

APRIL 21, 2015

**MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY 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, Charlotte, North Carolina 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, April 21, 2015.

ATTENDANCE

Present: Chairman Trevor M. Fuller and Commissioners
Dumont Clarke, Patricia "Pat" Cotham,
George Dunlap, Bill James, Vilma D. Leake,
Jim Puckett and Ella B. Scarborough
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Matthew Ridenhour

-INFORMAL SESSION-

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 15-2502, 15-2511, 15-2512, 15-2514, 15-2521, and 15-2522 to be removed from consent and voted upon separately.

STAFF BRIEFINGS

It was the consensus of the Board to hear from Attorney Robert Adden, with Ruff, Bond, Cobb, Wade & Bethune, L.L.P. regarding proposed legislation Senate Bill (SB) 159, an amendment to SL-2013-362, the session law that authorized Pearson's Appraisal Services to do the revaluation of property, per the 2011 Mecklenburg County revaluation. The following was noted:

- People who purchased a property after January 1, 2011 complained that they should not have to be responsible for payment of taxes on their property for years that they didn't own the property.
- As a result of this complaint, NC Senator Jeff Tarte proposed legislation to correct that, so the current property owner would not be liable for the increase in taxes for years they weren't the owner.
- Staff, along with legislative staff have been working with Senator Tarte to come up with corrective legislation.

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- Today the Senate committee passed SB159.
- The next step is for it to go to the House.
- The proposed amendment does the following:
 - Extends the due date for discovery bills that went out last fall (Oct-Nov 2014) that had a due date of January 5, 2015 without interest, to a due date of January 5, 2016. (Note: This extension was done per the County Manager's suggestion.)
 - Provides that if the current owner purchased the property after January 1, 2011, they would only be responsible for the increase in taxes for the years he or she owned the property. There would be a lien on the property. The prior property owner would be responsible for that increase. Bills would be sent to the prior property owner. The bill that would go to the prior property owner would not have a lien on the land.
 - If the current owner paid taxes for years they didn't own the property, then the County would refund the taxpayer the taxes paid, plus interest.
 - If additional taxes levied as a result of the 2011 Revaluation exceed \$1,000, the taxpayer would have five years to pay the taxes (Note: This applies to any discovery bill, whether you're the owner or not.)
 - The due date for payment of discovery bills would be January 5, 2016 and after that interest would start to accrue (10.25% the first year and 9% thereafter, but the taxpayer would still have five years to pay.
 - The tax collector would not be able to enforce any of its collection remedies until after the five year period.)

Staff Concerns

- There might be some collection issues if the prior owner has left the state.
- The five year payment period is too long, keeping in mind staff would be into the next revaluation cycle and taxpayers would still be paying taxes for the 2011 Revaluation.
- The amount of interest that taxpayers would be paying.

County Manager Diorio said staff's preference was to have the five years removed and let the due date of January 5, 2016 remain.

Comments

Commissioner James suggested placing on the tax bill what the interest would be in five years.

Commissioner Puckett said even though the passage of the proposed amendment would result in additional work for staff, he was okay with that, in light of this being the County's mistake, the 2011 Revaluation. Commissioner Puckett said he would be okay with no interest being charged.

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Commissioner Dunlap said he, too, felt there were times when you have to pay for your mistakes and just “eat” that costs.

Commissioner James said he thought it was discussed previously that there could not be different interest rates for different groups of people.

Motion was made by Commissioner Clarke, seconded by Commissioner Scarborough and carried 7-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioner Puckett voting no, to ask N.C. Senator Jeff Tarte to consider amending NC Senate Bill 159, proposed amendment to Session Law 2013-362 by changing the amount of the discovery bill to \$1,500.00 rather than \$1,000.00 and that the allowable payment period be (2) two years, rather than (5) five years.

(15-2497, 15-2531) CLOSED SESSION – CONSULT WITH ATTORNEY AND TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11 (a)(1))

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney and to Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11 (a)(1)).

The Board went into Closed Session at 5:33 p.m. and came back into Open Session at 6:07 p.m.

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION - NONE

(15-2495) PUBLIC APPEARANCE

No one appeared to speak during the Public Appearance portion of the meeting.

APPOINTMENTS

(15-2507) TOWN OF HUNTERSVILLE BOARD OF ADJUSTMENT

Motion was made by Commissioner Scarborough, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to appoint Wilbur Smith to the Town of Huntersville Board of Adjustment as the Extraterritorial Jurisdiction member (ETJ) as

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recommended by the Town of Huntersville Board of Commissioners for a term beginning May 1, 2015 and expiring June 30, 2018.

(15-2509) NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Precious Wallace to the Adult Care Home Advisory Committee for a one-year term expiring April 30, 2016.

She replaces Joan Kirk, who resigned.

BICYCLE COMMITTEE

Commissioner James nominated all applicants for appointment consideration to the Bicycle Committee: Debra Franklin, Donald Pomeroy and Heather Seagle.

Note: An appointment will occur at the May 5, 2015 meeting.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Trevor Beauford and Christopher Jones to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring July 31, 2017.

They replace Shannon McKnight and Thomas Vinson, who failed to meet the attendance requirement for 2014.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Jeremy Stephenson to the Human Resources Advisory Committee to fill an unexpired term expiring February 4, 2016.

He replaces Ada Watson-White, who resigned.

Note: Prior to the above vote Commissioner Scarborough offered a substitute motion to appoint Cynthia Ham, but redrew her motion when it was noted that Ms. Ham had not submitted an application.

WOMEN'S ADVISORY BOARD

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Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to reappoint Renee Barfield, Kimberly Caldwell, Charles Henderson, Mallorri Hermanson, Sandra Johnson and Linda Webb to the Women’s Advisory Board for three-year terms expiring April 30, 2018.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to nominate and appoint Mary Kelly to fill an unexpired term expiring June 30, 2016.

She replaces Jasmine Starks, who relocated out of Mecklenburg County.

APPOINTMENT/NOMINATIONS

(15-2535) PLANNING COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to reappoint Deborah Ryan to the Planning Commission for a three-year term expiring June 30, 2018, effective July 1, 2015.

The following persons were nominated for appointment consideration to the Planning Commission:

- | | |
|------------------|-------------------------|
| Adam Grabiec | by Commissioner Cotham |
| Karla Knotts | by Commissioner Puckett |
| Nasif Majeed | by Commissioner Dunlap |
| Jeffery Reynolds | by Commissioner Puckett |

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to close nominations.

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 Planning Commission must undergo an interview process.

Note: Commissioners Cotham, Leake, Puckett, and Scarborough volunteered to serve on the ad hoc committee.

PUBLIC HEARINGS - 6:30 PM

(15-2504) AFFORDABLE FACILITY SOLUTION TEFRA HEARING – ITEM WAS REMOVED FROM AGENDA

(15-2506) COVENANT DAY SCHOOL TEFRA HEARING

At **6:35** 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 Bonds (Covenant Day School), Series 2015 (the “*2015 Bonds*”), in an aggregate principal amount not to exceed \$8,500,000, the proceeds of

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which will be loaned to Covenant Day School (the "School") to enable the School (1) to finance all or a portion of the capital costs to construct, equip and furnish a new high school facility and other related improvements on the School's campus (collectively, the "Project") and (2) to pay certain costs incurred in connection with the issuance of the 2015 Bonds.

The Project will be owned and operated by the School and will be located on the School's main campus at 800 Fullwood Lane, Matthews, North Carolina 28105.

On **April 7, 2015**, 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 Project to be financed, the maximum principal amount of the 2015 Bonds, the initial owner, operator or manager of the Project and the location of the Project, among other things.

Motion was made by Commissioner Ella B. Scarborough, seconded by Commissioner Jim Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to open the public hearing.

The names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the 2015 Bonds or who responded in writing to the notice of public hearing are as follows: Mark Davis, Head of School, Covenant Day School, 800 Fullwood Lane, Matthews, NC 28105 and Chris Hempe, CFO, appeared at the public hearing and answered questions from members of the Board of County Commissioners about the makeup of the school population, the cost to attend, and the nature of the proposed project.

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, **Commissioner George Dunlap** moved that the public hearing be closed. The motion was seconded by **Commissioner Bill James** and was unanimously adopted.

Chairman Trevor M. Fuller introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:

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 BONDS (COVENANT DAY SCHOOL), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000

WHEREAS, Covenant Day School, a North Carolina nonprofit corporation (the "School"), 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 Bonds (Covenant Day School), Series 2015 (the "2015 Bonds"), in an aggregate principal amount not to exceed \$8,500,000 to enable the School (1) to finance all or a portion of the capital costs to construct, equip and furnish a new high school facility and other related improvements on the School's campus (collectively, the "Project") and (2) to pay certain costs incurred in connection with the issuance of the 2015 Bonds;

WHEREAS, the Project will be owned and operated by the School and will be located within the County on the School's main campus at 800 Fullwood Lane, Matthews, North Carolina 28105;

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WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 2015 Bonds are required to be approved by the “applicable elected representative” of a governmental unit having jurisdiction over the area in which the Project is or will be 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 Project;

WHEREAS, the School has requested that the Board approve the Authority’s issuance of the 2015 Bonds and the financing of the Project 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 2015 Bonds and the financing of the Project and now desires to approve the Authority’s issuance of the 2015 Bonds and the financing of the Project 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 2015 Bonds in an aggregate principal amount not to exceed \$8,500,000 and (b) the financing of the Project.

Section 2. The County has no responsibility for the payment of the principal of or interest on the 2015 Bonds or for any costs incurred by the School with respect to the 2015 Bonds or the Project.

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

On motion of **Commissioner George Dunlap**, seconded by **Commissioner Bill James**, 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 BONDS (COVENANT DAY SCHOOL), SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000**” was duly adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, and Ella B. Scarborough
NAYS: None

Extract/Resolution recorded in full in Minute/Ordinance Book ____ Document # ____.

ADVISORY COMMITTEE REPORTS

(15-2519) JUVENILE CRIME PREVENTION COUNCIL ANNUAL UPDATE AND FY16 FUNDING ALLOCATION PLAN

The Board received the Juvenile Crime Prevention Council Annual Update, as well as, information regarding the FY16 Funding Allocation Plan. Darrell Gregory, chairman of the Juvenile Crime Prevention Council presented the matter to the Board.

Note: The Mecklenburg County Juvenile Crime Prevention Council (JCPC) is a statutorily authorized advisory board charged with: reviewing the needs of juveniles who commit delinquent acts or are at-risk of becoming court-involved, assessing local service needs, and presenting an annual service proposal to the Board of County

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Commissioners. The JCPC's mission is to address gaps in youth services by promoting prevention, intervention, treatment, and aftercare strategies and programs that strengthen families and support community safety.

Darryl Bego, head of Youth Development Initiatives, Inc., a non-profit, spoke in opposition to the proposed FY16 Funding Allocation. Mr. Bego provided information to the Board with respect to his opposition.

Mr. Bego said the funding allocation being recommended was “an abuse of taxpayers’ dollars.” He asked the Board not to approve the JCPC FY16 Funding Allocation Plan until “an investigation into this year’s funding process is completed by the County Manager’s Office.”

Mr. Bego said his agency had received funding for the past six years, but was not included in the FY16 recommendation.

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

Comments

Commissioner James asked about the ranking process, which was addressed by Mr. Gregory.

Commissioner James asked whether any members of the Juvenile Crime Prevention Council had a conflict of interest with respect to the ranking process. *Mr. Gregory said not to his knowledge. He said members were required to sign a conflict of interest statement at the beginning of every year.*

Commissioner Dunlap said the Juvenile Crime Prevention Council provided sufficient information regarding their selection process.

Commissioner Cotham asked about the composition of the Juvenile Crime Prevention Council, which was addressed by Mr. Gregory.

Commissioner Cotham asked about the non-funding of Project Lift, which was addressed by Mr. Gregory.

Motion was made by Commissioner Scarborough, seconded by Commissioner Cotham, to defer consideration of this matter and send it back for additional information, in light of the concerns raised.

Commissioner Scarborough said she would not want to approve the request and discover later that there was a flaw in the process.

Commissioner Dunlap said Mr. Gregory articulated what took place in the selection process and the criteria used.

Commissioner Dunlap said he would support the Juvenile Crime Prevention Council’s recommendation.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Dunlap, to: 1) receive the Juvenile Crime Prevention Council annual update; 2) recognize and appropriate FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,187,277; and 3) approve the FY16 funding allocation plan recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

Commissioner Puckett said it appeared that the Juvenile Crime Prevention Council’s process only became a concern for Mr. Bego when his agency was not being recommended for continued funding.

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Commissioner Puckett expressed confidence in the Juvenile Crime Prevention Council.

Commissioner James addressed the expertise of those serving on the Juvenile Crime Prevention Council.

Commissioner James said there would always be agencies that express dissatisfaction if their request for funding was denied.

Commissioner James said in this instance the question was whether or not the Board felt, per the concerns raised, there was any inappropriateness that took place in the selection process. Commissioner James said to determine that would require the matter to be looked into by the County Manager and the County Attorney.

Commissioner James said he would support the substitute motion with the understanding that if there was something wrong with the process used by the Juvenile Crime Prevention Council, that the County Manager, along with the County Attorney and other appropriate staff, would make sure no funds were allocated to an agency that was not deserving of the funds.

Commissioner James said it was appropriate for the Board to approve the recommendation of the Juvenile Crime Prevention Council and that whatever allegations being made about the process deserved to be fully vetted. He said the County Manager would be responsible for looking into the matter and letting the Board know if there was any validity to the allegations.

Chairman Fuller said funding decisions were always difficult to make. He said the number of requests always exceed the amount of available funding, subsequently there would always be disappointments.

Chairman Fuller echoed Commissioner James' sentiment that if it's determined there was a problem, he, too, would expect the County Manager to inform the Board.

Chairman Fuller said he accepted Mr. Gregory's representation of the Council's work in this matter.

The vote was then taken on the substitute motion as noted below.

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 6-2 with Commissioners Clarke, Dunlap, Fuller, James, Leake, and Puckett voting yes and Commissioners Cotham and Scarborough voting no, to: 1) receive the Juvenile Crime Prevention Council annual update; 2) recognize and appropriate FY16 Department of Public Safety - Division of Juvenile Justice funds in the amount of \$1,187,277; and 3) approve the FY16 funding allocation plan recommended by the Mecklenburg County Juvenile Crime Prevention Council (JCPC).

The FY16 funding allocation plan as recommended by the JCPC, which includes administration funds for the JCPC's operation:

- 1) Project Challenge: Restitution/Community Service - \$142,057
- 2) Capstone Climbing & Adventures: Restitution/Community Service - \$142,057
- 3) CMPD: Youthful Diversion Program - \$70,262
- 4) West Baptist Community Association: GAP (Gang Awareness Program), Parent/Family Skill Building - \$222,889
- 5) DASH: Parent/Family Skill Building - \$97,770
- 6) Tresports: Interpersonal Skill Building - \$223,789
- 7) Barium Springs: Court Psychologist - \$125,193
- 8) Urban League: Tutoring Academic Enhancement Program - \$147,760

9) JCPC Administration - \$15,500

MANAGER'S REPORT

(15-2493) RECOGNITION OF VOLUNTEERS

County Manager Diorio, in recognition of April as National Volunteer Month, recognized and acknowledge the presence of County Volunteers that help the County serve its residents. Volunteers present were asked to stand. Sincere thanks and appreciation was expressed to those present, as well as, those not present.

Chairman Fuller on behalf of the Board expressed thanks to all persons who volunteer their time and service to Mecklenburg County.

Note: Mecklenburg County Government utilizes the help of hundreds of volunteers each year.

(15-2534) NORTH TRYON VISION PLAN AND RESTORATION OF THE CAROLINA THEATER

County Manager Diorio introduced Michael Smith, President & CEO of Charlotte Center City Partners and Michael Marsicano, President & CEO of the Foundation for the Carolinas to provide a report on the North Tryon Vision Plan and the restoration of the Carolina Theater.

It was noted the County was being asked for a one-time capital allocation/ investment of \$3.7 million, matching the City of Charlotte's contribution of land. County funds would only be used towards the Theater renovation. The joint public sector investment would be \$7.4 million, to leverage the \$118 million project for the community, a public sector investment in the overall project of 6.3%.

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

Comments

Commissioner Puckett spoke in support of the project.

Commissioner Leake spoke in support of the project. Commissioner Leake noted, however, for the public's awareness, that when the Carolina Theater opened in 1927, African Americans were not allowed to enter through the front of the theater and seating was restricted to the balcony.

Commissioner Leake said hopefully the restoration of the theater would help heal some of the "wounds" that might still exist in the community from that era, especially when you want to use tax dollars for renovation.

Commissioner Leake addressed the old Brooklyn Community and the high school that existed at that time.

Commissioner Leake said this area needed to be revitalized as well, now known as Second Ward and Third Ward. She asked was that on the radar.

Mr. Marsicano said the Foundation for the Carolinas was working in partnership with the County on the whole economic development upward mobility task force. He said Mr. Smith was working on the downtown work with the other wards.

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Commissioner Leake said she would like for the Foundation for the Carolinas to also be a part of the revitalization of Brooklyn.

Mr. Smith said Charlotte Center City Partners was “committed” to the vision the County adopted in the Second Ward Vision Plan. He said the Second Ward Vision Plan speaks to the history of Brooklyn and the need to redevelop it.

Mr. Smith said the County had an “incredible” assemblage of land in that area. He said “we are without bounds on what we can accomplish in the redevelopment of the Second Ward, honoring its history and using that plan as a guide.”

Note: Commissioner Leake asked that Mr. Smith’s statement be recorded in the minutes.

Commissioner Leake said the people of District Two that lived in Second Ward when it was known as Brooklyn, had repeatedly talked with her about the revitalization of that area. Commissioner Leake said it appeared that every time it comes up, it’s “put back on the back burner.” Commissioner Leake said it needed to be brought to the “forefront.”

Mr. Marsicano made the following statement in response to Commissioner Leake’s statement regarding the history of the theater. “I have this passionate belief that if you bury discrimination, we will not learn from it and it will rise its head again.” “We have to tell the story in the renovation of the Carolina Theater, the way it was, so that people know something like that can never happen again.”

Mr. Marsicano said “in restoring the theater and telling that story, the oral history is a part of it, we can actually right a wrong.”

Commissioner Scarborough expressed support of the project.

Commissioner Scarborough said with respect to Commissioner Leake’s comment regarding the segregation that took place at the Carolina Theater, that she recalled being arrested, along with others in 1963 in Sumter, S.C. for entering the front doors of the Sumter theater. She noted that efforts were also being undertaken to revitalize that theater.

Commissioner Scarborough said with respect to the effort to restore the Carolina Theater and its history, “to restore this and to bring it back into the fold and everyone can walk in the front doors, how marvelous!”

Commissioner James asked for clarity around the requested \$3.7 million County investment. He asked was it a land swap or cash. *County Manager Diorio said it would be cash.*

County Manager Diorio said staff would have to work through what the source of that cash would be. She said one possibility was the proceeds from the sale of the Hal Marshall building. She said the proceeds are supposed to be used for other capital.

County Manager Diorio said the cash won’t align exactly right in terms of timing, but staff felt the contribution could be made for the Carolina Theater and not impact other capital projects that the County had on-going.

Commissioner James questioned how this project could go from not being on a list, to now being on the list. He referenced the County’s ranking process for projects.

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Commissioner James said the idea of renovating the Carolina Theater dated back at least to 1997. He said he was supportive of it at that time, but wasn't sure if he supported using taxpayer dollars to do so.

Commissioner James said he would consider the current request.

Commissioner Dunlap spoke in support of the project.

Chairman Fuller spoke in support of the project and thanked County Manager Diorio, Mr. Smith and Mr. Marsicano for bringing this matter to the Board.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS

(15-2503) DEPARTMENT DIRECTORS' MONTHLY REPORTS

The Board received as information monthly departmental reports for April 2015.

Note: The County Manager has requested department directors provide monthly reports to the Board of County Commissioners. The brief reports highlight key activities and initiatives within the departments, and reports show relevant performance indicators of departmental activity.

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

(15-2518) FEATURE DEPARTMENT PRESENTATION: ASSET AND FACILITY MANAGEMENT

The Board received as information a report from Mecklenburg County's Asset and Facility Management Department.

Asset and Facility Management Director Mark Hahn gave the report. The following was covered:

- The Department's Mission
- The five Divisions of Asset and Facility Management
 - Design and Construction Project Management
 - Facility Maintenance and Operations
 - Security Services
 - Real Estate Management
 - Fleet and Courier Services

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

Comments

Commissioner Leake asked about the maintenance of the courthouse, which was addressed.

Commissioner Dunlap with respect to the number of providers in the community, asked why the County limited itself to a small number of providers when it came to facility maintenance. He asked was it possible for the County to have smaller contracts to allow opportunity for more providers to have contracts with the County.

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Director Hahn said with respect to contracts for facility maintenance that it had gone from having one contract to three, however, one vendor had two contracts. Director Hahn said the vendors that have contracts with the County subcontract with other vendors.

Commissioner Leake said the grounds at the Hal Marshall Building were not well maintained, as well as, at the Valerie Woodard Center.

Director Hahn said he would look into those matters.

Chairman Fuller thanked Director Hahn for his report.

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

STAFF REPORTS & REQUESTS

(15-2513) 2014 MECKLENBURG COUNTY ECONOMIC DEVELOPMENT ANNUAL REPORT

The Board received as information 2014 Economic Development Report.

Assistant County Manager Leslie Johnson gave the report. The following was covered:

- 2014 County Ranking for Economic Well-Being
- 2009-2014 Top County Industries by Job Growth
- 2014 Major County Announcements of Business Investment Program Grants
- 2014 Relocations and Expansions per the Business Investment Program
- Department Information (LUESA Code Enforcement and Park and Recreation)
- County Supported Events and Attractions
 - Cultural Art Facilities
 - ACC Championship
 - CIAA Tournament
 - NASCAR Hall of Fame
 - Belk Bowl
- Economic Partners

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

Comments

Commissioner Leake requested a hard copy of the statistics given around the top five conventions held in 2014.

Commissioner Leake noted the amount of tax revenue generated as a result of the CIAA Tournament being held in Charlotte/Mecklenburg County, \$1.6 million (County Taxes collected from direct spending)

Commissioner Dunlap noted the total economic impact of the CIAA Tournament which was \$46.92 million and direct spending \$28.73 million.

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Commissioner Dunlap said he hoped at budget deliberation time, the Board would take into consideration, as it related to funding requests for various events, the total economic impact of that event coming to Charlotte/Mecklenburg County.

Commissioner Dunlap suggested going forward that any Economic Development Annual Report include the names of the committee members and who served as chair.

Commissioner Scarborough asked had any information been received regarding alleged restaurant and hotel price gouging during the CIAA Tournament.

Assistant County Manager Johnson said she was informed with respect to hotel prices, that rates were negotiated between the hotel and CIAA management.

Assistant County Manager Johnson said it was her understanding that the CIAA received a certain percentage of the rate proceeds that goes to its scholarship fund. Assistant County Manager Johnson said she would work on getting that information from the appropriate source in writing and would share it with the Board.

Commissioner Scarborough said getting written confirmation would be very helpful, because there were people who believed it was the City and Mecklenburg County that had something to do with the hotel rates. She said having something in writing would allow she and others to rebut that accusation.

Assistant County Manager Johnson said she did not make an inquiry regarding restaurants.

Commissioner Scarborough said she heard also that during the CIAA Tournament that some restaurants were charging a cover charge.

Commissioner Scarborough said she did not want Charlotte/Mecklenburg to be perceived in that way. She suggested contact be made with the Hospitality Industry to determine if any of these things occurred.

Commissioner Dunlap said the issues raised by Commissioner Scarborough were also concerns of his.

Commissioner Dunlap said if the CIAA was involved in the hotel rate negotiations, then the CIAA needed to share that information with the public.

**(15-2530) REPORT ON RECRUITING AND RETAINING EMPLOYEES IN MECKLENBURG COUNTY
DEPARTMENT OF SOCIAL SERVICES**

The Board received a report from staff regarding Recruiting and Retaining Employees in Mecklenburg County Department of Social Services.

Peggy Eagan, Director, Department of Social Services gave the report, which was an overview of recommendations from the UNC Charlotte Recruitment and Retention Study for Department of Social Services. The following was covered:

- Background as it related to the study
- Literature Review
- Focus Groups
- Conclusion and Recommendations

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

Comments

Commissioner Dunlap said it was a good report, but that he was a little disappointed that some of the things recommended were not already being done by the County. He noted as an example the possibility of a pay increase for an employee that earned a degree while working for the County.

Commissioner Dunlap said he liked Buncombe's County's recruitment strategy of recruiting persons that were already experienced and well trained by other counties and offering them a higher salary to come and work for them.

Commissioner Dunlap said he looked forward to seeing what staff would implement, per the study.

Commissioner Cotham asked about the cost of the study. *County Manager Diorio said the cost of the study was \$14,963.00.*

Commissioner Cotham questioned why recruiters weren't asked to conduct this type of study.

Commissioner Leake asked had a job fair been held. *Director Eagan said yes.*

Commissioner Leake asked about the success of the job fair that was held, which was addressed by Deputy County Manager/Chief of Staff Chris Peek.

Commissioner Leake requested a report of the results the job fair that was held last fall with respect to number of persons hired, broken down by gender.

Commissioner Leake asked about college recruitment, which was addressed by Director Eagan.

Commissioner Leake asked about recruitment from Johnson C. Smith University. *Director Eagan said the department had a close relationship with Johnson C. Smith University.*

Commissioner Leake suggested that other institutions be considered, along with UNC-Charlotte for conducting studies.

Commissioner Leake asked about caseloads, which Director Eagan addressed.

Commissioner Leake asked about the availability of funding for hiring, which Director Eagan addressed.

Commissioner Leake asked about meetings with staff, particularly supervisors, which Director Eagan addressed.

Commissioner Leake asked if there were any supervisors in the department who had foster children in their personal care. *Director Eagan said to her knowledge there were no supervisors or managers with foster children from Mecklenburg County. She said what's not known was whether there may be some with foster children from other counties.*

Commissioner Scarborough asked about halfway houses where children were taken and the level of education of persons working there. *Director Eagan said she was not aware of halfway houses for children. She said there was a*

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runaway homeless shelter in Mecklenburg County and that it was her understanding all employees were required to have a college degree and extensive training.

Chairman Fuller thanked Director Eagan for her report.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

(15-2520) AUDIT REVIEW COMMITTEE REPORT – ITEM WAS REMOVED FROM THE AGENDA

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

CONSENT ITEMS

Motion was made by Commissioner Scarborough, seconded by Commissioner Puckett and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to approve the following item(s):

(15-2480) TAX REFUNDS

Approve refunds in the amount of \$6,430.79 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

Approve refunds in the amount of \$631,174.36 and interest as statutorily required to be paid as requested by the County Assessor resulting from clerical errors, audits and other amendments, including revaluation appeals.

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

(15-2496) MINUTES

Approve Minutes of Regular meeting held April 7, 2015 and Closed Session held April 7, 2015 and February 19, 2015.

(15-2510) CONSTRUCTION MANAGER @ RISK SELECTION – MEDIC HEADQUARTERS AND OPERATIONS FACILITIES RELOCATION

Authorize the County Manager to negotiate a fee and execute contracts with Edifice Construction for Pre-Construction and Construction Management @ Risk services for the MEDIC Headquarters and Operations Facilities Relocation and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Lend Lease.

(15-2515) CAPITAL RESERVE EXPENDITURE -- MCDOWELL NATURE PRESERVE (PARK AND RECREATION)

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Appropriate expenditure of up to \$6,225 from the Outdoor Recreation Nature Preserves and Natural Resources Capital Reserve Fund to replace all ten (10) kayaks in the McDowell Nature Preserve outdoor recreation program.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

(15-2502) GRANT APPLICATION -- DUKE ENERGY WATER RESOURCES FUND

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to:

1. Authorize the County Manager to submit a grant application in the amount of up to \$100,000 to The Duke Energy Water Resources Fund administered by The North Carolina Community Foundation; and
2. Authorize the Chairman to execute the authorization to file the application and enter into grant contracts with The North Carolina Community Foundation; and recognize, receive and appropriate the amount of the award when received; and
3. Authorize and carry forward unspent project funds to subsequent years until completion of the project.

Note: Funds will be used to install an outdoor learning environment that highlights the historic, cultural, and economic importance of the Catawba River. Using a custom built application and displaying information on two (2), 55-inch digital touch tables capable of accommodating multiple users, participants will be able to access real-time water quality information, be actively warned if bacteriological levels in the river exceed recommended human contact levels, and engage in learning about the Catawba River, including the unique plant and animal life of the region. Charlotte-Mecklenburg relies on the Catawba River for its drinking water supply with an average withdrawal of 100,000,000 gallons of water a day.

Commissioner Leake removed this item from Consent for more public awareness. LUESA Director Ebenezer Gujjarlapudi addressed the grant application.

(15-2511) CONSTRUCTION MANAGER @ RISK SELECTION -- RELOCATION OF LAND USE AND ENVIRONMENTAL SERVICES AGENCY AND VALERIE C. WOODARD RENOVATIONS

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 5-0 with Commissioners Cotham, Fuller, Leake, Puckett, and Scarborough voting yes, to authorize the County Manager to negotiate a fee and execute contracts with Rogers/Leeper for Pre-Construction and Construction Management @ Risk services for Land Use and Environmental Services Agency (LUESA) and Woodard Center Relocation and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Messer/Miles McClellan Construction.

Commissioner Leake removed this item from Consent for more public awareness. Asset & Facility Management Director Mark Hahn addressed the item.

Commissioner Dunlap returned to the dais.

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(15-2512) GRANT APPLICATION -- 2015 US TENNIS ASSOCIATION OF NC 10 AND UNDER EQUIPMENT GRANT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to approve a \$1,200 grant application for a United States Tennis Association (USTA) of North Carolina matching grant to purchase youth tennis equipment; and if awarded, recognize, receive and appropriate such funds.

Commissioner Leake removed this item from Consent for more public awareness. Park and Recreation Director Jim Garges addressed the grant application.

(15-2514) CAPITAL RESERVE EXPENDITURE -- IMPROVED SOCCER FIELDS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to appropriate expenditure of up to \$33,000 from the improved soccer field capital reserve fund to complete the rehabilitation of soccer fields at Colonel Francis Beatty Park and McKee Road Park.

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

(15-2521) GOVERNMENT FACILITIES CAPITAL PROJECT ORDINANCE

Amend FY2015 Authorization Government Facilities Capital Project Ordinance.

**MECKLENBURG COUNTY, NORTH CAROLINA
FY 2015 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE**

The following ordinance was offered as an amendment to and restatement of *FY2015 Authorization Government Facilities Capital Project Ordinance as amended December 16, 2014*

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 21st DAY OF April 2015.

Sections I and II are amended as follows:

Section I. That for the purpose of providing funds, together with any other available funds, for the following projects:

Government District Renovations	(\$9,430,000)
LUESA Relocation	(\$21,000,000)
Community Corrections Relocation	(\$16,720,000)
Board of Election Renovation	(\$1,495,000)
Child Support Enforcement Relocation to Woodard Ctr.	(\$8,825,000)
Energy Upgrades	(\$1,772,237)

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including the acquisition and construction of new facilities, the improvement and expansion of existing facilities and the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, \$59,242,237 is hereby appropriated.

Section II. That it is estimated that revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:

2014-2015 fiscal year	\$50,188,974
2015-2016 fiscal year	8,459,983
2016-2017 fiscal year	593,280

These will be the maximum amounts of cash available to pay project expenses per fiscal year unless the Director of Finance determines that an additional amount of cash can be made available during a fiscal year or years.

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from the General Fund or unspent bond proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as permanent financing, if any, is arranged, at which time repayment, if required, will be made; and the Director of Finance is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

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

Ordinance recorded in full in Minute/Ordinance Book ____ Document # ____.

(15-2522) GRANT APPLICATION -- BJA SECOND-CHANCE ACT TWO-PHASE ADULT REENTRY DEMONSTRATION PROGRAM (CRIMINAL JUSTICE SERVICES)

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to 1) approve the submission of a grant application for funding in the amount of \$1,000,000 over three years from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (BJA); and if awarded, recognize, receive and appropriate such funds for the grant period; and 2) If awarded, establish two Criminal Justice Case Managers positions in Criminal Justice Services beginning July 1, 2016 (years Two and Three).

Commissioner Leake removed this item from Consent for more public awareness. Hope Marshall with Criminal Justice Services addressed the grant application.

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Scarborough and carried 6-0 with Commissioners Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:45 p.m.

Janice S. Paige, Clerk

Trevor M. Fuller, Chairman