

APRIL 3, 2012

**MINUTES OF MECKLENBURG COUNTY BOARD OF COMMISSIONERS**

The Board of Commissioners of Mecklenburg County, North Carolina, met in Informal Session in the Meeting Chamber Conference Room of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street at 5:00 p.m. and in Formal Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center at 6:00 p.m. on Tuesday, April 3, 2012.

**ATTENDANCE**

**Present:** Chairman Harold Cogdell, Jr. and Commissioners Karen Bentley, Dumont Clarke, Neil Cooksey, George Dunlap, Vilma Leake and Jim Pendergraph  
County Manager Harry L. Jones, Sr.  
County Attorney Marvin A. Bethune  
Clerk to the Board Janice S. Paige

**Absent:** Commissioners Bill James and Jennifer Roberts

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**-INFORMAL SESSION-**

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) they wanted removed from consent and voted upon separately. The items identified were Items 12-0080, 12-0144, 12-0145, 12-0164, & 12-0179.

**STAFF BRIEFINGS - NONE**

**(12-0170, 12-0194, 12-0204) CLOSED SESSION – 0170) CONSULT WITH ATTORNEY, 0194) TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S.143-318.11(A) (1), & 0204) LAND ACQUISITION**

Prior to going into Closed Session, Attorney Bethune announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcels 123-062-12, 123-062-16, & 123-062-17.

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to go into Closed Session for the following purposes: Consult with Attorney; To Prevent Disclosure of Information that is Confidential Pursuant to G.S.143-318.11(A)(1); and Land Acquisition.

***The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:37 p.m.***

County Attorney Bethune noted for the record the Consult with Attorney matters discussed in Closed Session, that were mistakenly not mentioned prior to going into Closed Session, were Charlotte-Mecklenburg Hospital Authority vs. Mecklenburg County and Jerry Alan Reese vs. Mecklenburg County, Knights Baseball, LLC.

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

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**-FORMAL SESSION-**

*Invocation was given by Commissioner Dunlap, which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.*

**AWARDS/RECOGNITION - NONE**

**CONSENT**

**Motion was made by Commissioner Pendergraph, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve the following item(s):**

**(12-0147) GRANT APPLICATION -- DISPLACED HOMEMAKER (COMMUNITY SUPPORT SERVICES)**

Approve submission of a grant application to the North Carolina Council for Women/Domestic Violence Commission for the New Choices Strategies for Success (New Beginnings) Program in the amount of \$63,181 (\$13,248 from *Displaced Homemaker State Funds*, \$47,283 from *Divorce Filing Fees* with \$2,650 County match); and if awarded, recognize, receive and appropriate grant funds.

*Note: This grant submission will provide continuation funding for the New Choices program within Mecklenburg County's Community Support Services Department, which provides training and support for displaced homemakers in their return to self-sufficiency.*

**(12-0150) TAX REFUNDS**

Approve refunds in the amount of \$1,827,234.09 plus accrued interest in the amount of \$4,418.77 to be made by the Finance Department as requested by the Tax Assessor resulting from clerical errors, audits and other amendments.

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

**(12-0154) STATE SECONDARY ROAD PROGRAM FY 2012 - 2013**

1) Receive a report from the North Carolina Department of Transportation on the Secondary Road Program for Mecklenburg County for construction to be done during FY 2010 - 2011.

2) Approve the State Secondary Road Program for FY 2010 - 2011 for Mecklenburg County.

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

**(12-0160) APPOINTMENT OF REVIEW OFFICERS**

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Amend "Resolution Designating Review Officers to Review Each Map and Plat Recorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2" to designate Jim King and David Nelson as Review Officers and to delete from the Resolution adopted on September 16, 1997 the names of Linda Beverly and Tim Manes.

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

**(12-0171) CONTRACT APPROVAL -- ROMARE BEARDEN PARK EXTERIOR LIGHT FIXTURES**

Approve a contract in the amount of \$523,551.30 with Graybar for exterior light fixtures for Romare Bearden Park.

**(12-0189) MINUTES**

Approve minutes of Regular meeting held March 20, 2012 and Closed Session held March 20, 2012.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

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**(12-0186) PUBLIC APPEARANCE**

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

Angelique Diaz Landry said she felt she'd been targeted because she's voiced opposition towards law enforcement and the judicial system. Ms. Landry said she had not seen her son in four years. Ms. Landry said she'd never been convicted of a crime, but has had charges against her. She said she'd also been arrested. Ms. Landry shared examples of her encounters with law enforcement and the judicial system.

James Bensman addressed the 2011 Revaluation. Mr. Bensman said it's been brought to his and other residents attention that there were issues with commercial properties. Mr. Bensman said the Lake Norman Chamber of Commerce had established a study committee to look at revaluation of commercial properties.

Mr. Bensman complimented Cary Saul, Director of LUESA, for his outreach efforts to the Cornelius and Lake Norman community.

Mr. Bensman said the Town Boards of Huntersville and Cornelius had voted unanimously to submit a formal resolution to the Board of County Commissioners requesting the County to engage an external auditor to conduct an audit of the Tax Assessor's Office.

Mr. Bensman presented a list of recommended tasks for an audit of the Tax Assessor's Office.

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

Mr. Bensman presented a Public Records request for information from the Tax Assessor's Office.

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

Mr. Bensman noted for the record the following points in rebuttal to what he said was stated by staff at the previous meeting.

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- Market value and assessed value were identical, statutorily.
- The qualified sales report on-line was incorrect and does not match the printed report.
- The existence of a qualified sales report was not on any documentation.
- An attorney is not needed when one appears before the Property Tax Commission.
- The Board of Equalization and Review has the power to pause a revaluation but not the Board of County Commissioners.

***Commissioner Bentley left the meeting and was absent until noted in the minutes.***

Marian Black addressed Rezoning Petition 65-2011, which is scheduled for consideration by Charlotte City Council later this month or in May. Ms. Black said she was aware the Board would not be voting on this matter, but felt it should still be of interest to the Board. Ms. Black said if approved, the petition would have a “devastating” effect on Lake Wylie.

Ms. Black gave the Board a handout regarding the petition, entitled, Save Lake Wylie’s Coves - Wither’s Cove, Adjacent to Parcel B & Phase 3 of Chapel Cove.

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

Commissioner Leake said she would like to receive reports from the Planning Commission regarding their decisions on Rezoning Petitions, so that the Board could be aware of what’s occurring.

Chairman Cogdell suggested Commissioner Leake contact the Director of the Planning Commission and/or the chairman of the Planning Commission regarding receiving updates on issues of concern.

Commissioner Leake asked that staff coordinate this for her.

County Manager Jones said he would.

**(12-0204) CLOSED SESSION – LAND ACQUISITION – WILMORE PROPERTY**

Motion was made by Commissioner Dunlap, seconded by Commissioner Pendergraph and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to authorize the County Manager to negotiate and execute necessary documents for the purchase of the following tax parcels in the Wilmore Neighborhood of the City of Charlotte from Waypoint Development, LLC for \$515,000: 123-062-12 (+/- 0.65 acre), 123-062-16 (+/- 0.13 acre); and 123-062-17 (+/- 0.10 acre).

**(12-0165) APPOINTMENTS**

**AIR QUALITY COMMISSION**

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

**ROUND ONE**

Lauren Billheimer	Commissioners Clarke, Cogdell, Dunlap, and Leake
Anthony Kent	None
Megan Sadler	Commissioners Cooksey and Pendergraph

**ROUND TWO**

Lauren Billheimer	Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake, and
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Pendergraph  
*Voting Ceased*

Anthony Kent  
Megan Sadler

Chairman Cogdell announced the appointment of Lauren Billheimer to the Air Quality Commission to fill an unexpired term expiring August 31, 2012 as a General Public representative.

*She replaces Ray Fuentes.*

**WOMEN'S ADVISORY BOARD**

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

**ROUND ONE**

Li Mia Bowen	Commissioner Cooksey
Robyn Codrington	Commissioners Cooksey and Leake
Twanna Daniels	None
Vickie Evans	Commissioner Leake
Taylor Holloman-Pressley	Commissioners Clarke, Cogdell, Dunlap, and Pendergraph
Karen Okhoya	Commissioners Clarke, Cogdell, Dunlap, Pendergraph

**ROUND TWO**

Li Mia Bowen	None
Robyn Codrington	Commissioner Cooksey and Leake
Twanna Daniels	None
Vickie Evans	Commissioners Cooksey and Leake
Taylor Holloman-Pressley	Commissioners Clarke, Cogdell, Dunlap, and Pendergraph
Karen Okhoya	Commissioners Clarke, Cogdell, Dunlap, and Pendergraph

**ROUND THREE**

Li Mia Bowen	None
Robyn Codrington	None
Twanna Daniels	None
Vickie Evans	Commissioners Clarke, Cogdell, and Leake
Taylor Holloman-Pressley	Commissioners Bentley, Dunlap, and Pendergraph
Karen Okhoya	Commissioners Bentley, Clarke, Cogdell, Dunlap, Leake, and Pendergraph

**ROUND FOUR**

Li Mia Bowen	Commissioners Bentley, Cogdell, and Cooksey
Robyn Codrington	None
Twanna Daniels	None
Vickie Evans	Commissioners Clarke and Leake
Taylor Holloman-Pressley	Commissioners Dunlap and Pendergraph

**ROUND FIVE**

Li Mia Bowen	Commissioners Bentley, Clarke, Cogdell, and Pendergraph
Robyn Codrington	None
Twanna Daniels	None

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Vickie Evans  
Taylor Holloman-Pressley  
Karen Okhoya

Commissioner Leake  
Commissioner Dunlap

**ROUND SIX**

Li Mia Bowen

Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap  
and Pendergraph  
*Voting Ceased*

Robyn Codrington  
Twanna Daniels  
Vickie Evans  
Taylor Holloman-Pressley  
Karen Okhoya

Chairman Cogdell announced the appointments of Li Mia Bowen and Karen Okhoya to the Women's Advisory Board for three year terms expiring April 30, 2015.

*They replace Dr. Angelia Fryer and Pamela Hemphill.*

**(12-0149) PUBLIC HEARING- STREET LIGHTING ASSESSMENT**

Motion was made by Commissioner Cooksey, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to open the public hearing on Mecklenburg County's participation in the Street Lighting Assessment project for the Cardinal Woods Subdivision and hear from staff and any other persons desiring to speak.

Dave Canaan, Director of Storm Water Management presented this matter to the Board.

Manuel Rosas, former Cardinal Woods Subdivision Homeowners Association President and current project contact as it relates to this issue, spoke in support of assessment for fiscal year 11, but expressed concern for future assessments and authorizing the County Manager to coordinate with the Cardinal Woods Homeowners Association, Cardinal Woods Estate Homeowners Association, and Duke Energy, such that, in FY13 the homeowners associations will become responsible for the Duke Energy bills and the County will end the street lighting assessment program for the Cardinal Woods Subdivision. Mr. Rosas said there were matters that had not yet been resolved. Mr. Rosas said the Homeowners Association would like for the County and the Association to discuss further options and have a complete understanding of the financial implications of each item and option.

Motion was made by Commissioner Dunlap, seconded by Commissioner Cooksey and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph 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 Cardinal Woods Subdivision that are part of this assessment. Secondly, to close the public hearing on Mecklenburg County's participation in the Street Lighting Assessment project for the Cardinal Woods Subdivision and adopt the Final Assessment Roll Resolution for the Cardinal Woods Subdivision.

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

*Note: In light of the comments and request of Mr. Rosas, no action was taken with respect to authorizing the County Manager to coordinate with the Cardinal Woods Homeowners Association, Cardinal Woods Estate Homeowners Association, and Duke Energy, such that, in*

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*FY13 the homeowners associations will become responsible for the Duke Energy bills and the County will end the street lighting assessment program for the Cardinal Woods Subdivision.*

*Staff indicated that taking no action at this time would not pose any problems and that staff would report back at a later date.*

**(12-0151) PUBLIC HEARING AND RESOLUTION ON FIRE PROTECTION SERVICES IN MECKLENBURG COUNTY**

Jim Bartl, director of Code Enforcement and Mark Auten, County Fire Marshall, addressed the establishment of the proposed Fire Protection Service Districts.

**City of Charlotte**

Motion was made by Commissioner Pendergraph, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to open the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the City of Charlotte.

The following persons spoke in support of the establishment of the proposed Fire Protection Service Districts within the unincorporated areas of Mecklenburg County (Cornelius, Davidson, Huntersville, Mint Hill and Charlotte) with funding to begin in the FY13 budget.

Harley Cook, President of the Mecklenburg County Volunteer Firemen's Association and Larry Irvin, Chairman of the Mecklenburg County Fire Commission.

The following person spoke not in opposition but voiced concerned with respect to this being an additional tax on those in the unincorporated areas of the County: Charles Guignard. Mr. Guignard posed the question of what would the County do with the \$2 million that's to be saved from this measure. He further posed the question of would the County reduce taxes as a result of the savings.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to close the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the City of Charlotte.

**Town of Cornelius**

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to open the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Cornelius.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to close the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Cornelius.

**Town of Davidson**

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to

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open the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Davidson.

No one appeared to speak.

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to close the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Davidson.

**Town of Huntersville**

Motion was made by Commissioner Cooksey, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to open the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Huntersville.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Cooksey and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to close the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Huntersville.

**Town of Mint Hill**

Motion was made by Commissioner Cooksey, seconded by Commissioner Clarke and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to open the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Mint Hill.

No one appeared to speak.

Motion was made by Commissioner Leake, seconded by Commissioner Pendergraph and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to close the public hearing on the establishment of the proposed Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Mint Hill.

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Motion was made by Commissioner Pendergraph, seconded by Commissioner Leake and carried 6-0 with Commissioners Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to adopt five Resolutions Establishing Fire Protection Service Districts as follows:

- A. Resolution Establishing a Fire Protection Service District in the Extraterritorial Jurisdiction of the City of Charlotte
- B. Resolution Establishing a Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Cornelius
- C. Resolution Establishing a Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Davidson
- D. Resolution Establishing a Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Huntersville

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E. Resolution Establishing a Fire Protection Service District in the Extraterritorial Jurisdiction of the Town of Mint Hill

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

#### **ADVISORY COMMITTEE REPORTS**

##### **(12-0166) ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE & NURSING HOME COMMUNITY ADVISORY COMMITTEE**

The Board received the Annual Report of the Mecklenburg County Nursing Home Community Advisory Committee & Adult Care Home Community Advisory Committee. The report was given by Hillary Kaylor and Pam Irish, Regional Ombudsmen. The Board also heard from members of the committees: Betty Leake and Ellen Blaine.

The report addressed the following:

- 2011 Committee Activities & Accomplishments
- Committee Goals For 2012
- Facility Strengths And Challenges
- Committee Support
- Challenges and Needs: 1) Attracting New Committee Members, 2) Mandatory Federal Criminal Background Check, 3) Attendance and 4) Mileage Reimbursement.

Recommendations:

- The committee and the ombudsman program ask for the Board's support in attracting volunteers and that the County devises a plan to promote the program.
- The committee and the ombudsman program ask for Board support by completing a criminal background check on all prospective community advisory committee volunteers.
- The committee and the ombudsman program ask for Board support in encouraging active current members in a way that displays acknowledgement and appreciation for their service to our county.
- The committee and the ombudsman program ask for mileage reimbursement.

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

Chairman Cogdell, on behalf of the Board, thanked the presenters and Committee members for their report and service.

Commissioner Dunlap suggested to the County Manager that the County expand its annual recognition of employees to include members of advisory boards as well.

Chairman Cogdell and Commissioners Leake and Dunlap expressed support of providing mileage reimbursement to those serving on the Adult Care and Nursing Home Community Advisory Committees and the committees' recommendation regarding criminal background checks. They encouraged the County Manager to remember this during budget deliberations.

#### **MANAGER'S REPORT**

**(12-0180) BOARD BULLETIN**

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

*Note: As needed each week, the County Manager distributes to the Board a newsletter called "Board Bulletin" to keep the Board informed about policy matters and other key issues related to Mecklenburg County government.*

**(12-0197) CHARLOTTE-MECKLENBURG 2012 CRIMINAL JUSTICE SYSTEM SURVEY FINAL REPORT**

The Board received as Information, results of the Charlotte-Mecklenburg 2012 Criminal Justice System Survey.

Tom Eberly, Criminal Justice Planning Manager and Dr. Nancy Burnap with MarketWise, Inc. gave the report.

The survey sought feedback on the following: 1) Perception of Crime in Mecklenburg County, 2) Viewpoint on Criminal Justice, 3) Perceptions of the Performance of Groups in the Mecklenburg County Criminal Justice System, 4) Viewpoint on Arrests and Citations, 5) Viewpoint on Bail and Release Conditions, 6) Viewpoint on Sanctions, and 7) Sources of Information and Experience with Criminal Justice System.

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

The following person spoke in opposition to the results of the survey: Marcus Philemon, director of CharMeck Court Watch.

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

Commissioner Pendergraph asked was the definition of a low level offender and the categories associated with that explained to those surveyed. *The response was "sometimes yes and sometimes no," which was elaborated on.*

Commissioner Pendergraph questioned responses regarding the court system, if the person surveyed never had dealings with the courts. Dr. Burnap addressed this and said the purpose of the survey was to get perceptions.

Commissioner Pendergraph said he was concerned about the validity of the report, in light of the understanding of the questions by those surveyed.

Commissioner Dunlap said much of the results of the survey were in line with what's perceived nationally.

Commissioner Leake expressed concern for the amount of time wasted in the courtroom.

***Commissioner Bentley returned to the dais.***

Commissioner Leake questioned the size of the survey population.

Commissioner Clarke thanked the consultant and staff for the report.

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Commissioner Clarke said if the survey was ever done again, he would like a question to be asked to determine whether or not people understand that the court system is operated and funded by the State and not Mecklenburg County.

Chairman Cogdell thanked the presenters for the report.

*Note: At this point in the meeting and per Commissioner Bentley's return to the meeting, the Board considered appointments to the Women's Advisory Board, which is reflected in the minutes under Appointments.*

## **STAFF REPORTS & REQUESTS**

### **(12-0156) LEGISLATIVE AGENDA 2012**

Brian Francis, Assistant to the County Manager presented the proposed Mecklenburg County Legislative Agenda for the 2012 short session of the General Assembly.

*Note: The General Assembly will reconvene for its "short" session on May 14, 2012. The adjournment resolution that calls for the General Assembly to reconvene on this date also sets rules restricting which bills are eligible for consideration. While there are 15 separate categories, the three categories most applicable to Mecklenburg County are:*

- 1. Only bills that have passed one house or the other during the 2011 session.*
- 2. Only bills which impact the state budget.*
- 3. Only local bills that have been signed by every representative elected from the impacted area.*

*Therefore, any Mecklenburg County bill will need the support of all 10 House members and all 5 Senate members to move forward.*

#### Commissioner Requests

1. Request the General Assembly to study the issue of the expunction of misdemeanors from an individual's criminal record.

*Note: This request was recommended by Chairman Cogdell.*

Staff recommendation: This item will likely be controversial and may not be eligible under the rules of the short session. This is more appropriate during the long session and should be submitted to the NCACC for their consideration as well due to its statewide impact.

Motion was made by Commissioner Dunlap, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve including in the Board's legislative agenda for the 2012 short session of the General Assembly the following request: Request the General Assembly to study the issue of the expunction of misdemeanors from an individual's criminal record given a certain amount of time and conditions.

*Note: Commissioner Cooksey suggested in addition to the above motion that this matter be forwarded to the North Carolina Association of County Commissioners for feedback and support and possibly inclusion in their agenda as some point.*

2. Seek reforms to the revaluation process.

*Note: This request was recommended by Various Commissioners.*

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Staff recommendation: The Speaker has indicated that he will convene a group to study the issues around revaluation. Mecklenburg County will have the opportunity to participate in this group and potential legislation could be brought forward in next year's legislative agenda.

*Note: No action was taken with respect to this request in light of staff's recommendation.*

*Note: Commissioner Bentley will serve on the study committee. Commissioner Bentley noted that the first meeting of the committee would be April 5. She asked Board members to provide her with any information they would like for her to share for consideration by the committee.*

3. Seek legislation that would allow Child Support Enforcement to retain a portion of recovered funds to offset costs.

*Note: This request was recommended by Commissioner James.*

Staff recommendation: This item will likely be controversial and may not be eligible under the rules of the short session. This is more appropriate during the long session and should be submitted to the NCACC for their consideration as well due to its statewide impact.

*Note: No action was taken with respect to this request in light of staff's recommendation.*

*Note: Commissioner Dunlap said this was an issue that was worth looking into.*

4. Seek legislation that would give local health inspection jurisdiction over weekly motels.

*Note: This request was recommended by Commissioner James.*

Staff recommendation: Because this item concerns public health, it must be considered as a public (statewide bill). The bill could be limited to Mecklenburg using a population threshold. In order to be eligible during the short session, the legislature would have to use extraordinary means.

*Note: No action was taken with respect to this request in light of staff's recommendation.*

5. Seek legislation to allow Mecklenburg County Commissioners to attend meetings remotely via electronic device.

*Note: This request was recommended by Commissioner Cooksey.*

Staff recommendation- Similar legislation currently exists for Hyde County (SL 2008-111) though Commissioner Cooksey would like broader legislation that allows commissioners to attend closed session remotely and to allow commissioners to participate when outside the county. This legislation is eligible during the short session with the unanimous support of the delegation.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve including in the Board's legislative agenda for the 2012 short session of the General Assembly the following request: Seek legislation to allow Mecklenburg County Commissioners to attend meetings remotely via electronic device.

***Commissioner Dunlap left the meeting and was absent until noted in the minutes.***

*Staff Recommendations:*

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Motion was made by Commissioner Bentley, seconded by Commissioner Cooksey and carried 6-0 with Commissioners Bentley, Clarke, Cogdell, Cooksey, Leake and Pendergraph voting yes, to approve including in the Board's legislative agenda for the 2012 short session of the General Assembly the following requests:

1. Seek legislation that allows for the electronic transmittal of commitment orders between law enforcement and the courts.
2. Clarify S.L. 2010-158 to insure that secondary PSAPs that have inter-local agreements with Primary PSAPs are eligible for 911 funds and that decisions made by the 911 board are subject to the Administrative Procedures Act. (carry over)
3. Continue supporting the following guiding principles for state and federal issues:
  - Support legislation that grants flexibility to Counties
  - Oppose legislation that restricts County authority
  - Support legislation that provides funding to counties and oppose legislation that cuts county funding
  - Oppose unfunded mandates

Assistant to the County Manager Francis informed the Board that the General Assembly would reconvene on May 16 and that on April 16 there will be a breakfast meeting with the Mecklenburg County Legislative Delegation for the purpose of presenting the County's 2012 Legislative Agenda. Assistant Francis said the Courts and Board of Education have also been invited to present their legislative agendas as well.

***Commissioner Dunlap returned to the dais.***

**(12-0163) POLICY AMENDMENT - PROCLAMATIONS AND AWARDS**

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve amendments to the Board policy on Proclamations and Awards.

*Note: The Board's current policy considers an action taken by a super majority of the Board but does not specify the number of votes that constitute a super majority. The amendment clarifies this by specifying that it takes a two-thirds vote of the Board members present and voting at the meeting during the Informal Session to move a Proclamation from the Consent section of the agenda to the Awards/Recognition section of the agenda. Additionally, the amendment clarifies that Resolutions used in a way similar to Proclamations will be subject to this policy.*

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

**(12-0181) SELECTION OF EXTERNAL AUDITORS**

Motion was made by Commissioner Clarke, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve a one-year extension of the external audit contract with Cherry Bekaert and Holland for the June 30, 2012 fiscal year audit, based on the April 21, 2009 Audit Review Committee recommendation for the initial contract.

**(12-0080) PROCLAMATION - CHILD ABUSE AWARENESS AND PREVENTION MONTH**

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Motion was made by Commissioner Leake, seconded by Commissioner Cooksey and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to adopt a Proclamation designating April, 2012 as "Child Abuse Awareness and Prevention Month."

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

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

**(12-0144) BUDGET AMENDMENT--SHERIFF'S OFFICE CIVIL FEES  
(REVENUE/EXPENSE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to recognize, receive and appropriate \$260,000 in increased civil fee revenue for the Sheriff's Office to hire four Deputy Sheriff staff (with equipment) and two Administrative Assistant II staff for two months in FY12 as provided for by N.C.G.S. 7A-311(a) (1) c.

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

**(12-0145) BUDGET AMENDMENT--SHERIFF'S OFFICE (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to:

1. Recognize and appropriate \$90,000 from Inmate Commissary for the Sheriff's Special Revenue Fund.
2. Recognize and appropriate \$50,000 from Vocational Facility Telephone Revenue for Sheriff's Special Revenue Fund.

*Note: All funds collected through inmate commissary operations to be used for inmate education, library and self-sufficiency programs as well as supplies and equipment to support programs. All funds received from 16.8 percent of commissions from the inmate telephone system to be used for inmate vocational education programs.*

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

**(12-0164) GRANT APPLICATION--THE U.S. DEPARTMENT OF JUSTICE,  
OFFICE ON VIOLENCE AGAINST WOMEN (OVW) SAFE HAVENS**

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to approve the submission of an application for a \$400,000 three-year grant from the United States Department of Justice (OVW) to provide supervised visitation and safe exchange of children; and if awarded, recognize, receive and appropriate such funds for the grant period.

*Note: This item was one of several pulled by Commissioner Leake to be voted upon separately at the March 20 meeting, but was inadvertently skipped. The question was raised concerning whether it had been voted on and the response was that it was felt it had been, but upon follow-*

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*up it was discovered that it had not been voted upon. Since Board members did not express opposition to this matter on March 20 and assumed it had been approved, staff moved forward with submitting the application to meet the submission deadline of March 26. Submittal of grant applications, prior and subject to subsequent Board approval, do occur occasionally due to timing of the grant deadline and the Board meetings. The grant funding will be used to provide supervised visitation and safe exchange of children in situations involving domestic violence, sexual assault, dating violence, child abuse or stalking. Batterers often use visitation and exchange of children as an opportunity to inflict emotional, physical, and/or psychological abuse on victims and their children. The Mecklenburg Domestic Violence Fatality and Review Team recently recommended that resources be sought for supervised visitation and exchange. The deadline for submitting the grant application was March 26, 2012.*

**(12-0179) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY12 FUNDING**

Motion was made by Commissioner Leake, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, to recognize, receive and appropriate Community Development Block Grant (CDBG) funds of \$433,163 until expiration of the grant period for use in promoting development within low-income areas.

**COUNTY COMMISSIONER REPORTS AND REQUESTS – NONE**

**ADJOURNMENT**

Motion was made by Commissioner Cooksey, seconded by Commissioner Bentley and unanimously carried with Commissioners Bentley, Clarke, Cogdell, Cooksey, Dunlap, Leake and Pendergraph voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:01 p.m.

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Janice S. Paige, Clerk

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Harold Cogdell, Jr., Chairman