center, a parking deck and a theater; (ii) renovation of certain dormitories, classroom buildings, office space and dining facilities on the campus of the University; (iii) improvement to the campus of the University, including lighting, internet connections and technology upgrades; (iv) refinancing outstanding indebtedness of the University incurred to construct and renovate certain University facilities; (v) the acquisition of certain real property and

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(vi) other educational improvements related to the University's mission (collectively, the "1999 Project");

(b) the Agency's \$7,765,000 Educational Facilities Revenue Bonds (Queens College), Series 2001, of which \$5,190,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction and equipping of a new residence hall on the University's campus, (ii) construction and equipping of a theater adjacent to the University's campus at Myers Park Traditional Elementary School (the "2001 Theatre Project"), (iii) construction and equipping of Sykes Learning Center, (iv) re-keying of locks across the University's campus and (v) other educational improvements related to the University's mission (collectively, the "2001 Project");

(c) the Agency's \$38,400,000 Variable Rate Educational Facilities Revenue Bonds (Queens University of Charlotte), Series 2011, all of which remains outstanding, the proceeds of which were loaned to the University to finance a portion of the costs of acquiring, constructing and equipping of a 3-story, approximately 140,000 square foot wellness and recreation center, a 500-space parking deck, a two-story residence hall with up to 210 beds, and other related improvements on the University's campus (collectively, the "2011 Project," and together with the 1999 Project and the 2001 Project, the "Projects"); and

(2) to pay certain costs incurred in connection with the issuance of the 2013 Bonds.

The 2001 Theater Project is located at 2132 Radcliffe Avenue, Charlotte, North Carolina and is owned by the Mecklenburg County Board of Education and leased to the University. The remaining Projects to be refinanced with proceeds of the 2013 Bonds are owned and operated by the University and are located on the University's main campus at 1900 Selwyn Avenue, Charlotte, North Carolina, which campus is bounded by Selwyn Avenue to the east, Wellesley Avenue to the south and Radcliffe Avenue to the north.

On November 19, 2013, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the 2013 Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2013 Bonds or who responded in writing to the notice of public hearing are as follows:
[None.;

The Chairman of the Board inquired elsewhere in and around the meeting room to determine whether there were any other persons who wished to speak at the public hearing. The Chairman of the Board determined that no other persons who wished to speak at the public hearing were found.

After the Board had heard all persons who had requested to be heard, (Note: No one appeared to speak).

Commissioner Pat Cotham moved that the public hearing be closed. The motion was seconded by Commissioner Dumont Clarke and was unanimously adopted.

Commissioner Pat Cotham introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

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RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS (QUEENS UNIVERSITY OF CHARLOTTE), SERIES 2013 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$56,500,000

WHEREAS, Queens University of Charlotte, a North Carolina nonprofit corporation (the "University"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Educational Facilities Revenue Refunding Bonds (Queens University of Charlotte), Series 2013 (the "2013 Bonds"), in an aggregate principal amount not to exceed \$56,500,000 for the following purposes:

(1) to refund in advance of their maturities the following bonds previously issued by the North Carolina Capital Facilities Finance Agency (the "Agency"):

(a) the Agency's \$12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999A, of which \$5,965,000 remains outstanding, and its \$12,270,000 Educational Facilities Revenue Bonds (Queens College), Series 1999B, of which \$5,965,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction of University facilities, including Sykes Learning Center, a parking deck and a theater; (ii) renovation of certain dormitories, classroom buildings, office space and dining facilities on the campus of the University; (iii) improvement to the campus of the University, including lighting, internet connections and technology upgrades; (iv) refinancing outstanding indebtedness of the University incurred to construct and renovate certain University facilities; (v) the acquisition of certain real property and (vi) other educational improvements related to the University's mission (collectively, the "1999 Project");

(b) the Agency's \$7,765,000 Educational Facilities Revenue Bonds (Queens College), Series 2001, of which \$5,190,000 remains outstanding, the proceeds of which were loaned to the University to finance the costs of (i) construction and equipping of a new residence hall on the University's campus, (ii) construction and equipping of a theater adjacent to the University's campus at Myers Park Traditional Elementary School (the "2001 Theatre Project"), (iii) construction and equipping of Sykes Learning Center, (iv) re-keying of locks across the University's campus and (v) other educational improvements related to the University's mission (collectively, the "2001 Project");

(c) the Agency's \$38,400,000 Variable Rate Educational Facilities Revenue Bonds (Queens University of Charlotte), Series 2011, all of which remains outstanding, the proceeds of which were loaned to the University to finance a portion of the costs of acquiring, constructing and equipping of a 3-story, approximately 140,000 square foot wellness and recreation center, a 500-space parking deck, a two-story residence hall with up to 210 beds, and other related improvements on the University's campus (collectively, the "2011 Project," and together with the 1999 Project and the 2001 Project, the "Projects"); and

(2) to pay certain costs incurred in connection with the issuance of the 2013 Bonds;

WHEREAS, with the exception of the 2001 Theatre Project, which is owned by the Mecklenburg County Board of Education and leased to the University, the Projects are owned and operated by the University;

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WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2013 Bonds are required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the area in which the Projects are located, after a public hearing held following reasonable public notice;

WHEREAS, the Board of Commissioners (the “*Board*”) of the County of Mecklenburg, North Carolina (the “*County*”) is the “applicable elected representative” of the County for the Projects located within the County;

WHEREAS, the University has requested that the Board approve the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects located within the County in order to satisfy the requirements of Section 147(f) of the Code; and

WHEREAS, the Board, following notice duly given in the form attached hereto as Exhibit A (the “*TEFRA Notice*”), held a public hearing today regarding the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects and now desires to approve the Authority’s issuance of the 2013 Bonds and the refinancing of the Projects in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in satisfaction of the requirements of Section 147(f) of the Code, the Board hereby approves (a) the Authority’s issuance of the 2013 Bonds in an aggregate principal amount not to exceed \$56,500,000 and (b) the refinancing of the Projects located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2013 Bonds or for any costs incurred by the University with respect to the 2013 Bonds or the Projects.

Section 3. This resolution is effective immediately on its passage.

On motion of Commissioner Pat Cotham, seconded by Commissioner Dumont Clarke, the foregoing resolution entitled “RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MECKLENBURG, NORTH CAROLINA, APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS EDUCATIONAL FACILITIES REVENUE REFUNDING BONDS (QUEENS UNIVERSITY OF CHARLOTTE), SERIES 2013 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$56,500,000” was duly adopted by the following vote:

AYES: COMMISSIONERS KAREN BENTLEY, DUMONT CLARKE, PATRICIA “PAT” COTHAM, TREVOR M. FULLER, GEORGE DUNLAP, BILL JAMES, VILMA LEAKE, KIM RATLIFF, AND MATTHEW RIDENHOUR

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

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

(13-1489) CONSENT AGENDA PROCESS

Interim County Manager Bobbie Shields addressed the types of agenda items that go under Consent and why. He also shared with the Board, a new process for making the public more aware of Consent items. Interim County Manager Shields informed the Board that beginning with tonight’s meeting, Consent items would be strolled at the end of meeting video.

STAFF REPORTS & REQUESTS

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(13-1430) BUDGET AMENDMENT -- LUESA/CODE ENFORCEMENT HYBRID COLLABORATIVE DELIVERY TEAM

Motion was made by Commissioner Clarke, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, James, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate \$1,258,000 in additional permit revenue; and approve adding 16 positions to create a new team to work more efficiently on Building Information Modeling-collaborative projects, as follows:

- 12 code officials (combination plan reviewers/inspectors)
- 2 Building Information Modeling (BIM) navigator code officials (skilled in navigating a building information model)
- 1 project manager/team leader
- 1 plans examiner facilitator

Prior to the above vote, Director of Code Enforcement Jim Bartl addressed the Hybrid Collaborative Delivery Team proposal. He was joined at the podium and assisted by Jonathan Bahr, Chair of the Building Development Commission, member Bernice Cutler, and Virginia Sutton.

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

(13-1471) NEW CITY/COUNTY EMERGENCY ALERT SYSTEM

The Board received a report on a new emergency management response system, CharMeckAlerts. Jeff Dulin, Deputy Chief, Charlotte Fire Department gave the report.

Note: Mecklenburg County and the City of Charlotte share emergency response responsibilities. One of those functions is supplying information to residents in targeted and wide-scale emergency situations such as floods, severe weather and other threats. Mecklenburg County GIS (Geospatial Information Services), Charlotte-Mecklenburg Emergency Management, the Charlotte Fire Department and the Charlotte-Mecklenburg Police Department are implementing a new and improved notification system. The system, called CharMeckAlerts, includes mobile phone call and text messaging capacity, a social media component, and first responder tools to increase response time and efficiency. The system's official launch is Wednesday, December 4.

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

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

(13-1472) NOVEMBER 5, 2013 BOND REFERENDUM RESULTS

RESOLUTION CERTIFYING ELECTION RESULTS

Commissioner Patricia "Pat" Cotham moved the adoption of the following resolution, the motion was seconded by Commissioner Bill James, and the resolution was read by the above title.

WHEREAS, the Board of Commissioners has considered the Certificate of Canvass of the Mecklenburg County Board of Elections canvassing the referendum held for the County of Mecklenburg on November 5, 2013 and certifying the results thereof to the Board of Commissioners and has canvassed the results of that special election;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg that it be and hereby is certified and declared that the number of voters registered and qualified to vote at that special election was 654,462.

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FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$290,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?",

was 83,908. The total number of voters who voted "NO" in answer to such question was 29,231.

FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$210,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?",

was 80,565. The total number of voters who voted "NO" in answer to such question was 31,830.

FURTHER RESOLVED, that a statement substantially in the form hereinafter set forth declaring the result of the election shall be prepared and published in accordance with law:

**STATEMENT OF RESULT OF SPECIAL ELECTION
HELD FOR THE
COUNTY OF MECKLENBURG
NOVEMBER 5, 2013**

WHEREAS, by direction of the Board of Commissioners of the County of Mecklenburg, in the State of North Carolina, a special election was duly called and held for the County on November 5, 2013 for the purposes of submitting to the qualified voters of the County the questions hereinafter set forth, and that Board has received from the Mecklenburg County Board of Elections a certification of the results of the election, and has determined the results of the election to be as hereinafter stated;

NOW, THEREFORE, the Board of Commissioners of the County of Mecklenburg hereby makes the following statement of the result of the election pursuant to The Local Government Bond Act:

(1) The total number of voters registered and qualified to vote at the election was 654,462.

(2) The number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$290,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing school facilities, including the acquisition and construction of new school facilities, the improvement and expansion of existing school facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?",

was 83,908. The total number of voters who voted "NO" in answer to that question was 29,231. The question in the form submitted was approved by the vote of a majority of those who voted thereon at the election.

(3) The number of voters who voted "YES" in answer to the question,

"SHALL the order authorizing \$210,000,000 of bonds secured by a pledge of the faith and credit of the County of Mecklenburg to pay capital costs of providing community college facilities, including the acquisition and construction of new community college facilities, the improvement and expansion of existing community college facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor; and a tax to be levied for the payment thereof, be approved?",

was 80,565. The total number of voters who voted "NO" in answer to that question was 31,830. The question in the form submitted was approved by the vote of a majority of those who voted thereon at the election.

Any action or proceeding challenging the regularity of validity of this bond referendum must be begun within 30 days after _____, the date of publication hereof.

Board of Commissioners of
the County of Mecklenburg,

North Carolina

[End of Statement of Result of Special Election]

The motion was adopted by the following vote:

AYES: Commissioners Karen Bentley, Patricia "Pat" Cotham, George Dunlap,
Trevor M. Fuller, Bill James, Vilma Leake, Kim Ratliff, and Matthew Ridenhour

NAYS: None

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

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

Commissioner Clarke returned to the dais.

COUNTY COMMISSIONERS REPORTS & REQUESTS

(13-1488) DSS RESPONSIBILITY TO CHILDREN

The Board received a briefing from DSS/Youth and Family Services regarding its responsibility to children from Director of Youth and Family Services Charles Bradley. He was accompanied at the podium by Director of Social Services Peggy Eagan. The briefing was provided at the request of Commissioner Leake. Co-sponsors of the agenda item were Commissioners Bentley, Cotham, and Fuller.

Commissioner Leake requested the briefing, in light of the recent incident in Union County, N.C. involving a Union County Department of Social Services employee/foster parent and their treatment of the children in their care.

Prior to Director Bradley's presentation, Commissioner Leake said she wanted to make sure that what occurred in Union County could not and would not occur in Mecklenburg County.

Commissioner Leake said she wanted to make sure that Mecklenburg County Department of Social Services/Youth & Family Services employees were persons who truly cared and had the desire to protect children in its care.

Director Bradley gave an overview of policies and practices followed by Youth & Family Services. The overview included responses to questions presented to staff by Commissioner Leake and other sponsors of the agenda item.

Director Bradley said Mecklenburg County Youth and Family Services works to ensure the safety and well-being of all the children in its care by adhering to state and federal policies as it relates to child welfare; applying best practice standards and quality supervisory oversight of all case work activities. He said there was a two-level review process for all placement decisions and stringent licensing requirements for all licensed foster homes. He said in very rare instances, an employee may express a desire to provide care for a child in the custody of the department and if so, that there's even a more stringent process, including a review by another county to ensure that there is not any conflicts of interest.

The questions, as listed below were responded to in great detail. A copy of the questions and responses is on file with the Clerk to the Board.

1. What role/responsibility does the Department of Social Services (DSS) Director have to ensure that all staff members who work with adoption and foster care of children are following proper policies and to make sure that what happened in Union County does not happen in Mecklenburg County?

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2. What policy and process does Mecklenburg County currently practice to guarantee security of children in the County system?
3. What is the policy and procedure for DSS staff members who are the guardians of foster and adopted children?
4. What types of ongoing "quality assurance" business practices are in place to ensure DSS staff members continue to follow policies and procedures when dealing with the adoption and foster care of children?
5. Are background investigations for DSS social workers required after employment?
6. Have Mecklenburg County DSS encountered any similar incident(s) exactly like or similar to the recent Union County DSS case?

Comments

Commissioner Leake asked about training requirements for social workers and verification of their credentials. *Director Bradley said a thorough background check was done on all employees. He said the background check included a criminal records check and a child protective services check to ensure they had not abused or neglected any children. He also noted training that was required prior to any contact with families.*

Commissioner Leake asked about supervisors and their role with children that they may have adopted or have as foster children. *Director Bradley said there was staff licensed through other agencies or from other counties to provide foster care services, as well as, employees that had adopted children.*

Commissioner Leake asked were these employees investigated. *Director Bradley said yes, the investigation was done as part of their home study. He said the investigation and home study of Mecklenburg County employees was done by an outside agency or another county.*

Commissioner Leake said she visited all of the foster care homes in District Two. She said she requested follow-up reports from staff on some and was awaiting receipt of those reports.

Commissioner Leake said her hope was that children all over the country were safe and not being "humiliated" and suffering from what was seen in Union County.

Commissioner Clarke asked to what extent did the state inspect or do compliance examinations to make sure Youth and Family Services employees were "dotting their i's and crossing their t's." *Director Bradley said there were quarterly and annual audits of quality sampling of case work practices as it relates to child protective services. He said the state sends audit teams to different counties. He said because of Mecklenburg County's size, frequent assessments were done by the state.*

Commissioner Clarke asked about the quality assurance team referenced in the responses to the questions. *Director Bradley elaborated on that. He said the goal was to improve performance, as well as, outcomes for children.*

Commissioner Clarke asked Director Bradley to inform the Board more about the need to increase resources as it relates to the quality assurance team at budget development time. *Director Bradley said he would appreciate the Board's support in this area because it was something that he would like to see an increase in resources for.*

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Commissioner Cotham asked about the number of foster care children in Mecklenburg County. *Director Bradley said between 600 – 650 children on average.*

Commissioner Cotham asked were children tracked that age out of foster care. *Director Bradley said on average about 30-50 children age out of foster care. He said the state did allow children to remain connected to the Youth and Family Services Department and receive services from 18 – 21. He said all children aging out of foster care have the ability to apply for Medicaid, to have their health insurance continue until the age of 21 and was also offered the opportunity for continued placement. He said some children take advantage of that. He said the state also provided assistance to foster care children that age out to further their education. He said the department was in the process of developing partnerships with higher education institutions, specifically, Johnson C. Smith University through their Ambassadors' program.*

Commissioner Cotham asked if there were any children in Mecklenburg County from other counties. *Director Bradley said yes, the program at Johnson C. Smith University accepts foster care children from all over the state. He said those students could access services through Mecklenburg County.*

Director Bradley said Mecklenburg County also provided services to children who migrate to Mecklenburg County if the need arises and they voluntarily came in for services.

Commissioner Leake asked about the department's dealings with children that were homeless, particularly as it related to their safety. *Director Bradley said in N. C. all citizens were mandated reporters. He said reports were received from shelters and when received they're investigated.*

Commissioner Leake asked if the department made random visits to sites such as shelters. *Director Bradley said no, the department did not have a jurisdiction to investigate shelters. He said if there was a concern regarding a child or family that's reported, then an investigation would be initiated.*

Director Bradley was thanked for his presentation.

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

(13-1465) LAND ACQUISITION

Motion was made by Commissioner Ridenhour, seconded by Commissioner Ratliff and carried 7-0 with Commissioners Bentley, Clarke, Cotham, Fuller, Leake, Ratliff, and Ridenhour voting yes, to authorize the Interim County Manager to negotiate and execute all documents necessary for acquisition of the following properties: Proposed North Mecklenburg Recreation Center, Tax Parcel #005-021-09 (+/-43.18 acres) in the Town of Cornelius from LoLo Checkers, LLC for \$2,500,000; Sugar Creek Greenway, Tax Parcel #143-221-02 (+/-9.81 acres) in southwest Charlotte from William C. Hildreth for \$114,000; and appropriate \$16,000 for demolition of a single family residence on the property and debris removal after closing from Fiscal Year 2014 Land Acquisition funding; Berryhill Nature Preserve Expansion, a portion of Tax Parcel #113-171—02 (+/-8.969 acres) along Walkers Ferry Road in Charlotte from Jack Barnes for \$170,000; and designate that portion of Tax Parcel #113-171-02 referenced above as Nature Preserve in accordance with the 2008 Nature Preserve Master Plan (a component of the 2008 Park and Recreation 10-year Master Plan.)

Commissioner Dunlap returned to the dais.

CONSENT ITEMS

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Motion was made by Commissioner Clarke, 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):

(13-1425) BUDGET AMENDMENT -- MECKLINK

(A) Recognize, receive and appropriate federal funds from the U.S Department of Housing and Urban Development (HUD) in the amount of \$361,127 for the renewal of HUD Access Project Grant.

(B) Recognize, receive and appropriate state funds from the North Carolina Department of Health and Human Services (NC DHHS) for individuals with traumatic brain injuries (TBI) in the amount of \$40,000.

(C) Recognize, receive and appropriate funds from the North Carolina Families United in the amount of \$41,870 for funding for the Mecklenburg County Training Institute (MCTI).

(D) Reduce state funds in the amount of \$4,349,191 on a one-time basis for the support of administrative functions during FY14.

(E) Recognize, receive and appropriate state funds from the North Carolina Department of Health and Human Services in the amount of \$818,750.

(F) Reduce single stream funding in the amount of \$34,507 per annual state continuation allocation letter.

(G) Recognize, receive and appropriate federal funds from the North Carolina Department of Health and Human Services in the amount of \$36,239 per annual state continuation allocation letter.

(13-1455) LAND DONATION -- SLATER ROAD

Accept the donation of Tax Parcel 041-125-12 (± 0.52 acres) along Kennedy Branch for flood prevention and future water quality improvement.

(13-1457) BUDGET AMENDMENT -- LUESA/WATER & LAND RESOURCES (REVENUE INCREASE)

1) Recognize and appropriate \$28,680 in additional Land Development revenue to expand a Senior Engineering Technician position from part-time to full-time.

2) Recognize and appropriate \$99,850 in additional Storm Water revenue to increase position hours allocated for erosion control inspections from current 1.5 full-time equivalents (FTEs) to 2 FTEs.

(13-1459) HAZARD MITIGATION PROGRAM -- FY14 FLOODPLAIN ACQUISITION

Accept the "Offer of Sale of Real Estate" from William C. and Joanne B. Hooper, owners of property at 3125 Dunlavin Way (Tax Parcel 093-134-13) for \$114,000.

(13-1480) MINUTES

Approve minutes of Regular meeting held November 19, 2013.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(13-1433) BUDGET AMENDMENT -- NCDOT BICYCLE-PEDESTRIAN FUNDS FOR GREENWAYS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize, receive and appropriate \$700,000 additional funds for Toby Creek Greenway, Phase 2; and authorize the County Manager to execute contracts with NCDOT.

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

(13-1450) BUDGET AMENDMENT -- DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to amend the Department of Social Services (DSS) FY14 Budget to recognize, receive and appropriate \$310,002 additional Rural Operating Assistance Program (ROAP) revenue.

Note: Funding provides transportation assistance for the elderly and disabled, employment services and individuals that reside in a rural area of Mecklenburg County.

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

(13-1453) BUDGET AMENDMENT - SHERIFF'S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Bentley, Clarke, Cotham, Dunlap, Fuller, Leake, Ratliff, and Ridenhour voting yes, to recognize and appropriate \$150,000 from concealed handgun permit fees to the Sheriff's Special Revenue Fund.

Note: The Sheriff's Office's share of all funds resulting from the issuance of concealed carry permits will be used for law enforcement purposes only. These funds will be used for the purchase of supplies and equipment as necessary.

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

(13-1464) CONSTRUCTION CONTRACT -- AMERICAN LEGION MEMORIAL STADIUM REPAIRS

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 award a construction contract to JD Goodrum Company in the amount of \$2,303,022 for the repair and renovation of American Legion Memorial Stadium, located adjacent to the CPCC campus on Kings Drive.

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Note: This contract includes repairs to portions of the existing bleachers and handrails, re-roofing five outbuildings, and repairs to concrete walkways, stairs and retaining walls. New construction includes a press box on the north side of the site and an entry concourse.

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

Prior to adjournment Commissioner Cotham congratulated Chairman Fuller on his election as chairman. She also thanked Commissioners for their support of her chairmanship for the last year.

Chairman Fuller thanked Commissioner Cotham and for her continued service to the community.

ADJOURNMENT

Motion was made by Commissioner Bentley, 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 9:55 p.m.

Janice S. Paige, Clerk

Patricia "Pat" Cotham, Chairman

Trevor Fuller, Chairman