January 4, 2017

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 Wednesday, January 4, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3713 to be removed from Consent and voted upon separately.

CLOSED SESSION

17-3720 CONSULT WITH ATTORNEY
17-3739 BUSINESS LOCATION AND EXPANSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purposes: Consult with Attorney and Business Location and Expansion.

The Board went into Closed Session at 5:15 p.m. and came back into Open Session at 6:27 p.m. Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

STAFF BRIEFINGS - RESCHEDULED

17-3735 MEETING PROTOCOL
January 4, 2017

Note: The Board addressed Closed Session matters prior to Staff Briefings and because of limited time upon coming out of Closed Session, it was the consensus of the Board to reschedule the Staff Briefings matter to the next Regular meeting, January 18, 2017.

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

- FORMAL SESSION -

Chair Scarborough called this portion of the meeting to order and gave the invocation which was followed by the Pledge of Allegiance, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

17-3732 ORDER OF THE HORNET INDUCTION: FELICIA MCADOO (COMMISSIONER LEAKE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough, voting yes, to induct Felicia McAdoo into the Mecklenburg County Order of the Hornet.

Note: The Order of the Hornet was established in 1972. It is bestowed by the Board of County Commissioners on persons who have displayed valor or high order of service uniquely and specifically to the citizens of Mecklenburg County. This is the highest honor bestowed by the Board. The Order of the Hornet was founded in the spirit of the early Mecklenburg patriots who signed the Mecklenburg Declaration of Independence on May 20, 1775, and proclaimed the County's freedom from Britain more than a year before the U.S. Declaration of Independence was signed. Those early patriots valiantly fought for their independence during the Revolution and gave Lord Cornwallis such difficulties during his occupation of Charlotte that he termed the town a “hornet’s nest” of rebellion. Because Felicia McAdoo reflects the honor, strength, and fierce American patriotism that so stung Lord Cornwallis, she was recommended for membership in the Order of the Hornet. Felicia McAdoo is a former Chief Deputy Sheriff of Mecklenburg County with thirty years of service in the Mecklenburg County Sheriff’s Office. She retired on November 30, 2016 and was the agency’s highest ranking officer. She began her career with the Sheriff’s Office in 1986 as a security officer and progressed through every level of supervision, i.e., Sergeant, Lieutenant, Captain, Major, Detention Commander and finally Chief Deputy in 2008. She is a graduate of the Administrative Officer’s Management Program at North Carolina State University and has a degree in Human Services from Wingate University. She is a member of the American Correctional Association, National Sheriff’s Association, North Carolina Sheriff’s Association, and North Carolina Jail Administrators Association. She has served as a mentor for Mecklenburg County’s Leadership Education and Development program and the National Association of Black Public Administrators. She chaired the Sheriff’s Employee of the Month Committee and is a Police Activities League board member and a member of the Charlotte-Mecklenburg Opportunity Task Force. Former Chief McAdoo was named the 2012 Employee of the Year for Mecklenburg County. In the same year, she received the Distinguished Service Award from the NAACP. In 2015 she was recognized and awarded as “A Phenomenal Woman” by the For Sister’s Only Organization and V101.9 FM. She is a native of Charlotte. She and her husband Julius are the proud parents of three children.

Sheriff Irwin Carmichael congratulated former Chief McAdoo.

Commissioners expressed thanks to former Chief McAdoo for her service to the community.

Former Chief McAdoo thanked the Board for bestowing this honor upon her.
PUBLIC APPEARANCE

17-3718    PUBLIC APPEARANCE

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

APPOINTMENTS

17-3731    APPOINTMENTS

HUMAN RESOURCES ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Human Resources Advisory Committee:

Theodore Edwards  None
Carole Isom-Barnes  Commissioners Clarke, Dunlap, Fuller, James, Puckett, and Scarborough
Jacqueline Moss  Commissioners Cotham and Ridenhour

Chair Scarborough announced the appointment of Carole Isom-Barnes to the Human Resources Advisory Committee to fill an unexpired term expiring June 30, 2017.

Note: Commissioner Leake did not vote.

Note: She replaces Catherine Keown who resigned.

PUBLIC HEARINGS

17-3726   CONSTRUCTION BID WITHDRAWAL REQUEST

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing to receive comments on Eagle Wood’s request to withdraw its bid on the Mecklenburg County West Branch Rocky River Greenway.

Note: The withdrawal of bids is covered by GS 143-129.1. The statute allows a bid to be withdrawn without the bidder forfeiting the bidder’s bid bond if the low bidder can present credible evidence that a substantial error exists in the bid and that it was clerical in nature as opposed to a judgment error. Eagle Woods’ request states that the clerical error occurred by inadvertently not filling in a unit price line item or leaving the line item blank. The omission resulted in Eagle Wood’s bid being more than $152,000 dollars less than its stated total cost amount or extension. The omission resulted in a substantially lower cost than the actual cost that Eagle Wood needed to perform the work. Eagle Wood’s original bid proposal form credibly demonstrates the omission of the unit priced line item.

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing on Eagle Wood’s request to withdraw its bid and adopt a resolution approving Eagle Wood’s request to withdraw its bid on the Mecklenburg County West Branch Rocky River Greenway.
MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING EAGLE WOOD, INC.
REQUEST TO WITHDRAW BID
ON MECKLENBURG COUNTY BUNDLED PARK PROJECTS

WHEREAS, Mecklenburg County's Asset and Facility Management requested bids for the Mecklenburg County W. Branch Rocky River Greenway; and

WHEREAS, on December 16, 2016 morning, Eagle Wood, Inc., submitted a unit priced bid proposal and all completed bonding and forms at the public bid opening; and

WHEREAS, Wirth and Associates, Inc., after reviewing all bid proposal forms and the unit price extensions of all bids, determined that Eagle Wood, Inc. omitted a single line item cost; and

WHEREAS, per the language stated in the bid specifications, in case of error in the listed extension on a bid proposal form, the unit price shall govern rather than the extension, also known as total cost; and

WHEREAS, Eagle Wood, Inc.'s corrected extension resulted in the lowest total cost, $1,732,591.50, a discrepancy which was more than $152,000 dollars less than Eagle Wood, Inc.'s original total cost amount; and

WHEREAS, on December 16, 2016 afternoon, Wirth and Associates, Inc. informed Eagle Wood, Inc. of its line item omission and the corrected total cost per the language stated in the bid specifications; and

WHEREAS, as allowed by G.S. 143-129.1, within 72 hours after the opening of the bid, Eagle Wood, Inc. presented Mecklenburg County with a written request to withdraw its bid due to a clerical error by inadvertently omitting a unit cost line item on the bid proposal form that constituted a substantial error; and

WHEREAS, employees of Mecklenburg County's Asset and Facility Management have reviewed the original work papers, and have determined that such documents constitute credible evidence that the mistake was clerical in nature as opposed to a judgment error, and was actually due to an unintentional omission made directly in the compilation of the bid proposal form original work papers, which unintentional omission can be clearly shown by objective evidence drawn from inspection of the bid proposal form and the original work papers, and that the Eagle Wood, Inc. bid was submitted in good faith; and

WHEREAS, as required by G.S. 143-129.1, the Mecklenburg County Board of Commissioners held a hearing on January 4, 2017 on the request by Eagle Wood, Inc. that it be allowed to withdraw its bid for Mecklenburg County W. Branch Rocky River Greenway; and

WHEREAS, after considering information presented by employees of Mecklenburg County Asset and Facility Management, and such additional information as has been presented during the hearing held on January 4, 2017, the Mecklenburg County Board of Commissioners has determined that Eagle Wood, Inc. has fulfilled the requirements stated in G.S. 143-129.1 for withdrawal of a bid; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners has determined and does hereby hold that Eagle Wood, Inc. has presented credible evidence that meets the requirements stated in G.S. 143-129.1 for withdrawal of a bid in that its corrected extension bid price was based upon a mistake which was clerical in nature as opposed to a judgment error, was actually due to an unintentional omission made directly in the compilation of the bid proposal form and original work papers, which substantial omission can be clearly shown by objective evidence drawn by inspection of the bid proposal form and original work papers, which mistake constitutes a substantial error, and that the bid was submitted in good faith; and be it further

RESOLVED that Eagle Wood, Inc. is allowed to withdraw its bid without forfeiture of its bid security; and be it further

RESOLVED that the Clerk to the Board shall provide to Eagle Wood, Inc. within five (5) days of the date of this hearing, a copy of this Resolution, which Resolution shall constitute a written ruling allowing the request to withdraw a bid.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #113.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT - NONE
January 4, 2017

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS – NONE

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

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-3722 2017 BOARD COMMITTEES (CHAIR SCARBOROUGH)

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to re-affirm the following Board committees for calendar year 2017:

1) Economic Development Committee
2) Health and Human Services Committee
3) Intergovernmental Relations Committee
4) Performance Review Committee
5) Audit Review Committee

Secondly, to affirm the Boards Ad Hoc Advisory Boards Comprehensive Review Committee to be chaired by Commissioner Dunlap.

Note: The Board’s Policy and Standard Operating Procedures for Board Committees states at its first regular meeting in January each year, the Board will establish, re-affirm or dissolve standing committees as determined by a majority vote of the Board. It was recommended that the Board re-affirm the above listed committees. The policy also states the Board Chairman will appoint members and the chairs of the standing committees for one-year terms, or until the Board re-affirms or dissolves the standing committee.

A list of the committee memberships is on file with the Clerk to the Board.

17-3734 AUDIT REVIEW COMMITTEE APPOINTMENTS

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint to the Audit Review Committee for two-year terms expiring December 31, 2018, Commissioners Bill James (Committee Chair), Pat Cotham, George Dunlap, and Matthew Ridenhour and staff ex-officio representatives, County Manager Dena R. Diorio and Assistant County Manager Mark Foster.

Note: The resolution that established the Audit Review Committee states the Committee will comprise five voting members and two nonvoting ex-officio members appointed by the Board of County Commissioners according to its appointment process. The five voting members will comprise of four members of the Board of County Commissioners, two from each political party, and one outside person who has experience in accounting and/or auditing and who is appointed through the advisory board appointment process. Ideally, members on the Committee should possess some understanding of governmental financial reporting and auditing. The County Manager and a staff member designated by the County Manager will serve as the two
nonvoting ex-officio members. The current outside appointee is Alexander Vuchnich, appointed by the Board on April 7, 2015. His term expires December 31, 2018.

CONSENT ITEMS

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

17-3714 BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of $315,000 from Arterra- Birkdale, LLC and Lexon Insurance Company as part of a default of bond obligation related to Birkdale Grove Subdivision in the Town of Huntersville to FY17 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until project is completed.

Note: A letter was sent to both Arterra-Birkdale, LLC and Lexon Insurance Company on March 18, 2014 declaring that they were in default of their bond obligations by not constructing improvements for Birkdale Grove Subdivision per the approved plans and the Town of Huntersville Subdivision Ordinance. The defaulted bond funds ($315,000) were received by the County on December 7, 2016. Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans and the Town of Huntersville Subdivision Ordinance. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

17-3716 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $8,758 for Asset and Facility Management, $349 for Sheriff's Office and $16,996 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Broad action provides authority to use the funds for replacement of these items.

17-3719 MINUTES

Approve Minutes of Regular meeting held December 20, 2016.

17-3729 CONSTRUCTION CONTRACT – WEST BRANCH ROCKY RIVER GREENWAY

Award a construction contract to J.D. Goodrum Company, Inc. in the amount of $1,732,777 for construction needs for the West Branch Rocky River Greenway to include the construction of approximately 1.5 miles of new paved trail, asphalt repair and overlay, one pedestrian bridge, and other various site improvements.

17-3730 CONSTRUCTION CONTRACT – 3RD STREET LINEAR PARK

Award a construction contract to Balfour Beatty Construction in the amount of $1,698,787 for the construction of the 3rd Street Linear Park located at 303 S. Church Street.
January 4, 2017

17-3751  BOCC 2017 ANNUAL MEETING SCHEDULE AMENDMENT

Amend the Board’s 2017 Meeting Schedule to change the first day of the Board’s annual retreat from January 25, 2017 to January 26, 2017.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-3713  JUSTICE FOR FAMILIES 2017 GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to:

1) Approve submission of renewal grant application for up to $550,000 over three years to the U.S. Department of Justice Office on Violence Against Women to enhance operations of the Supervised Visitation Safe Exchange Center and provision of civil legal assistance for victims of domestic violence;

2) Recognize, receive and appropriate funds for the amount awarded for the duration of the grant period; and

3) If awarded, authorize one grant-funded position in the Community Support Services Department - Prevention, Intervention and Services Division: 1 Senior Social Worker (annual market rate is $54,664).

Note: The Supervised Visitation and Safe Exchange Center, opened in November 2014, provides a secure environment for exchange or supervised visits between children and their parents when there has been domestic violence in the home. The Center, which was created via a partnership between Mecklenburg County, the 26th Judicial District, and Safe Alliance, increases safety for adult and child victims of domestic violence while decreasing opportunities for further abuse before, during and after services. If this grant is funded, a court liaison position will be created that increases the immediacy of court referrals for visitation. In addition, the grant will fund civil legal assistance in custody cases for the non-offending parent.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner James carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:45 p.m.

______________________________  ____________________________
Janice S. Paige, Clerk                     Ella B. Scarborough, Chair
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 Wednesday, January 18, 2017.

ATTENDANCE

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

Absent:
None

- INFORMAL SESSION -

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3741 & 17-3743 to be removed from Consent and voted upon separately.

CLOSED SESSION

17-3749 CONSULT WITH ATTORNEY
17-3752 BUSINESS LOCATION AND EXPANSION

Prior to going into Closed Session, County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:07 p.m. and came back into Open Session at 6:19 p.m.

Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order and gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-3747  PUBLIC APPEARANCE

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

Richard Shaw spoke in opposition to current plans for a proposed neighborhood park, “Linda Lake Park.” He shared the results of a survey he conducted.

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

Mable Hemphill addressed an upcoming United State of Women’s Summit to be held at Pleasant Hill Presbyterian Church in March, a specific date was not given. Ms. Hemphill said this was a collaborative effort between the faith and business communities and others, aimed at educating and helping women to get out of poverty. She asked Commissioners to contact her if they had topic suggestions that they thought would be good to cover during the summit.

A copy of a handout from Ms. Hemphill is on file with the Clerk to the Board.

Lloyd Scher, a former County Commissioner and current Alcoholic Beverage Control (ABC) Board member, addressed and gave the Board a copy of the Civil Unrest Procedures recently approved by the ABC Board. He said this was done in response to the rioting that occurred in the community last September. The procedures address the closing and/or reduction in hours of operation of ABC Stores during times of civil unrest in the community.

A copy of the Civil Unrest Procedures is on file with the Clerk to the Board.

APPOINTMENTS

17-3750  NOMINATIONS/APPOINTMENTS

CHARLOTTE WATER ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Dorian Carter to the Charlotte Water Advisory Committee as a real estate developer representative for a three-year term expiring June 30, 2020.

Note: He replaces James Merrifield.

FIRE COMMISSION
Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Christopher Hardin and Daniel Ranson to the Fire Commission for three-year terms expiring January 30, 2020.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Bobby Reynolds to the Fire Commission, who has served two conservative terms, but willing to continue to serve since there were no applicants on file, for a three-year term expiring January 30, 2020.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-3711 HOUSING FIRST CHARLOTTE-MECKLENBURG UPDATE

The Board received a report from Housing First Charlotte-Mecklenburg on progress in housing chronically homeless persons in the community. The report was presented by Stacy Lowry, Mecklenburg County Director of Community Support Services, Michael Smith, President & CEO Charlotte Center City Partners, Liz Clasen Kelly, Executive Director of the Men’s Shelter of Charlotte, and Dale Mullennix, Executive Director of the Urban Ministry Center.

Note: Housing First Charlotte-Mecklenburg is a partnership of public and private organizations, including Mecklenburg County government that is mobilizing the community to place chronically homeless men and women in permanent housing. Its goal is to end chronic homelessness in the community by December 2017. Although chronically homeless persons are estimated to comprise only 10 percent of the homeless population, their need for and use of supportive services is high, due to their having a disability. Since 2010, it is estimated that the number of homeless persons in the community has decreased 43 percent, due to concerted efforts of the partners and strategic allocation of resources.

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

Comments

Commissioner Puckett thanked the presenters for their work. He asked about the $26,000 delta in medical cost and where that cost went once the individual was housed. Mr. Mullennix said a lot of chronic homeless people go to the emergency room for minor things that someone who’s not homeless would probably have something at home to address the problem. He said once housed they could get the appropriate healthcare they needed rather than going to the emergency room.

Commissioner Puckett asked about the Welcome Home kits and whether items could be donated for that purpose. He suggested if the items for the home didn’t have to be new, that they consider partnering with realtors because often persons selling their home leave items behind. Ms. Kelly said persons receive a full kit and that donations should be made to Crisis Assistance Ministry, which was where individuals were referred to obtain their kit.

Commissioner Ridenhour thanked the presenters for their work. He asked about an individual’s daily routine once they’re housed and whether those that were physically and mentally able to
work, received any type of job and/or life skills training. This was addressed by Mr. Mullennix and Ms. Kelly.

Commissioner Ridenhour asked about gardening opportunities, perhaps at Moore Place. Mr. Mullennix said Moore’s Place had always had a garden, which was very therapeutic for residents. He said it was recently removed because of renovations but would be placed back. He said there’s also one at the Urban Ministry Center.

Commissioner Fuller thanked the presenters for their work. He asked about obstacles that prevented the original goal of ending chronic homelessness by the end of 2016 from being met. He asked what was the current number of chronically homeless. Ms. Kelly addressed the question. It was noted that 454 had been housed with around 330 remaining. Further, that although the goal was not completed, they were halfway there. Thus, progress was being made.

Commissioner Fuller spoke highly of Moore Place and noted that more Moore Places were needed. He said more commitment was needed from a community perspective to address the issue of homelessness.

Commissioner Leake thanked the presenters for their work. She requested information on the number of persons that had come to Mecklenburg County to receive the services provided to the homeless.

Commissioner Leake asked which university was being referred to in the presentation. The response was the University of N.C. at Charlotte. She asked if Johnson C. Smith University was ever used or reached out to. The response was yes. It was noted that Johnson C. Smith University was actively involved with UNC-Charlotte’s Urban Institute for Social Capital, which played a role in this effort as well.

Commissioner Leake asked going forward that Johnson C. Smith University be lifted up as well, because the perception was that only UNC-Charlotte was involved.

Commissioner Leake asked was there any type of avenue to provide low income housing. She said there were many in the community that could not afford to pay $400-$500.00 a month for rent. She said a response could be provided at a later date.

Commissioner Leake addressed the need to teach individuals how to value and maintain property.

Commissioner Leake noted work done by the Salvation Army and questioned why they were not present, which was addressed.

Commissioner Leake requested a list of all agencies that address the needs of the homeless in Charlotte/Mecklenburg County.

Commissioner Dunlap thanked the presenters for their work. He said although the original goal was not met, the results still exceeded his expectations. He noted also that the homeless population was very fluid.

Commissioner Puckett suggested thought be given to how could other counties within the region be engaged to assist in addressing this issue, so that Mecklenburg County wouldn’t be viewed as the only county where assistance was provided.

Commissioner Cotham thanked the presenters for their work. She commented on the importance of continued collaboration amongst all those providing services to the homeless.
Commissioner Cotham suggested when homeless persons were interviewed that they be asked about any nearby relatives that would receive them and if so, perhaps bus tickets could be provided to them to go there.

*Commissioner Dunlap left the meeting and was absent for the remainder of the meeting.*

Chair Scarborough thanked the presenters for their work. She encouraged all businesses in the community to become a part of this effort.

This concluded the presentation and the discussion. The above was not inclusive of every comment but was a summary.

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS**

**17-3740 DEPARTMENT MANAGEMENT MONTHLY REPORTS**

The Board received monthly department management reports for January, 2017.

*Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.*

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

**STAFF REPORTS & REQUESTS - NONE**

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

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**17-3760 CHARLOTTE AREA FUND, INC. COMMUNITY SERVICES BLOCK GRANT APPLICATION**

Karen Brackett Browning, Charlotte Area Fund (CAF) Executive Director addressed the CAF 2017 -18 Community Services Block Grant Application. She was joined by CAF Board Chairman Reginald Johnson.

*Note: The Charlotte Area Fund (CAF) is a private, non-profit corporation and the designated community action agency serving Mecklenburg County. The agency has been providing services to the economic disadvantaged since 1963 through a variety of programs promoting self-improvement and self-sufficiency. CAF is governed by an 18-member Board of Directors representing public officials, the private sector and low-income citizens of the community. Current services funded by the Community Services Block Grant includes employment counseling, vocational skills training, computer training, GED preparation/basic skills upgrade, job development and placement, income management/budget counseling, nutrition assistance, and limited crisis intervention. CAF receives grant funding from a combination of Federal and State resources for agency activities. Each year, CAF provides the County an opportunity to comment on its proposed work program for the coming year, prior to submission of its grant application. The Board's representatives on the CAF are Commissioners Leake and Clarke, both of whom have selected citizens to serve on their behalf, which is permissible under the CAF By-laws. Abbie Butler and Reginald Godette are the Board's representatives.*

Comments
Commissioner Leake expressed thanks to the CAF for their continued good work.

Commissioner Cotham expressed thanks to the CAF and for the thoroughness of the information they provided.

Commissioner Fuller expressed thanks to the CAF for their continued good work and the thoroughness of the information they provided. He addressed and spoke favorably of the Self Sufficiency Project. He said the work of the CAF was vital to the community.

Chair Scarborough expressed appreciation to the CAF.

Ms. Browning thanked the Board for its continued support.

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge the receipt of Charlotte Area Fund, Inc.’s 2017-18 Community Services Block Grant Application.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

17-3725 FLEET AUCTION REVENUE

Recognize vehicle auction revenue of $288,865.52 and appropriate $282,165.52 to Fleet Reserve Fund and $6,700 to the Department of Social Services transportation unit of the General Fund.

17-3733 CONSTRUCTION CONTRACT – THOMAS M. WINGET PARK

Award a construction contract to Sossaman Construction Co., Inc. in the amount of $1,547,000 for the construction of Thomas M. Winget Park located at 12025 Winget Road.

17-3738 AD VALOREM TAX ADVERTISEMENT

Order the advertisement of delinquent 2016 real estate and personal property taxes.

17-3742 MCALPINE CREEK GREENWAY IMPROVEMENTS

Authorize the County Manager to execute the McAlpine Creek Greenway Reimbursement Agreement and reimburse the City of Charlotte $26,600 for construction completed by the City’s contractor for McAlpine Creek Greenway.

17-3744 MYERS PARK TRINITY LITTLE LEAGUE LEASE EXTENSION

Adopt a resolution of intent to approve a 20 year extension to the lease agreement with the Myers Park Trinity Little League at various Park and Recreation athletic fields.

MECKLENBURG COUNTY
WHEREAS, Mecklenburg County is the owner of park property located at Randolph Road and several other County parks in Charlotte, North Carolina which are designated for public recreation and used by Myers Park Trinity Little League; and

WHEREAS, the Myers Park Trinity Little League has spent over $1,000,000 to improve various County park properties for youth baseball programs; and

WHEREAS, the Myers Park Trinity Little League has a 10-year lease for use of various parks through December 31, 2026; and

WHEREAS, the Myers Park Trinity Little League proposes to construct additional capital improvements on the Randolph Road fields with an estimated cost of $1,150,000 for a baseball stadium, press box, restrooms, concession building, dug outs, and batting cages in exchange for a 20-year extension to the existing agreement; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the Randolph Road Park property is a suitable location for the construction of the stadium and related capital improvements; and

WHEREAS, the Mecklenburg County Park and Recreation Department has determined that the proposed capital improvements to Randolph Road Park will improve the athletic facilities for the public; and

WHEREAS, the Myers Park Trinity Little League proposes also to provide routine athletic field maintenance and fund other capital improvements to the Randolph Road at no cost to Mecklenburg County for public use in accordance with the County’s policies and procedures; and

WHEREAS, pursuant to G.S. 160A-272 and G.S. 160A-279, the Board of Commissioners proposes to accept the offer from Myers Park Trinity Little League as presented to the Board and follow the statutory procedure to advertise for upset bids; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to approve a 20 year lease extension to the agreement with the Myers Park Trinity Little League and directs that the Clerk of the Board publish a notice of the Board’s intent to approve the 20 year term extension to the current agreement with the Myers Park Trinity Little League at the Board’s February 7, 2017 meeting as required by law.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #114.

17-3745 FUNDING FOR PARK IMPROVEMENTS AT PEARLE STREET PARK


MECKLENBURG COUNTY, NORTH CAROLINA
PEARLE STREET PARK - 2017 CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 18th DAY OF JANUARY, 2017.

Section I. That for the purpose of providing funds, together with any other available funds, for Pearle Street Park improvements made necessary due to adjacent development, including but not limited to new sidewalk, relocation of light fixtures and revision to a baseball field and related tasks and expenses, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor, $600,000 is hereby appropriated.

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

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds $600,000

Section III. That the Director of Finance is authorized from time to time to transfer as a loan from
the General Fund or Pay-As-You-Go Fund, 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.

*Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #115.*

17-3746  **TAX REFUNDS**

1) Approve refunds in the amount of $10,059.42 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

*Note: This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.*

2) Approve refunds in the amount of $14,890.71 and interest as statutorily required to be paid as requested by the County Assessor.

*Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $9.90.*

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

17-3748  **MINUTES**

Approve Minutes of Regular meeting held January 4, 2017.

17-3753  **GRANT APPLICATION – CONTINUATION OF GRANTS TO REPLACE AGING DIESEL ENGINES (GRADE)**

1) Approve submission of a grant application for up to $600,000 in Congestion Mitigation and Air Quality funds to continue the local Grants to Replace Aging Diesel Engines (GRADE) program.

2) Upon award of grant, recognize, receive and appropriate the grant funding; and

3) Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

17-3741  **BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1) Recognize, receive and appropriate a net decrease in revenue in the amount of $1,580,716.

*Note: During the fiscal year, Department of Social Services receives notification of modified funding from NC Department of Transportation and NC Department of Health and Human Services. The net decrease of federal and state allocations is $1,580,716. This decrease will not*
affect the services provided by Child Care Resources, Inc. (CCRI) for child care subsidy but corrects the overstated administration amount.

2) Recognize, receive and appropriate an increase in other revenue in the amount of $51,280.

Note: Carolinas Medical Center provides funding in order to house DSS eligibility positions in their facilities. To better serve the community, Carolinas Medical Center has agreed to provide additional funding to add Human Service Specialist I positions to two additional sites. The additional revenue will be used to increase the hours of two existing part time positions. In doing so, an increase in revenue is needed in the amount of $51,280. This increase in revenue has no impact on county funding.

3) Recognize, receive and appropriate an increase of state Adoption Promotion funding in the amount of $138,000.

Note: The North Carolina Division of Social Services has provided additional funding in the amount of $138,000 for the Adoption Promotion Fund to Mecklenburg County Youth and Family Services Division of the Department of Social Services. No local match is required as a condition for receipt of these funds. The purpose of the fund is to enhance and expand adoption service, to secure permanent homes for hard to place children, and to promote public/private partnerships. Allowable uses for the funds include Adoption Services, Adoption Recruitment, Adoption Assistance Case Management, Child-specific Recruitment, Assessment and Training of Adoptive Parents and Post Adoption Case Management. The funds cannot be used to supplement the salaries of current County employees.

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

17-3743 GRANT APPLICATION – WALKING WITH EASE PROGRAM GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a Walk With Ease grant application and recognize, receive and appropriate grant funds for the grant period (up to $7,000) if awarded from Osteoarthritis Action Alliance.

Note: Funds would be used to train Park & Recreation staff to implement Walk With Ease, a nationally recognized evidenced based health promotion program, at Recreation Centers and Charlotte Mecklenburg Housing Partnership seniors’ locations. In addition, grant funds would be utilized to purchase work books, pedometers and other incentives for each participant.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:05 p.m.
February 7, 2017

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, February 7, 2017.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, and Matthew Ridenhour
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: County Manager Dena R. Diorio

-INFORMAL SESSION-

Commissioner Dunlap was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3754, 17-3768, 17-3773, 17-3776, 17-3779, 17-3780, 17-3784, & 17-3788 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS

17-3770 MEETING PROTOCOL

The Board received a briefing from County Attorney Bethune on meeting protocol as it related to public speaking/engagement at meetings and handling disruptions.

A copy of a handout from County Attorney Bethune is one file with the Clerk to the Board.

CLOSED SESSION

17-3787 CONSULT WITH ATTORNEY

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Consult with Attorney.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:23 p.m.
Commissioner Dunlap was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

- FORMAL SESSION -

Chair Scarborough called this portion of the meeting to order which was followed by the Pledge of Allegiance to the Flag, invocation by Commissioner Clarke and then introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-3785 PUBLIC APPEARANCE

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

Marques Fitch with the American Heart Association and Rev. Jordan Boyd, Rockwell A.M.E. Zion Church and Thereasea Elder on behalf of Village HeartBeat, noted that February was Heart Awareness Month. They also addressed and asked for the Board’s continued support of Village HeartBeat. Village HeartBeat is a collaborative program organized to reduce risk-factors associated with cardiovascular disease through African American and Hispanic/Latino faith-based organizations in Charlotte. It is a Mecklenburg County Health Department initiative started by Cheryl Emanuel, a Health Manager at the Health Department.

Richard Shaw spoke in opposition to the planned Linda Lake neighborhood park and asked for a 90 day delay.

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

Deborah Stevenson commended the Sheriff’s Office for educating the public through its Citizens Academy. Ms. Stevenson said the program offers detailed information about laws and procedures relating to the Sheriff’s Office role in law enforcement, the jails and in the court system. Ms. Stevenson, a graduate of the program, recommended citizens, community & business leaders and candidates for office, take advantage of this learning opportunity.

Kenny Fillmore and Shawn Greeson signed up to speak but did not appear.

Donna Dunlap, CEO of Big Brothers Big Sisters of Greater Charlotte, addressed the “Year in Review” of Big Brothers Big Sisters of Greater Charlotte.

Commissioner Ridenhour asked if Mr. Shaw could be referred to staff, since he’d appeared on several occasions regarding Linda Lake park.

Commissioner Dunlap said he was present when the community voted overwhelmingly in support of the Linda Lake park. He said Park and Recreation was moving forward with what the community wanted.

APPOINTMENTS - NONE

PUBLIC HEARINGS – NONE
The Board received an update on the efforts that were being undertaken by the County to enhance Land Use & Environmental Services Agency (LUESA) - Code Enforcement’s customer service, permitting and inspection process.

LUESA Director Ebenezer Gujjarlapudi gave the update.

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

Comments

Commissioner Puckett asked about the additional positions, the funding of those positions, and the recruitment schedule for filling the positions, which was addressed.

Commissioner Clarke asked about the new model of delivery and whether a stress test of the model had occurred. He said it was probably only a matter of time before there was a significant amount of decline in commercial and residential construction activity. He questioned whether the new delivery model would work when that decline occurred. Director Gujjarlapudi responded and noted that staff, along with the Building Development Commission, would monitor the industry activity very closely.

Commissioner Leake asked about funding for positions, which was addressed. It was noted that code enforcement was completely funded via fees paid for permitting and inspections.

Commissioner Ridenhour asked about the veteran’s initiative. It was noted that the Board would receive an update on that initiative at the next Board meeting.

Commissioner Fuller asked about governance (city/county) as it related to the plan review side and the enforcement side, which was addressed.

Commissioner Cotham thanked Director Gujjarlapudi for the progress that had been made in this area.

Commissioner Cotham noted the following question received from a developer: Why had technology improvements taken so long, which was addressed.

Commissioner Cotham asked about city and county cooperation, per the Gartner Study, which was addressed.

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

Commissioner Cotham asked would any of the new inspectors go to the Fire Marshal’s office. Director Gujjarlapudi said no because these would be inspectors for code enforcement. He said a review of the Fire Marshal’s office was being done to access their needs.
Chair Scarborough asked about landlords that don’t maintain their properties. Director Gujjarlapudi said that was a function of the City of Charlotte within their Neighborhood and Business Services division.

Note: All Commissioners expressed thanks to Director Gujjarlapudi and his staff.

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

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

CONSENT ITEMS

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

17-3763 APPOINTMENT OF REVIEW OFFICERS

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 Jack Fulghum and Stuart C. Harborne as Review Officers and to delete David Snider.

AMENDMENT TO 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

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled “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”; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Jack Fulghum is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name.

2. Stuart C. Harborne is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name.


Resolution recorded in full in Minute/Ordinance Book 47-A, Document # 116.

17-3765 MINT HILL VOLUNTEER DEPARTMENT EXPANSION & RENOVATION

Adopt a resolution submitted by the Mint Hill Volunteer Fire Department approving the incurrence by the Mint Hill Volunteer Fire Department of up to $1,000,000 indebtedness from BB&T for renovations to the Fairview Road fire station.
February 7, 2017

Note: The Mint Hill Volunteer Fire Department asked that the Board of Commissioners consider taking this action so that their loan would qualify for a tax-exempt interest rate under the Internal Revenue Code. This action does not obligate the County in any way.

Resolution Approving the Financing by Mint Hill Volunteer Fire Department, Inc.
Of up to $1,000,000.00 for the Financing of Renovations to the Fairview Road Fire Station

WHEREAS:

Mint Hill Volunteer Fire Department, Inc. has determined to finance an amount of up to $1,000,000.00 for renovations to the Fairview Road fire station. The United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing. The Fire Department has held a public hearing on the financing after published notice, as required by the Code. The Fire Department has reported the proceedings of such hearing to this Board.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Mecklenburg County, North Carolina, as follows:

The County approves the Fire Department's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The Fire Department's conduct of the required public hearing is approved.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #117.

17-3769 CONSTRUCTION CONTRACT – JETTON PARK PAVILION RENOVATION

Award a construction contract to H.C. Rummage, Inc. in the amount of $878,230 for the Jetton Park Pavilion Renovation.

17-3771 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $8,172 for Asset and Facility Management, $395 for Sheriff's Office, $9,287 for Park and Recreation and $1,045 for Health Department.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-3772 CAPITAL RESERVE EXPENDITURE REQUESTS (PARK AND RECREATION)

1) Approve expenditures for equipment totaling $42,052 from the Park and Recreation Capital Reserve account for McDowell Nature Preserve.

2) Approve expenditures for equipment in the amount of $17,191 from the Park and Recreation Capital Reserve account for West Charlotte Recreation Center.

17-3775 CAPITAL RESERVE EXPENDITURE REQUESTS (PARK AND RECREATION)

Approve expenditure of $160,000 from Park and Recreation Capital Reserve accounts as follows:

1. Golf Course - $20,000 for preliminary investigation of underlying landfill at the Renaissance Golf Course.
2. Col. Francis Beatty Park - $80,000 for parking lot striping, adding curbs and concrete work, and updating park signage.

3. Dog Park Improvements - $30,000 for major repairs such as fencing and erosion/drainage at WR Davie and McAlpine Dog Parks.

4. Recreation Facilities - $30,000 to renovate one synthetic turf soccer field at Col. Francis Beatty Park.

17-3777 GRANT APPLICATION – NATIONAL RECREATION AND PARK ASSOCIATION
“MEET ME AT THE PARK” GRANT

Approve Park and Recreation to apply for a $20,000 "Meet Me at the Park" grant through the National Recreation and Park Association (NRPA), and if awarded, recognize and appropriate award amount.

Notes: The amount of the grant provided to the Grantee will be $20,000 for a physical park improvement project in underserved areas tied to one or more of the following focus areas:

1. Connecting youth to nature. Examples include providing environmental education or likeability programs, enhancing sustainable features at your park with the addition of educational signage or creating or improving access to nature through nature play areas, trails and greenspace.

2. Helping youth and families live healthier. Examples include planting a community garden for access to fruits and vegetables, implementing recreational programs to get people more active or providing access to walking trails.

3. Improving youth’s access to sports. Examples include utilizing vacant spaces for a sports field, improving a sports field or offering sports programming.

17-3778 BUDGET AMENDMENT – BARK IN THE PARK DONATION (PARK AND RECREATION)

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

17-3781 DECLINE RIGHT OF FIRST REFUSAL TO CHARLOTTE-MECKLENBURG SCHOOLS PROPERTY – STAFFORD DRIVE SITE

Decline the County's statutory right of first refusal on Tax Parcel #061-266-01 (+/- 38.56 acres) that is owned by the Charlotte-Mecklenburg Board of Education to permit a sale of the property to the City of Charlotte.

Note: The City proposes to purchase the property from Charlotte Mecklenburg Board of Education for a purchase price of $4,500,000. If purchased, the property would be used for future airport development. By state statute, the County must decline its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity.

17-3782 TAX REFUNDS
Approve refunds in the amount of $49,779.53 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $67.31.

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

17-3786 MINUTES

Approve Minutes of Regular meeting held January 18, 2017.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-3754 GRANT APPLICATION – NC CLEAN WATER MANAGEMENT TRUST FUND

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1) Authorize the County Manager to submit a stream restoration grant application to the North Carolina Clean Water Management Trust Fund (CWMTF) for the restoration of Long Creek from I-77 to Rumney Court up to an amount of $400,000.

2) Authorize the County Manager to negotiate and enter into a grant contract with CWMTF.

3) Upon receipt of grant, recognize, receive and appropriate up to $400,000 in funds from the CWMTF.

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

17-3768 GRANT APPLICATION – OVW GRANT TO ADDRESS CHILDREN AND YOUTH EXPOSED TO DOMESTIC VIOLENCE

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1) Approve submission of a continuation grant application to the Department of Justice Office on Violence Against Women in an amount up to $750,000 for prevention and intervention work with children and youth exposed to domestic violence.

2) If awarded, recognize, receive and appropriate the grant funds for the grant period; and

3) If awarded, maintain two positions in the Community Support Services Department’s Prevention and Intervention Services Division.

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

Commissioner Clarke returned to the dais.
February 7, 2017

17-3773 BUDGET AMENDMENT – HEALTH DEPARTMENT REVENUE INCREASE

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

1) Recognize, receive and appropriate an increase in revenue in the amount of $9,348 from Smart Start/Vanguard Grant.

Note: Smart Start of Mecklenburg was awarded a grant from the Vanguard Foundation to fund the expansion of the Healthy Families Mecklenburg program. The final awarded amount is $113,698 an adjustment of $9,348 in revenue.

2) Recognize, receive and appropriate a net increase in revenue in the amount of $74,119 (The net increase is to reflect actual state, federal, and other funding changes.)

Note: During the fiscal year, the Health Department receives notification of modified funding for programs within the department from NC Division of Public Health. The increase of state and federal allocations is $74,119.

3) Recognize, receive and appropriate an increase in revenue in the amount of $50,000 from State Allocations for local public health capacity building.

Note: The additional $50,000 state revenue will be used to enhance the Healthy Corner Store Initiative. This Initiative, based upon national best practice models, is to address food access in high priority areas. The additional funds will provide the stores in the public health priority areas with enhancements such as permanent signage and marketing to the surrounding neighbors.

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

Dr. Marcus Plescia Health Director addressed this item.

17-3776 APPROVE LEASE EXTENSION – MYERS PARK TRINITY LITTLE LEAGUE

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving a 20-year lease extension to the current Myers Park Trinity Little League lease for various Park and Recreation athletic fields.

Note: The Park and Recreation Department requested the approval of a twenty (20) year extension to the Myers Park Trinity Little League lease which expires on December 31, 2026.

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

County Attorney Bethune addressed this item with respect to Grier Heights Community.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION APPROVING A 20 YEAR LEASE EXTENSION WITH MYERS PARK TRINITY LITTLE LEAGUE, INC.

WHEREAS, Mecklenburg County is the owner of park property located at Randolph Road and several other County parks in Charlotte, North Carolina which is designated for public recreation and used by Myers Park Trinity Little League; and
WHEREAS, the Myers Park Trinity Little League has spent over $1,000,000 to improve various park properties for youth baseball programs; and

WHEREAS, the Myers Park Trinity Little League has a 10-year lease for various parks through December 31, 2026; and

WHEREAS, the Myers Park Trinity Little League proposes to construct capital improvements on the Randolph Road Park fields with an estimated cost of $1,150,000 for a baseball stadium, restrooms, concession building, dug outs, and batting cages in exchange for a 20-year extension to the existing contract; and

WHEREAS, the Mecklenburg County Park and Recreation Department determined that the park property is a suitable location for the construction of the stadium and capital improvements; and

WHEREAS, the Mecklenburg County Park and Recreation Department determined that the proposed capital improvements to Randolph Road Park will improve the athletic facilities for the public; and

WHEREAS, the Myers Park Trinity Little League proposes to provide routine athletic field maintenance and fund other capital improvements to the Randolph Road Park at no cost to Mecklenburg County for public use in accordance with the County’s policies and procedures; and

WHEREAS, pursuant to G.S. 160A-272 the Board of Commissioners has determined that it would be in the public interest for it to agree to the arrangement proposed by the Myers Park Trinity Little League; and

WHEREAS, on January 17 [18], 2017, Board of Commissioners adopted a resolution declaring its intent to approve a 20-year lease extension to the agreement with the Myers Park Trinity Little League and directed the Clerk to the Board to publish notice of its intent, which notice was published in The Charlotte Observer on January 20, 2017; and

WHEREAS, since no upset bid was presented to the County pursuant to G.S. 160A-272 and G.S. 160A-269, the Board of Commissioners proposes to accept the offer of Myers Park Trinity Little League, Inc. to construct capital improvements on the Randolph Road Park fields in exchange for a 20-year extension to the existing contract; now therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners approves the 20-year lease extension described above and authorizes the County Manager to negotiate and execute a 20-year lease extension to begin upon the expiration of the existing lease.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #118.

17-3779 PROPERTY CONVEYANCE TO THE CITY OF CHARLOTTE – PAL BUILDING

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to convey Tax Parcel 075-106-01 (+/- 0.27 acres), including all improvements located thereon, to the City of Charlotte.

Note: The City of Charlotte has requested that the County convey Tax Parcel 075-106-01 back to the City for use by the Charlotte-Mecklenburg Police Department (CMPD). Since the park consolidation, the property had not been used by the Park and Recreation Department and was used continuously by CMPD for its athletic program.

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

17-3780 DECLINE RIGHT OF FIRST REFUSAL TO CHARLOTTE-MECKLENBURG SCHOOLS PROPERTY – ADA JENKINS CENTER

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to decline the County's statutory right of first refusal on Tax Parcel
#003-233-25 (+/- 4.35 acres) that is owned by the Charlotte-Mecklenburg Board of Education to permit a sale of the property to Ada Jenkins Families and Careers Development Center, Inc.

Note: By state statute, the County must decline its right of first refusal to any properties the Board of Education intends to dispose of prior to it moving forward with conveyance to another entity.

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

17-3784 BUDGET AMENDMENT – DSS (REVENUE/EXPENSE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate $65,000 from Casey Family Programs for the grant period.

Note: This initiative is designed to prevent the need for and improve foster care by reducing the number of youth in foster care and to strengthen vulnerable families by promoting family preservation in communities of color, improving education, employment and mental health outcomes. The funds would be used to contract with a family partner agency to expand community support services and resources and provide follow-up home visits for welfare families. The grant period is January 1, 2017 through December 31, 2017.

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

17-3788 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate the grant award of $300,000 from Children and Family Futures for the grant period and authorize carry-forward of any remaining County match through the grant period.

Note: The Doris Duke Charitable Foundation and the Duke Endowment supports the Prevention and Family Recovery Grant Initiative, which seeks to advance the capacity of Family Drug Courts and their partner agencies to provide and sustain comprehensive family-centered care to children, parents, and families affected by substance use disorders and child abuse and neglect. The three-year grant will be complemented by a dedicated PFR Change Team to provide intensive technical assistance, training and coaching. The PFR National Advisory Council provides additional expert consultation to grantees on site-specific issues, as needed. The term of the grant is January 1, 2017 to December 31, 2019.

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

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:38 p.m.
February 21, 2017

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, February 21, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioners Dunlap, Fuller, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3757, 17-89, 17-3796, 17-3807, & 17-3818 to be removed from Consent and voted upon separately.

CLOSED SESSION

17-3798 PROPERTY ACQUISITION
17-3803 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced the following Property Acquisition matter to be discussed in Closed Session: Land Parcel 095-04-315.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 6-0 with Commissioners Clarke, Cotham, James, Leake, Puckett and Scarborough voting yes, to go into Closed Session for the following purposes: Property Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:13 p.m. and came back into Open Session at 5:42 p.m.

Commissioners Dunlap, Fuller, and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

Commissioner Leake asked about the status of the Excelsior Club located on Beatties Ford Road
February 21, 2017

and if anything could be done to preserve the property. Commissioner Leake said it was a historical site built in 1944.

Commissioner Leake said it was her understanding the property was going to be sold and that apartments would be built on the site.

**Dr. Dan Morrill**, Executive Director of the Historic Landmarks Commission noted the following:

- The property is a designated historic landmark.
- If someone wanted to demolish the property, they must apply to the Historic Landmarks Commission for a Certificate of Appropriateness for Demolition.
- A Certificate of Appropriateness for Demolition could not be denied.
- Demolition could, however, be delayed for up to 365 days.
- The reason for the delay would be to seek a preservation solution.
- If the owner, however, was committed to selling the property and seeing it demolished, there was nothing the Historic Landmarks Commission could do to stop it.
- If the owner was willing to sell the property, and if the Historic Landmarks Commission, through its due diligence process, determined that it met the criteria for acquisition by the Historic Landmarks Commission; and if the Board of County Commissioners provided the money, the Historic Landmarks Commission could buy the property.
- The Historic Landmarks Commission would purchase the property and then sell it with a protective covenant on the deed to assure that it would not be demolished.
- Since the City of Charlotte designated the building a historic landmark and because of zoning, it’s possible that the City of Charlotte could obtain the property through eminent domain.
- If obtained through eminent domain, the City of Charlotte could sell the property or turn it over to the Historic Landmarks Commission.
- There were an array of tools available to the Board.
- The Historic Landmarks Commission’s desire would be to work with the owner, provide them advice and to make them aware of various programs to see if there was a way the owner could either decide to preserve the building or they could find a buyer who was willing to preserve it.

**Commissioner Dunlap** said he was told there’s a basement in the building and that there was a concern that there’s water in the basement.

Commissioner Dunlap said another concern was whether the building could be restored in light of the zoning requirements in place that would require the property be brought up to code.

**Commissioner James** asked who the mortgage was with. *No one knew.*

Commissioner James said he read in the newspaper that the property was being foreclosed on.

Commissioner James asked about the Certificate of Appropriateness for Demolition, which was addressed by Dr. Morrill.

**Commissioner Fuller** asked for clarity around what would happen if the foreclosure took place, which was addressed by Dr. Morrill.

**Commissioner Leake** said she hoped there was some way the Board could assist in this property remaining as a historic site. She addressed the significance of the property to the African American community and to the area where it’s located.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
February 21, 2017

Puckett, Ridenhour, and Scarborough voting yes, to add an item to the agenda to consider directing the Historic Landmarks Commission to do its due diligence with respect to the Excelsior property.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to direct the Historic Landmarks Commission to do its due diligence on the Excelsior property for possible purchase by the Historic Landmarks Commission and report back to the Board.

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

-FORMAL SESSION-

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

Note: The Board was lead in the Pledge of Allegiance by Boy Scout Troop 25 from Saint Paul Baptist Church. Troop 25 is the oldest African American Boy Scout Troop in Charlotte.

AWARDS/RECOGNITION

17-3789 PROCLAMATION – FEBRUARY 2017 TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH

Motion was made by Commissioner Leake seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring February 2017 as Teen Dating Violence Prevention and Awareness Month.
The following person appeared to speak during the Public Appearance portion of the agenda:

Richard Shaw spoke in opposition to the planned Linda Lake neighborhood park.

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

Motion was made by Commissioner Dunlap seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Scott Shelton to the Building Development Commission to complete his unexpired term expiring July 30, 2019.
February 21, 2017

Note: Mr. Shelton fail to meet the attendance requirement for 2016 and was automatically removed, however, he requested reconsideration. He fail to meet the requirement because of illness and was only short 3 percentage points.

CITY OF CHARLOTTE ZONING BOARD OF ADJUSTMENT

Motion was made by Commissioner Dunlap seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Dr. Lissette Torres to the City of Charlotte Zoning Board of Adjustment for a three-year term expiring January 30, 2020.

DOMESTIC VIOLENCE ADVISORY BOARD

Motion was made by Commissioner Fuller seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Neil Bloomfield to complete his unexpired term expiring April 30, 2018.

Note: Mr. Bloomfield fail to meet the attendance requirement for 2016 and was automatically removed, however, he requested reconsideration. He fail to meet the requirement because of unforeseen work travel, which he does not expect to be the case in 2017.

The following persons were nominated for appointment consideration to the Domestic Violence Advisory Board:

Lashinna Burger
Ryan Lougheed
Tonya Marshall
Jasmine Williams

Note: Appointments will occur on March 7, 2017.

HOUSING ADVISORY BOARD

Motion was made by Commissioner Fuller seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Blake Bourne to the Housing Advisory Board to fill an unexpired term expiring June 30, 2017 as the Veteran representative.

Note: He replaces Kimberly Stephens.

HUMAN RESOURCES ADVISORY BOARD

Motion was made by Commissioner Puckett seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Jacqueline Moss to the Human Resources Advisory Board for a three-year term expiring June 30, 2020.

Note: She replaces Cynthia Ham.

PUBLIC HEARINGS – NONE
February 21, 2017

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio shared the following under her Manager’s Report:

UPDATE ON MECKLENBURG COUNTY HEALTH DEPARTMENT CERVICAL CANCER SCREENINGS

The following was noted:

- As reported to the Board in January, a problem was discovered with the Health Department’s process of notifying clients with abnormal Pap Smear test results.
- The triage nurse responsible for doing the notification did not do so.
- Since the Board’s last report, all of the tests in question have been reviewed.
- 185 abnormal tests did not have any follow-up.
- 110 of the 185 need a repeat test in one year and have been notified by mail. None were past due for their repeat test.
- 75 of the 185 need a colposcopy and attempts have been made to reach all of them.
- 55 of the 75 have been scheduled for a colposcopy.
- Colposcopies will be performed at the Health Department on Beatties Ford Road over the next two weeks.
- The Health Department was unsuccessful in contacting 20 of the 75 needing a colposcopy. Efforts to reach them by phone and by mail would continue.
- Actions were taken to strengthen policies and procedures at the clinics, including internal organizational changes.
- Staff would continue to keep the Board updated.

Comments

Commissioner Leake said this matter was about the health and well-being of citizens. She said this type of error on the part of the Health Department was “unacceptable.”

Commissioner Leake said more investigation was needed. She said the persons “at the top” should be held accountable.

County Manager Diorio thanked Commissioner Leake for her comments and agreed that persons needed to be held accountable, which would be her, as County Manager.

County Manager Diorio said as the leader of the organization, she took responsibility for this matter. She said staff had done a “tremendous” amount of research and due diligence regarding the process. She said staffing changes had occurred; and that the individuals that were a part of this process no longer worked for the County.

County Manager Diorio said all of the Health Department procedures had been reviewed and that procedures had been put in place to ensure there were checks and balances to avoid this type of incident from occurring again.

County Manager Diorio said staff took full responsibility for the errors that were made and was doing everything it could to make sure the individuals impacted were notified; and that they receive the appropriate care needed. She said no one had cervical cancer.
Commissioner Leake asked going forward, not just with this type of testing, but any type of testing performed at the Health Department, that clients receive some form of notification of their test results. The response was yes, notification would be provided.

Commissioner Puckett said he agreed with remarks made by Commissioner Leake. He commented on the importance of this issue and maintaining the public’s trust.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, to ask the appropriate state agency, perhaps the State Board of Health, to review and assess this matter and report back to the Board on what happened; and that the processes since put in place to prevent such a reoccurrence were appropriate and being followed.

County Manager Diorio said staff could certainly make the request to the State Board of Health, but that the County Internal Audit Department had gone in and performed a review of the policies and procedures.

Commissioner Puckett said that it was no disrespect to the County’s Internal Audit Department, but perhaps it was best to have someone outside of the County perform a review and confirm that what staff had done to prevent this problem from reoccurring was a good process.

Commissioner Dunlap acknowledged that this issue was a concern and that no one felt “good” about what had occurred.

Commissioner Dunlap said he was confident that everything County Manager Diorio said had been done to correct the problem, had indeed been done.

Commissioner Dunlap acknowledged that the Board had been informed of the problem and what the corrective actions were going to be and that staff would keep the Board updated.

Commissioner Clarke said he understood the reasoning behind the motion and the “potential” value of having a third party review. He said the Board, however, may be “rushing” things by immediately saying to have someone from the state come in and not really knowing who on the state level would be most appropriate.

Commissioner Clarke said more thought was needed on who would be an appropriate third party, which may or may not be the state.

Commissioner Clarke said he was “outraged and shocked” that this incident happened, but that he’d been on the County Commission long enough to realize that unfortunate things will happen from “time to time.” He said “no business or organization was perfect; that we strive to do our best.”

Commissioner Clarke said he was confident in the actions taken by County Manager Diorio. He said County Manager Diorio had done what he would have expected her to do in this type of situation.

Commissioner Clarke said County Manager Diorio should be given the opportunity to consider who would be an appropriate third party to review the matter.

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Leake, to direct the County Manager to report back to the Board with a recommendation(s) regarding an appropriate third party to review the procedures that have been put in place by the County Health Department, as it relates to client notification procedures of test results.
February 21, 2017

Commissioner Cotham said she was not happy about what had occurred and acknowledged that she knew staff wasn’t as well.

Commissioner Cotham noted that the Board served as the “Board of Health” in Mecklenburg County.

Commissioner Cotham said as chair of the Board’s Health and Human Services Committee, she had not received any updates, specifically, about this from staff, nor had the committee.

Commissioner Cotham said “these were vulnerable women” that put their trust in the Health Department.

Commissioner Cotham said the County needed to be transparent with the public and to all citizens that utilize County services.

Commissioner Cotham expressed her support of having a third party review.

Commissioner Cotham questioned whether the investigation found mistakes made by the involved employee in our areas of testing, such as STD’s. County Manager Diorio said if that had been the case, staff would have notified the Board.

Commissioner Leake said she seconded the substitute motion because she wanted the public to know that the Board was concerned about the well-being of citizens and the services provided by the County.

Commissioner Leake said she “value and trust” County Manager Diorio because she was committed to the well-being of the community, but that from her perspective, a “little more” needed to be done. Thus, she was supportive of bringing in a third party.

Commissioner Fuller acknowledged that the Board served as the “Board of Health” in Mecklenburg County. He said it was the Board’s responsibility to make sure citizens were “protected” from a public health perspective.

Commissioner Fuller said it was his understanding that there was a “breakdown.” He said testing was done, but there was insufficient follow-up to that testing. He said it was discovered and that the County Manager and the Health Director conducted an investigation into the matter; and involved staff members were held accountable. He said this was what was expected of staff to do.

Commissioner Fuller said “fortunately,” in this particular incident, to the County’s knowledge, no one was “in danger,” per their test results.

Commissioner Fuller said going forward, however, the County needed to be sure that there were systems in place that would prevent a reoccurrence of this nature. He said the Board, as well as, the public needed to be reassured of that.

Commissioner Fuller expressed support of the substitute motion.

Commissioner Ridenhour acknowledged that he was “floored” when informed of the incident.

He said there was a process in place, but unfortunately, someone did not do their job.

Commissioner Ridenhour said there was no “cover up” on the part of staff. He said County Manager Diorio was very “forthcoming” with the information.
Commissioner Ridenhour said he wasn’t sure what the Health Department’s corrective actions were, but was confident that measures had been put in place to avoid such a reoccurrence. He said he was comfortable with staff’s response to this issue.

Commissioner Ridenhour said he really didn’t think a third party review was necessary.

Commissioner Puckett addressed why he put forth his motion. He acknowledged that County Manager Diorio made the Board aware of the issue, but he expressed concern that it took eight months for the problem to be discovered.

Commissioner Fuller noted that the substitute motion would not prevent the state from being considered as an appropriate third party.

Commissioner Puckett asked had the state been informed of this issue.

Dr. Marcus Plescia, Health Director, apologized for what had occurred. He expressed thanks to County Manager Diorio for her leadership in getting this matter handled.

Dr. Plescia said staff had spoken with the state regarding what had occurred. He said staff could have the state to come in. He said the state comes in periodically to conduct audits of various Health Department programs. He said it was probably nearing the time for a state audit to occur in this area.

Dr. Plescia said staff felt, however, that a more comprehensive approach was needed. He said he and his leadership team had discussed the possibility of perhaps bringing in a consultant to take a look at a number of the Health Department’s processes, particularly the electronic health records.

Commissioner James asked for clarity with respect to the motion on the floor and the substitute motion, which was addressed.

Commissioner James said it was a “sad state of affairs” that the employee did not do their job, especially with in being in the area of public health.

Commissioner James acknowledged that County Manager Diorio and Dr. Plescia brought the matter to the Board’s attention, and that he felt it was being addressed.

Commissioner James said his concern at this point was for those 20 clients that had not been located to date.

Commissioner James said he was okay with either of the motions, but perhaps it should be the state to deal with this particular incident and a consultant to see where there may be other flaws in the system.

Commissioner James said he didn’t think the state would want to deal with process issues.

Chair Scarborough spoke in support of the substitute motion.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-3 with Commissioners Clarke, Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioners Cotham, Puckett and Ridenhour voting no, to call the question.

Commissioner Puckett took a point of personal privilege. He noted that his motion did not mean he was questioning the competency of County Manager Diorio or Dr. Plescia.
Commissioner Puckett said he liked Commissioner Clarke’s substitute motion because it asked that someone come in and evaluate. He said he suggested the state, because he thought that was the easiest and simplest way to get it done.

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

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

Substitute motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough, voting yes, to direct the County Manager to report back to the Board with a recommendation(s) regarding an appropriate third party to review the procedures that have been put in place by the County Health Department as it relates to client notification procedures of test results.

17-3820 MECKLENBURG COUNTY GOVERNMENT COMMUNICATION PLAN

The Board received a presentation from Director of Public Information Danny Diehl on Mecklenburg County’s Communication Plan.

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

Comments

Commissioner James suggested consideration be given to having County apps. He said this would allow citizens to find what they were looking for quicker and easier.

Commissioner Fuller suggested consideration be given to finding out a way to be more active in telling the County’s story.

Commissioner Dunlap asked if staff monitored the news outlets. The response was yes.

Director Diehl thanked the Board for its feedback.

17-3821 APPOINTMENT OF INTERIM FINANCE OFFICER

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution appointing Assistant County Manager Mark Foster as the Interim Finance Officer of Mecklenburg County as recommended by the County Manager.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS ACCEPTING THE RECOMMENDATION OF THE COUNTY MANAGER APPOINTING MARK FOSTER AS INTERIM FINANCE OFFICER OF MECKLENBURG COUNTY

WHEREAS, the current County finance officer has given notice of her retirement effective February 17, 2017; and

WHEREAS, the County Manager has begun the process of identifying a successor to the position of finance officer; and

WHEREAS, at the present time no successor to the position has been identified; and

WHEREAS, under G.S. 159-24, each county government shall appoint a finance officer who is legally responsible for establishing the accounting system, controlling expenditures, managing cash and other assets and preparing financial reports; and
WHEREAS, the County Manager has recommended that Assistant County Manager Mark Foster serve as Interim Finance Officer of Mecklenburg County until such time as the position can be permanently filled; and

WHEREAS, Mark Foster has the qualifications to serve as interim finance officer until such time as the position might be permanently filled; and

WHEREAS, pursuant to G.S. 159-24, the finance officer shall hold office at the pleasure of the appointing board or official, now therefore be it

RESOLVED that the Board of Commissioners of Mecklenburg County does hereby approve the County Manager’s appointment of Mark Foster as Interim Finance Officer of Mecklenburg County, whose oath of office shall be filed in the permanent records of the Clerk to the Board.

Resolution recorded in full Ordinance/Minute Book 47-A, Document #119.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-3792 FEATURE DEPARTMENT PRESENTATION: LAND USE AND ENVIRONMENTAL SERVICES AGENCY

The Board received a report from Mecklenburg County’s Land Use and Environmental Services Agency (LUESA) Director Ebenezer Gujjarlapudi highlighting key work occurring within its six divisions including statistics and data on such activities. The six divisions include Air Quality, Code Enforcement, Geospatial Information Services (GIS), Water and Land Resources, Solid Waste, and Support Services.

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

Members of the first class of individuals going through the County’s Veteran Apprenticeship program were recognized and presented their Certificate of Completion by County Manager Diorio.

Note: Jill Lutz from Central Piedmont Community College, a community partner in this effort, was present and addressed the Veteran Apprenticeship program. Toyana McKinney, a member of the first class of veterans to complete the Apprenticeship program expressed thanks to the County for its implementation of the program. Other members of the first class of veterans present were Stanley Hale, Dwayne Heyward, Jack Hill, and Richard Ballard. Each were now employed by the County in LUESA.

Commissioners expressed thanks to Director Gujjarlapudi and his staff for their work.

17-3822 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received the monthly departmental reports for February, 2017.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments, showing relevant performance indicators of departmental activity.

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

STAFF REPORTS & REQUESTS – NONE

Commissioner Puckett left the dais until noted in the minutes.
Commissioner James, chair of the Board’s Audit Review Committee, presented the Committee’s annual report.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to receive the annual report from the Audit Review Committee.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to approve a one year extension of the Audit contract with Cherry Bekaert LLC.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes, to adopt the revised Audit Review Committee Charter.

Charter recorded in full in Ordinance/Minute Book 47-A, Document #120.

Commissioner Puckett returned to the dais.

Motion was made by Commissioner James, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the revised State of Emergency Ordinance An Ordinance Authorizing the Declaration Of A State Of Emergency And The Imposition Of Prohibitions And Restrictions During A State Of Emergency within Mecklenburg County.

MECKLENBURG COUNTY
STATE OF EMERGENCY ORDINANCE
AN ORDINANCE AUTHORIZING
THE DECLARATION OF A STATE OF EMERGENCY
AND THE IMPOSITION OF PROHIBITIONS AND RESTRICTIONS
DURING A STATE OF EMERGENCY

WHEREAS, The North Carolina General Assembly has adopted Article 1A of Chapter 166A of the General Statutes, entitled “North Carolina Emergency Management Act”, which sets forth the authority and responsibility of the Governor, State agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies; and

WHEREAS, G.S. §166A-19.22, which is part of the North Carolina Emergency Management Act, authorizes counties to declare a state of emergency under conditions and following procedures contained in G.S. §166A-19.22; and

WHEREAS, G.S. §166A-19.31 authorizes counties to enact ordinances to deal with states of emergency; now, therefore be it

RESOLVED by the Board of Commissioners of Mecklenburg County, under the authority of the North Carolina Emergency Management Act, including, but not limited to G.S. §166A-19.22 and G.S. §166A-19.31, that the following Ordinance is hereby adopted.

STATE OF EMERGENCY ORDINANCE
AN ORDINANCE AUTHORIZING
THE DECLARATION OF A STATE OF EMERGENCY
AND THE IMPOSITION OF PROHIBITIONS AND RESTRICTIONS
DURING A STATE OF EMERGENCY

ARTICLE ONE: Declaration of State of Emergency; Restrictions Authorized

Section 1. Definitions. The definitions set forth in G.S. 166A-19.3, as they may be amended from time to time, are incorporated herein by reference, including, without limitation, the definition of “Emergency”, which at the time of adoption of this Ordinance, reads as follows:

Emergency – An occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, weather-related, or riot-related cause.

Section 2. Declaration of State of Emergency. A State of Emergency may be declared in accordance with G.S. §166A-19.22 in the event of an existing or threatened emergency within Mecklenburg County if the Board of Commissioners or the Chairman of the Board finds that an emergency exists. Such emergency declaration may also impose prohibitions and restrictions as authorized by this Ordinance and other statutory authority, and shall remain in effect until the Board of Commissioners or the Chairman determines that they are no longer necessary for the protection of the public.

ARTICLE TWO: Proclamation Imposing Prohibitions and Restrictions:

The Chairman of the Board of Commissioners of Mecklenburg County and the Board of Commissioners by proclamation may impose the prohibitions and restrictions specified in Sections 3 through 9 of this Ordinance in the manner described in those Sections. The proclamation may impose as many of those specified prohibitions and restrictions as necessary because of an emergency to maintain an acceptable level of public order and services, and to protect lives, safety, and property. The proclamation shall recite such findings as are necessary. The declaration of a state of emergency pursuant to this Ordinance shall enable and activate any and all applicable local plans, mutual assistance compacts, and agreements, and shall also authorize the furnishing of assistance thereunder.

The proclamation shall be in writing. The Chairman or Board of Commissioners shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it in the Mecklenburg County Courthouse. The Chairman shall send reports of the substance of the proclamation to the mass communications media which serves the affected area, and send copies to other members of the Board of Commissioners if the Chairman makes the proclamation. The Chairman shall retain a text of the proclamation and upon request shall furnish certified copies of it.

The declaration of emergency and the proclamation shall go into effect immediately upon its distribution to the mass communications media unless the declaration or proclamation sets a later time.

Section 3. Evacuation. The proclamation may direct and compel the evacuation of all or part of the population of the County of Mecklenburg; prescribe routes, modes of transportation, and destination in connection with evacuation; and control ingress and egress of a disaster area, the movement of persons within the area, and the occupancy of premises therein. Details of the evacuation may be set forth or amended in a subsequent proclamation which shall be well publicized.

Section 4. Curfew. The proclamation may impose a curfew – prohibiting in certain areas and during certain periods the appearance in public of anyone who is not a member of an exempted class. The proclamation shall specify the geographical area or areas and the period during each 24-hour day to which the curfew applies. The proclamation may exempt from some or all of the curfew restrictions classes of people whose exemption is necessary for the preservation of the public health, safety and welfare as more fully explained in Section 9. The proclamation shall state the exempted classes and the restrictions from which each is exempted.

Unless otherwise specified in the proclamation, the curfew shall apply during the specified period each day until a subsequent proclamation removes the curfew.

Section 5. Restrictions on Possession, Consumption, or Transfer of Alcoholic Beverages. The proclamation may prohibit the possession or consumption of any alcoholic beverage; including beer, wine, and spirituous liquor other than on one’s own premises, and may prohibit the transfer, transportation, sale or purchases of any alcoholic beverage within the area of the County described in the proclamation. The prohibition, if imposed, may apply to transfers of alcoholic beverages by employees of the Mecklenburg County Alcoholic Beverage Control stores as well as by anyone else within the geographical area described.

Section 6. Restriction on Possession, Transportation, and Transfer of Dangerous Weapons and Substances. The proclamation may prohibit or restrict the possession, transportation, sale, purchase, storage, and use of gasoline, and dangerous weapons and substances, except that the proclamation may not place prohibitions or restrictions on lawfully possessed firearms or ammunition. As used in this Section, the term “dangerous weapons and substances” has the same meaning as it does under G.S. 14-288.1. As used in this Section, the term “firearm” has the same meaning as it does under G.S. 14-409.39(2).
Section 7. Restrictions on Access to Areas.
   (a) The proclamation may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of any order, clearly posted notice, or barricade indicating that access is denied or restricted.
   (b) Areas to which access is denied or restricted shall be designated by the Sheriff and his subordinates or other law enforcement officer when directed in the proclamation to do so. When acting under this authority, the Sheriff and his subordinates and other law enforcement officers may restrict or deny access to any area, street, highway or location within the County if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.

Section 8. The Proclamation may prohibit or restrict:
   (a) Movement of people in public places;
   (b) The operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate; and
   (c) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency, within the area designated in the proclamation.

Section 9. Limitations on restrictions in proclamation. The proclamation may limit the application of all or any part of such restrictions to any area specifically designated or described within the County and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, law enforcement officers, firemen and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel, whether state or federal; on-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of people within the County.

Section 10. Excessive pricing prohibitions. As provided in G.S. §166A-19.23, a declaration of a state of emergency shall trigger the prohibitions against excessive pricing during states of disaster, states of emergency, or abnormal market disruptions pursuant to G.S. 75-37 and G.S. 75-38.

Section 11. Removal of Prohibitions and Restrictions. The Chairman or Board of Commissioners shall by proclamation terminate the entire declaration of emergency or remove any of the prohibitions and restrictions when the emergency no longer requires them.

Section 12. Superseding and Amendatory Proclamations. The Chairman or Board of Commissioners may invoke the restrictions authorized by this Ordinance in separate proclamations, and may amend any proclamation by means of a superseding proclamation in accordance with the procedures set forth herein.

Section 13. Termination of Proclamation. Any proclamation issued under this Ordinance shall expire five days after its last imposition unless sooner terminated in writing under the same procedures set forth herein for proclamations.

Section 14. In Case of Absence or Disability of Chairman. In case of the absence or disability of the Chairman, the Vice-Chairman of the Board of Commissioners, or such other person as may be designated by the Board of Commissioners, shall have and exercise all of the powers herein given the Chairman.

Section 15. Territorial Applicability. This ordinance shall NOT apply within the corporate limits of any municipality, or within any area of the County over which a municipality has jurisdiction to enact general police-power ordinances, unless the governing body of the municipality or the mayor of the municipality has consented to or requested its application, in which event it shall apply to such areas as fully and to the same extent as elsewhere in the County.

Section 16. Repeal of Conflicting Ordinances. The September 22, 1989 State of Emergency Ordinance is hereby repealed, and provisions of any other ordinances in conflict with the provisions of this Ordinance are also hereby repealed.

Section 17. Penalty for Violation. Any person violating any prohibition or restriction imposed by a proclamation authorized by this Ordinance shall be guilty of a Class 2 misdemeanor in accordance with G.S. 14-288.20A.

Section 18. Validity. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have passed this ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 19. Effective Date of Ordinance

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #122.
February 21, 2017

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Resolution Approving Rules of Procedure for Remote Participation in Official meetings during Declaration of State of Emergency within Mecklenburg County.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS APPROVING RULES OF PROCEDURE FOR REMOTE PARTICIPATION IN OFFICIAL MEETINGS DURING DECLARATION OF STATE OF EMERGENCY WITHIN MECKLENBURG COUNTY

WHEREAS, Mecklenburg County has established a Continuation of Operations Plan (COOP) to be implemented during a declaration of a state of emergency; and

WHEREAS, the Board of Commissioners adopted a County State of Emergency Ordinance authorizing the proclamation of a state of emergency and the imposition of prohibitions and restrictions during a state of emergency, signed 22 September, 1989; and

WHEREAS, the Board of Commissioners recognizes that depending upon the nature of the emergency it might not be possible to conduct County business at the Government Center or for all Commissioners to meet at the Government Center; and

WHEREAS, the County has identified alternate sites to hold meetings in cases when the Government Center might be inaccessible; and

WHEREAS, the Board has determined that during times of emergency declarations, it is also possible that some or all Commissioners might be unable to personally attend an official meeting, defined as a regular, special, or emergency meeting; and

WHEREAS, public bodies, under NCGS §143-318.13 can provide for remote participation by board members under defined conditions; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners does hereby approve the attached Rules of Procedure to be followed during official meetings under a declared state of emergency within Mecklenburg County.

COUNTY OF MECKLENBURG
RULES OF PROCEDURE FOR REMOTE PARTICIPATION DURING DECLARATION OF STATE OF EMERGENCY

The Mecklenburg County Board of Commissioners hereby adopts the following rules of procedure to be followed during a declared state of emergency in which a member of the Board is unable to physically attend an official meeting (regular, special, or emergency) and there is a need to participate remotely. This procedure is supplemental to all other rules of procedure followed by the Commission.

NOTICE
To the extent possible, subject to the availability of technology, and in order to make appropriate arrangements, a member of the Commission shall notify the Manager or Chairman of the Board, as soon as practicable, of the inability to attend the official meeting and the need to participate remotely.

ANNOUNCEMENT OF PRESENCE AT MEETING
At the beginning of the meeting, the Chairman or designee shall announce that a named Commissioner is participating remotely. Immediately thereafter said Commissioner shall identify himself/herself and announce that he/she is present and participating remotely.

MEETING MINUTES
The meeting minutes shall show the Commissioner as participating remotely, however the member participating remotely shall not be counted in determining a quorum.

PARTICIPATION IN GENERAL
Except as otherwise noted herein, a Commissioner participating remotely may participate in the meeting as determined by the Commissioners who are physically present for the meeting. Such Commissioner participating remotely shall first request to be recognized by the Chairman or designee prior to taking the floor. The Commissioner participating remotely may ask questions just as he/she would be able to do if physically present, but may only make motions, second motions and vote only if allowed by majority vote of the Commissioners who
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are physically present for the meeting. Such determination shall be made at the beginning of the meeting before any other matters are discussed. Commissioners participating remotely who wish to leave the official meeting shall first be excused and action recorded for the record.

VOTING
Commissioners who are physically present at the meeting shall vote first in the ordinary and customary manner. The Chairman or designee shall then ask the member participating remotely what his/her vote preference is which shall be re-stated and confirmed by the Chairman or designee. Votes of members not present shall be counted only as determined by the members who are physically present. Roll call vote shall be used for remote participants.

AMENDMENTS
These rules may be amended as allowed by law at any time by an affirmative vote of a majority of the members of the Board of Commissioners.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #123.

CLOSED SESSION

17-3798 PROPERTY ACQUISITION

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Historic Landmarks Commission purchase of the house and subdivided land parcel #09504315 located at 2733 Country Club Lane, Charlotte, NC 28205 for $975,000 and recognize and appropriate up to a total of $205,000 for building paint, landscape, UST removal, maintenance, asbestos abatement, broker fees, survey, title search, and attorney fees for the structure located on the aforementioned parcel.

Commissioner Dunlap left the dais until noted in the minutes.

CONSENT ITEMS

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

17-3758 BUDGET AMENDMENT – LUESA/ CODE ENFORCEMENT, MEGA MULTIFAMILY TEAM
1. Recognize and appropriate $2,014,114 in additional permit revenue

2. Approve the addition of 26 positions to complete Phase III of the Mega Multifamily Inspection Team realignment, Veteran’s Apprentice Program and Inspection Services
   · 10 Mega Inspector/Plans Examiners (Code Official)
   · 10 Inspector III
   · 5 Inspector I (Veteran Trainees)
   · 1 Administrative Support Coordinator

17-3790 RECORDS RETENTION AND DISPOSITION SCHEDULE (SHERIFF’S OFFICE)

Approve an amendment to the County Sheriff’s Office Records Retention and Disposition Schedule as required by the Government Records Section of the North Carolina State Archives.
Notes: The Government Records Section of the N.C. State Archives within the N.C. Department of Cultural Resources has issued an amendment to the 2015 County Sheriff’s Office Records Retention and Disposition Schedule. The amendment is in reference to Standard 8 – Program Operational Records - Item 10, Audio and Video Recordings.

County Sheriff’s Office
Records Retention Schedule Amendment

Amending the County Sheriff’s Office Records Retention and Disposition Schedule published November 15, 2015.

STANDARD 8. PROGRAM OPERATIONAL RECORDS: SHERIFF RECORDS

Amending Item 10, Audio and Video Recordings, as shown on substitute page 57.

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

17-3791 BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of $38,095 from Neighborhoods at Riverdale, LLC as part of a default of bond obligations related to Riverdale Subdivision to FY2017 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until improvements are completed.

17-3793 ABANDONMENT OF RIGHT-OF-WAY FOR WILBANKS DRIVE

1. Set a public hearing for April 4, 2017 to hear all interested citizens who appear with respect to the abandonment of a portion of right-of-way for Wilbanks Drive, and

2. Adopt resolution declaring intent to abandon

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS

RESOLUTION DECLARING INTENT TO ABANDON A PORTION OF WILBANKS DRIVE RIGHT-OF-WAY

WHEREAS, North Carolina General Statute 153A-241 specifies that a county may permanently abandon any public road or easement within the county and not within the city except public roads or easements for public roads under the control and supervision of the North Carolina Department of Transportation and specifies the procedure to be followed; and

WHEREAS, the petitioner has requested that a 1.077-acre portion of the right-of-way for Wilbanks Drive be abandoned; and

WHEREAS, the petitioner has agreed to record an approved and platted alternative alignment from Charlotte-Mecklenburg Planning Department and construct and have accepted the alternative alignment pursuant to the Charlotte Subdivision Ordinance before the portion of the right of way petitioned for abandonment will be abandoned; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has determined that in its opinion the abandonment of said right-of-way would not deprive any individual owning land in the vicinity of said right-of-way of reasonable ingress and egress to their property; and has determined that the North Carolina Department of Transportation does not maintain said right-of-way; now, therefore, be it

RESOLVED, that the Mecklenburg Board of County Commissioners does hereby declare its intent to abandon the 1.077-acre portion of right-of-way for Wilbanks Drive as shown on the attached map, and as required by G.S. 153A-241, does hereby set a public hearing on the question of whether to abandon said right-of-way for April 4, 2017 in the Meeting Chamber on the first floor of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina at 6:30 p.m. and does hereby instruct the Clerk to the Board of Commissioners to have a Notice of Intent published once a week for three successive weeks before the hearing; and does hereby instruct the Project Manager to send or have sent by registered or certified mail a copy of this resolution and the attached Map and Notice to each owner as shown on the County tax records of all properties adjoining the entire right-of-way of Wilbanks Drive who did not join in the request to have
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said portion of the right-of-way abandoned; and to have a notice of the abandonment and the public hearing posted in at least two places on said right-of-way.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #124.

17-3797 GRANT APPLICATION – 2017 USTA NORTH CAROLINA 10 AND UNDER TENNIS EQUIPMENT GRANT

1. Approve submission of a grant application to the USTA North Carolina for tennis equipment valued at $1,200.

2. If awarded, recognize and receive the equipment for related grant, and

3. Recognize and receive the required matching donation from Partners for Parks in the amount of $1,344.

17-3799 TAX REFUNDS

1) Approve refunds in the amount of $8,007.73 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of $19,897.15 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $524.21.

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

17-3802 MINUTES

Approve Minutes of Regular meeting held February 7, 2017.

17-3817 SOLID WASTE EQUIPMENT CAPITAL RESERVE PROJECT ORDINANCE

Adopt the Solid Waste Equipment Capital Reserve Project Ordinance.

Note: Funding for the Solid Waste Capital Equipment will be provided through an interfund loan within the Solid Waste Enterprise Fund. The proposed Ordinance provides for up to a $5 million loan from the US 521 Landfill Closure/Post Closure Fund to the Solid Waste Capital Reserve Fund. The monies would be repaid to the US 521 Landfill Closure/Post Closure Fund over a five year period from the annual operating budget of the Solid Waste Enterprise Fund beginning in FY2019. Projected revenues for the Solid Waste program will cover the cost of the interfund loan. The purpose of the US 521 Landfill Closure/Post Closure Fund is to fund end-of-life projects at the Landfill. Since the estimated life of the Landfill is over twenty years and the borrowed monies will be returned in five years, there is no impact on Solid Waste’s abilities to cover its closure/post closure obligations. The interfund loan monies will be used for capital
equipment needed at Compost Central, Foxhole Landfill and the North Mecklenburg and Hickory Grove Recycling Facilities. The equipment includes but is not limited to bulldozers, grinders, excavators, trash compactors, compost screeners, wheeled backhoes, etc.

MECKLENBURG COUNTY, NORTH CAROLINA
SOLID WASTE EQUIPMENT
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS THIS THE 21ST DAY OF FEBRUARY, 2017:

Section I. That for the purpose of providing funds, together with any other available funds, for Solid Waste Equipment, $5,000,000 is hereby appropriated. Funds appropriated will remain appropriated until expended for this purpose.

Section II. That it is provided that a loan from the US 521 Landfill Closure/Post Closure Reserve Fund will be used to provide funds for this project. It is estimated that Solid Waste fee revenues, and other revenues of the Solid Waste Enterprise Fund as authorized by the Board of Commissioners, will be available to repay such loan in five annual payments beginning in FY2019.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #125.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Dunlap returned to the Dais.

17-3796 CONSTRUCTION CONTRACT – HISTORIC SECOND WARD GYM RENOVATION

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Progressive Contracting Company, Inc. in the amount of $1,799,700 for the renovation of the existing gym, restroom building addition and site improvements at the Historic Ward Gym.

Note: This project will renovate the Historic Second Ward Gym as a place for the display of historic artifacts belonging to the Second Ward High School National Alumni Foundation and as an adjunct use for the Mecklenburg County Aquatic Center. The Second Ward Gym is a local Historic Landmark and is located at 710 East Martin Luther King Boulevard. Support facilities will include a new restroom addition and accessible parking and sidewalks.

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

17-3757 MECKLENBURG COUNTY CODE ENFORCEMENT RENOVATION FOR SUTTLE AVENUE

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize and appropriate $135,000 from Code Enforcement Fund Balance for minimal renovations of the Suttle Avenue, Land Use and Environmental Services Agency (LUESA) Building to support the growing demand for office-based staff within the department and the realignment of the Mega Commercial team.

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

17-3807 BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Recognize and appropriate $170,443 from Inmate Commissary revenue to the Sheriff's Office Special Revenue Fund, and

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate $61,895 from the Vocational Facility telephone revenue to the Sheriff's Office Special Revenue Fund.

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

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

17-3818 AUTHORIZE POSITIONS FOR HOUSING FIRST CHARLOTTE-MECKLENBURG

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize six positions in Mecklenburg Community Support Services Department, Homeless Services Division: 1 Clinical Supervisor (annual market rate $74,118) and 5 mental health clinicians (annual market rate $67,507).

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

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:49 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
March 07, 2017

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, March 07, 2017.

ATTENDANCE

Present: Chair Ella B. Scarborough and Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, and Matthew Ridenhour County Manager Dena R. Diorio Deputy County Attorney Tyrone Wade Clerk to the Board Janice S. Paige

Absent: None

_INFORMAL SESSION_

Commissioners Fuller and Puckett were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3800, 17-3816, 17-3819, 17-3828, 17-3830, 17-3842, 17-3846, & 17-3853 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS

17-3855 MECKLENBURG COUNTY CODE OF ETHICS POLICY

Chair Scarborough asked that the County’s Ethics Policy be placed on the agenda in light of her finding out that the Board could not accept tickets to the CIAA basketball tournament held recently in Charlotte.

County Manager Diorio and Deputy County Attorney Wade addressed the Board’s current ethics policy. The differences between the County’s policy and Charlotte City Council’s was addressed.

Commissioner James asked about the value of a gift as outlined in the County’s policy. He questioned Charlotte City Council’s acceptance of skybox tickets.

Deputy County Attorney Wade addressed the current policy.

Commissioner Clarke said the County’s Ethics Policy was worked on quite extensively in recent years. He said he was not about to support making any changes without those proposed
changes being well vetted.

**Commissioners Puckett and Fuller entered the meeting.**

Commissioner Dunlap spoke in support of amending the policy to allow the Board to accept tickets for various events. He said when Board members attended events, they were serving as “ambassadors” of the County.

Commissioner Leake spoke in support of amending the policy.

Commissioner Ridenhour said the purpose of the policy, with respect to accepting gifts, was to address the issue of someone possibly being influenced by entities that request funding from the County. He said he was not opposed to the chair or anyone attending events to represent the County.

Commissioner Fuller spoke in support of amending the policy. He said it shouldn’t be assumed that the receipt of a gift was for influence purposes.

Chair Scarborough spoke in support of amending the policy and noted how the County needed to represented at certain events.

Commissioner James addressed the history of how the issue of no longer being able to accept tickets from entities that receive funding from the County came about.

Commissioner Puckett echoed Commissioner James’ comments on how the issue came about years ago.

It was the consensus of the Board to send the matter of possibly amending the current Ethics Policy to the Board’s Intergovernmental Relations or Audit Review Committee, which ever was most appropriate.

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

**CLOSED SESSION**

17-3833   LAND ACQUISITION  
17-3841   CONSULT WITH ATTORNEY  
17-3845   BUSINESS LOCATION AND EXPANSION

Deputy County Attorney Wade announced the following land acquisition matters to be discussed in Closed Session: Tax Parcels 013-042-14, 013-042-21, and 207-081-16.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and carried 8-0 with Commissioners, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition, and Business Location and Expansion.

The Board went into Closed Session at 5:55 p.m. and came back into Open Session at 6:17 p.m.

Commissioner Clarke was present when the Board came back into Closed Session. He returned to the meeting during Closed Session.

The Board then proceeded to the Meeting Chamber for the remainder of the meeting.
Chair Scarborough called this portion of the meeting to order which was followed by the Pledge of Allegiance to the Flag, invocation by Commissioner Dunlap followed by introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-3839 PUBLIC APPEARANCE

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

Jade Jackson announced the screening of the movie Selma on March 16, 2017 at 7:00 p.m. at Statesville Avenue Presbyterian Church, 3435 Niven Road. She said the movie connected the civil rights movement of the 1960’s to the civil rights movement of today. She also commented on challenges she had faced as a result of being a bi-racial African American, transgender female. She said Charlotte should be the hub for the new civil rights movement.

Richard Shaw spoke in opposition to the planned Linda Lake neighborhood park. A copy of a handout from Mr. Shaw is on file with the Clerk to the Board.

Braxton Winston noted an article that he said Commissioner James had written suggesting that ICE come to the Board’s meeting. He addressed the freedom of democracy. He asked the Board to stand up for people in the community and to work with them. He expressed concern for an 18 year old boy that was in an immigration detention facility, because he was accused of a crime. He said persons were innocent until proven guilty.

Manuel Betancur explained his journey to become an American citizen. He said he was a business owner and president of the Hispanic Democrats of NC. He said the current immigration system was broken. He said everyone needed to work together to address the issue of immigration. He said he believed in peaceful protest and noted the necessity of it. He encouraged Board members to contact representatives on the national level regarding immigration reform.

Whitney Smith expressed disappointment in knowing that Commissioner James suggested ICE come to the Board’s meeting. She referenced language from Commissioner James’ Facebook page regarding the matter of ICE coming to the meeting and how they should treat undocumented immigrants. She criticized the Board for not speaking out against such language.

Commissioner Puckett said he was “proud” of the persons that appeared to speak, because of the passion they brought and for the decorum in which they presented themselves.

Sabastian Feculak he said there were a lot of people concerned about the comments that had been published today by some of the commissioners. He said it was not good when the community’s elected officials made divisive comments. He said Board members should hold each other accountable for their words and actions. He said there were a lot of people living in fear. He encouraged Board members to do more with respect to the immigration issue and to speak up for inclusiveness and for things that bring people together. He said the community would hold Board members accountable and would demonstrate that at re-election time.

Commissioner Fuller said that it was an “honor and privilege” for him to serve all of the people of Mecklenburg County. He said it was also a “responsibility.” He said the Board should
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acknowledge what was going on among the people of the community. He said “fear” existed for any number of reasons, many of which were beyond the Board’s control. He said the reasons originated at the top of the political structure with the President. He said the Board has to acknowledge the “hurtful” words that were spoken by “the President of our nation. “ He said as elected officials and as citizens of this nation, “we do not accept these hateful things.”

Commissioner Fuller said it was little that could be done on the local level, with respect to immigration because it was a federal issue. Further, that although there was no local authority with respect to immigration, it was incumbent upon locally elected officials to give “voice” to the issue, “fear and anxiety and to the injustice” that was occurring.

Chair Scarborough said she understood the concerns expressed by the speakers regarding democracy and immigration, having been jailed in the 1960’s because of the color of her skin.

Chair Scarborough said “this is America and we should not be discriminating” against anyone for any reason.

Commissioner Leake echoed Chair Scarborough’s comments regarding having experienced discrimination.

Commissioner Cotham thanked the speakers who spoke about democracy and immigration for coming and expressing their concerns. She said that she sensed, however, that the Board was being condemned, but that she and others had stood with those concerned about these issues. She noted that acts of support weren’t always seen publically, but that they had and were occurring. She encouraged speakers to engage members of the Board one on one, as opposed to making “blanket” statements. She said the Board was not their enemy but their ally.

Commissioner Clarke said “the deadliest foe against democracy was apathy.” He said you have to “celebrate dissent.” He said the “gravest threat to our democracy has always been indifference; and that we can’t be indifferent and expect it to survive.” He thanked the speakers for appearing.

17-3840 MINUTES OF CLOSED SESSION

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the Closed Session minutes of included with Agenda Item 17-3840.

APPOINTMENTS

17-3844 APPOINTMENTS

DOMESTIC VIOLENCE

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

Lashinha Burger  Commissioner James
Ryan Lougheed  Commissioners Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough
Tonya Marshall  Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett,
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Chair Scarborough announced the appointment of Ryan Lougheed, Tonya Marshall, and Jasmine Williams to the Domestic Violence Advisory Board to fill unexpired terms expiring April 30, 2018.

Note: They replaced Berbelichary Caraballos, Terrica Hightower, and Sybil Richardson.

17-3847    MEDIC AGENCY BOARD (MECKLENBURG EMS) APPOINTMENTS

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the six (6) current members of the Mecklenburg EMS Agency Board noted below for terms through December 2019;

- Mark Foster, Mecklenburg County
- Dr. Matthew Hanley, Carolinas Healthcare System
- Katie Kaney, Carolinas Healthcare System
- Amy Vance, Novant Health
- Paula Vincent, Novant Health
- Dr. Thomas Zweng, Novant Health

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes to appoint Dr. Alisahah Cole, MD as a Carolinas Healthcare System representative on the Mecklenburg County EMS Agency Board for a term through December 2019.

Note: Dr. Cole would replace Dennis J. Phillips, who was retiring.

17-3856    NOMINATIONS/APPOINTMENTS

SMALL BUSINESS AND ENTREPRENEURSHIP

Commissioner Fuller nominated Alyssa Bitner, Chris Clark, Nikita Devereaux, Lula Dualeh, Mable Hemphill, Nick Koutsoupias, Charika Massey, Monica McNeil, Austin Morphies, and Sona Oliver for appointment consideration to the Small Business and Entrepreneurship Advisory Board.

Note: Appointments will be made on March 21, 2017.

Commissioner Ridenhour said he would like to know why there had been so much turnover on this board.

PUBLIC HEARINGS – 6:30 PM

17-3827    CORVIAN COMMUNITY SCHOOL, INC. TEFRA HEARING

At 7:25 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
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"Authority"), of its Education Revenue Bonds (Corvian Community School) Series 2017 (the "Series 2017 Bonds"), in an aggregate principal amount not to exceed $23,000,000, the proceeds of which will be loaned to Corvian Community School, Inc. or a limited liability company the sole member of which is Corvian Community School, Inc. (the "Borrower"), for the purpose of

(a) financing or refinancing the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower, including (i) the acquisition of approximately 9.75 acres of vacant land located at 4041 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269, and the construction thereon of an approximately 71,000 square foot two-story building, including, but not limited to, classrooms, science labs, an art room, a music room, a theater, a multipurpose dining room, a gymnasium, locker rooms, and administration offices, to be used as a high school serving approximately 500 students (collectively, the "Owned Facilities") and (ii) the improvement and equipping of land and charter school facilities located at 4125 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269 and 9501 David Taylor Drive, City of Charlotte, County of Mecklenburg, North Carolina 28262 (collectively, the "Leased Facilities" and, (a)(i) and (a)(ii) together, the "Project");

(b) funding a debt service reserve fund for the Bonds;

(c) funding capitalized interest on all or a portion of the Bonds during all or a portion of the construction of the Project; and

(d) paying all or a portion of the costs of issuance of the Bonds.

The Project is located at 4041 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269; 4125 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269; and 9501 David Taylor Drive, City of Charlotte, County of Mecklenburg, North Carolina 28262. The Project will, in the case of the Owned Facilities, be owned and operated by the Borrower and, in the case of the Leased Facilities, be leased to and operated by the Borrower.

On February 21, 2017, 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 financed or refinanced, the maximum principal amount of the Series 2017 Bonds, the initial owner and operator of the facilities and the location of the facilities, among other things.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, 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 Series 2017 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, Commissioner Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Puckett and was adopted 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Leake voting no.

Commissioner Dunlap introduced the following resolution, a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda:
WHEREAS, Corvian Community School, Inc. has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Education Revenue Bonds (Corvian Community School) Series 2017 (the "Series 2017 Bonds"), in an aggregate principal amount not to exceed $23,000,000, and loan the proceeds thereof to Corvian Community School, Inc. or a limited liability company the sole member of which is Corvian Community School, Inc. (the "Borrower") for the following purposes:

(a) financing or refinancing the acquisition, construction, improvement, and equipping of land and certain charter school facilities of the Borrower, including (i) the acquisition of approximately 9.75 acres of vacant land located at 4041 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269, and the construction thereon of an approximately 71,000 square foot two-story building, including, but not limited to, classrooms, science labs, an art room, a music room, a theater, a multipurpose dining room, a gymnasium, locker rooms, and administration offices, to be used as a high school serving approximately 500 students (collectively, the "Owned Facilities") and (ii) the improvement and equipping of land and charter school facilities located at 4125 Johnston Oehler Road, City of Charlotte, County of Mecklenburg, North Carolina 28269 and 9501 David Taylor Drive, City of Charlotte, County of Mecklenburg, North Carolina 28262 (collectively, the "Leased Facilities" and, (a)(i) and (a)(ii) together, the "Project");

(b) funding a debt service reserve fund for the Bonds;

(c) funding capitalized interest on all or a portion of the Bonds during all or a portion of the construction of the Project; and

(d) paying all or a portion of the costs of issuance of the Bonds.

WHEREAS, the Owned Facilities are currently owned by an unrelated third party and the Leased Facilities are currently leased to and operated by the Borrower. The proceeds of the Bonds will be used by the Borrower to acquire the Owned Facilities, which will then be operated by the Borrower;

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Series 2017 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 located, after a public hearing held following reasonable public notice;

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is to be located;

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 located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Series 2017 Bonds and the financing or refinancing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the Board approve the financing or refinancing of the Project and the issuance of the Bonds in order to satisfy the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the "Joint Exercise Agreement"), and Section 66.0304(11) (a) of the Wisconsin Statutes;

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 Series
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2017 Bonds and the financing or refinancing of the Project and now desires to approve the Authority's issuance of the Series 2017 Bonds and the financing or refinancing of the Project in accordance with the Code;

**BE IT RESOLVED** by the Board as follows:

**Section 1.** Pursuant to and in accordance with the requirements of Section 147(f) of the Code and Section 66.0304(11) (a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement, the Board hereby approves (a) the Authority’s issuance of the Series 2017 Bonds in an aggregate principal amount not to exceed $23,000,000 and (b) the financing or refinancing of the Project located in the County.

**Section 2.** The County has no responsibility for the payment of the principal of or interest on the Series 2017 Bonds or for any costs incurred by the Borrower with respect to the Series 2017 Bonds or the Project.

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

On motion of Commissioner Dunlap, seconded by Commissioner Puckett, 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 EDUCATION REVENUE BONDS (CORVIAN COMMUNITY SCHOOL) SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $23,000,000" was duly adopted by the following vote:

**AYES:** Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

**NAYS:** Commissioner Vilma D. Leake.

*Extracts/Resolution recorded in full in Ordinance/Minute Book 47-A, Document #126.*

*Note: Stacey Haskell was present on behalf of Corvian Community School and addressed questions.*

Commissioner Clarke noted that he found the answer to his question regarding why a Wisconsin Authority was being used by the school. He said it was the largest conduit issuer of bonds in the U.S.

**ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER’S REPORT**

**17-3854 UPDATE ON CAPITAL IMPROVEMENT PLAN**

The Board received an update on the County’s Capital Improvement Program (CIP) from Assistant County Manager/Interim Finance Officer Mark Foster.

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

Comments

Commissioner James questioned Central Piedmont Community College’s proposed authorization request, which was addressed.
Commissioner James asked were there any planned government facility projects for 2020-2023, which was addressed.

Commissioner James asked about a soccer facility being in the plan. *It was noted that it was the Memorial Stadium project under Park and Recreation.*

Commissioner James said it was clear there were more projects than there was money to fund them. He said a soccer facility would mean taking money from other projects.

Commissioner Fuller asked about the North Tryon Street Vision Plan. *County Manager Diorio said one project included that was associated with the North Tryon Street Vision Plan was the new main library.*

Commissioner Fuller asked about the future of the Hal Marshall Building. *County Manager Diorio said no decision had been made to date.*

Commissioner Fuller asked about the Nature Museum project, which was addressed.

Commissioner Fuller asked about trends for debt expenditures and debt service, as well, the possibility of reducing the amount that’s currently going into debt service to hopefully achieve a balance that the rating agencies look for, which was addressed.

Commissioner Dunlap asked about reducing the debt fund from 20 cents to 18 cents and would that allow for an increase in operational dollars, which was addressed. Commissioner Dunlap said he asked the question because there was a need for more staff in certain areas.

Commissioner Dunlap asked had the process changed in determining the County’s priority list. *The current process was explained.*

Commissioner Dunlap commented on CMS and said there was a concern in the community as to why all K-8 Schools were in the African American community. Further, that if CMS wasn’t going to continue with K-8 Schools, why was a new K-8 in their plan.

Commissioner Dunlap acknowledged that the Board had no control over the Board of Education’s decisions, but that the questions raised in the community needed to be addressed before the decision was made to build a new K-8 School.

Commissioner Puckett noted that the concern raised regarding K-8 Schools, as well as, some of CMS’ other proposed projects would be a topic at the forthcoming joint meeting with the Board of Education.

Commissioner Puckett asked about the Citizen’s Capital Budget Advisory Committee. *It was noted that the committee had not met in recent years but was going to be reactivated.*

Commissioner Puckett commented on Major League Soccer and what if it didn’t come to fruition. He asked was there a “Plan B” to show how those Park and Recreation funds might shift. *Assistant County Manager/Interim Finance Officer Foster said to date there was not a “Plan B.”*

Commissioner Puckett said he would like to see, at some point, a “Plan B” for the use of those funds.

Commissioner Clarke in response to comments regarding lowering the amount going into debt service, said it would be best, were that to be done, to do it in a phase down approach rather than by a full penny.
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Commissioner Clarke asked about the CIP Committee and who was on it. County Manager Diorio said it was a combination of staff from Finance, Office of Management & Budget, and Asset and Facilities Management. She said it was all internal staff.

Commissioner Leake noted community concern regarding K-8 Schools. She asked had staff received any information from CMS regarding monies saved as a result of closing 10 schools. The response was no.

Commissioner Leake said that information would be helpful to know because it could impact CMS’ capital request.

Commissioner Leake said she had concerns regarding some of the schools listed by CMS. She said many of the schools were in District Two, which was her District, and were scheduled for renovations, rather than replacement. Commissioner Leake said many of the schools in District Two were old and needed to be replaced rather than renovated.

Commissioner Cotham commented on K-8 Schools. She noted that many of them did not offer music as part of the curriculum.

Commissioner Ridenhour commented on the list of projects for Park and Recreation. He said he hoped when the list was prioritized that there would be more projects scheduled for District Five, which was his District.

Commissioner Ridenhour commented on the debt service fund. He said over the years he had made the case that the Board could lower the tax rate without cutting any services by lowering the amount of funds being placed in debt service. He said it was always said that fund couldn’t be lowered, because it was used to service debt. He said in the instance where there’s additional capacity in the debt service fund that it should be kept in mind that at some point another recession would come and that if the Board was not going to lower the tax rate then those funds should remain as is, so that funding would be available for any one time expenditures that might come up in the future.

Commissioner Clarke asked was funding included for improvements to Independence Park, per the Master Plan. Assistant County Manager/Interim Finance Officer Foster said he would follow up with Park and Recreation Director Jim Garges for an answer.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-3857  CAPITAL PROJECTS UPDATE – GOVERNMENT FACILITIES AND PARK & RECREATION

The Board received a capital projects update from Asset & Facility Management Director Mark Hahn.

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

Comments

Chair Scarborough said several years ago there was conversation regarding naming the courthouse after the late Julius Chambers. She asked what happened with that. Director Hahn said he did not have information on what happen to that idea.

Commissioner Dunlap said the matter was never brought forth.
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Commissioner James said it was his understanding there was a long tradition that the courthouse had to be named for the county in which it resided. He said about 10 years ago, he and Commissioner Puckett offered a proposal to name the courthouse after former President Ronald Reagan. He said the Board at that time passed a resolution indicating that the name was to always remain, the Mecklenburg County Courthouse.

Commissioner Puckett asked about parking lot improvements at the former Board of Education Center, which was addressed.

Commissioner Leake asked about the Work Release & Restitution - Partial Office Renovation, which was addressed.

Commissioner Cotham asked who owned the former Work Release building. The response was that it was owned by the County.

Commissioner Cotham asked about the square footage of the building. Director Hahn said he did not know right off hand.

Commissioner Cotham noted the need for housing for the homeless, particularly homeless veterans. She inquired as to whether the former Work Release building could be used to house the homeless. Director Hahn said the building was currently being used by the Sheriff’s Office for multiple purposes.

Commissioner Cotham requested additional information regarding the use of the building by the Sheriff’s Office.

Commissioner Dunlap said the former work release center property was probably one of the County’s most valuable pieces of property. He requested staff take a look at the highest and best use of that property.

Commissioner Fuller asked about renovations to the Public Defender’s Office, which was addressed.

Commissioner Fuller asked about the old Civil Courts building, as well as, Criminal Justice Services, which was addressed.

Commissioner Fuller asked about the Second Ward Gym and was it correct that not all of the alumni’s paraphilia would be stored there. Director Hahn said that was correct.

Commissioner Leake commented on the Second Ward Gym and noted former Board of Education Chairman Arthur Griffin’s involvement with the effort. She said that she would have Mr. Griffin to get in touch with Director Hahn. Director Hahn said he would be glad to speak with Mr. Griffin.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-3860 FAMILY PLANNING UPDATE

The Board received a presentation from the Public Health Director, Dr. Marcus Plescia, on activities related to family planning in Mecklenburg County.

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

Comments
Chair Scarborough said men also needed to take responsibility when it came to pregnancy prevention. She said the plan should not be geared towards women only. Dr. Plescia said the assessment would be focused on women and men. He said he recalled Chair Scarborough’s past remarks regarding the role that men played.

Commissioner Leake asked had the Health Department gone out in the community and talked about the family planning issue.

Commissioner Leake said she had an “issue” with singling out a specific group of women in this process, specifically, “poor women,” and controlling them when it came to birthing children.

Commissioner Leake questioned why only UNC-Charlotte was being used in this process and not Johnson C. Smith University.

Commissioner Leake said the concept presented took her back to the “period when Mecklenburg County was known for sterilizing women, poor women, so that they would not reproduce children.”

Commissioner Leake said she could not and would not support the Health Department on this matter of family planning as presented.

Dr. Plescia said the goal of the project was to “increase access to the full range of contraceptive methods for any women who wants them.”

Commissioner Fuller said per his review of the presentation, it was unclear to him the connection between the unintended pregnancies, or the short time of the unintended pregnancies and the connection between that and any medical consequences, as well as the connection to economic opportunity. Dr. Plescia responded. He said medically it was a health risk factor for a woman to have a second pregnancy within 18 months of giving birth.

Dr. Plescia said with respect to economic opportunity that the issue was about reducing unintended pregnancies. He said it had been shown that “if women and families have the ability to make a decision about when they want to have their first child and on how they space those children, those families are likely to do better, as far as their economic mobility and prosperity; than those families who don’t.”

Commissioner Fuller said he was concerned because the history of this “kind of thing,” and the language being used was very similar to language used by policy makers “back in the day” to justify eugenics; that sterilization was “good for the person and the community.”

Commissioner Fuller said Mecklenburg County was one of the “most robust” when it came to eugenics.

Dr. Plescia said the project being funded by the foundations was not to implement any kind of “family planning campaign.” He said it was about understanding what the community perceptions and concerns were.

Commissioner Ridenhour said when this was mentioned to the Board about a year ago that he said then that it might be taken or appear as a government mandate or sponsored sterilization process, which it was not.

Commissioner Puckett said the focus was on “unintended” pregnancies. He said he was bothered by the notion that individuals had no responsibility for the consequences of their actions. Secondly, by the notion that the County was not supposed to provide education to those consequences. Commissioner Puckett said that’s part of what governance did.
Commissioner Puckett said this was about educating the public and providing access to those who would want to take advantage of the services; and doing something good for the person and not about changing a “segment of society.”

Commissioner Clarke said the concern was real and “heartfelt,” but that it was not “fair” to assign a motive to those who were exploring this, of wanting to “essentially” achieve mass sterilization through another method.

Commissioner Clarke said the focus of this was not on “stopping” reproduction but rather increasing the intervals between pregnancies.

Commissioner Clarke asked about childbearing years. He asked if an increase in the intervals between pregnancies meant a reduction in the number of children that a woman would have during their childbearing years. Dr. Plescia said trying to help women space their pregnancies should not impact the number of children they have. He said it was about spacing them in a way that was healthier.

Dr. Plescia said the whole intent was to make an array of birth control options available to women who wanted them. He said it was not about forcing anyone to do anything.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-3862 UPDATE ON CORRECTIVE ACTIONS AT THE PUBLIC HEALTH DEPARTMENT

The Board received information on activities and corrective actions at the Public Health Department.

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

Comments

County Manager Diorio noted the following:

- Per her last report on February 21, 2017, there were 75 women who needed a follow-up colposcopy, 20 of whom the County had been unable to reach.
- To date, the County had located 15 more.
- Of the 15, nine had been scheduled for a colposcopy and staff was working on getting the other six scheduled.
- There were still five women that the County had been unable to locate but efforts were continuing.
- Over the last two days, the County Manager held a series of meetings with Public Health employees, which included two meetings with department staff, a meeting with middle managers, and a meeting with the department leadership team.
- On tomorrow, March 8, 2017 a meeting will be held specifically for clinic staff.
- Per those meetings, great feedback was received and concerns and suggestions would be followed-up on.
- The employees at Public Health were committed to the work they do, love their jobs and their service to the community.
- They made it clear to the County Manager that the incident currently being dealt with was unacceptable, but in no way, did it define the entire department or the work they do.
- Dr. Plescia met with the state department of health on March 3, 2017 in Raleigh.
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- The state’s family planning subject matter expert will visit the Health Department on March 21, 2017 to begin the review.
- The state was still determining when they could send other subject matter experts to review other aspects of the department.
- Internal Audit’s review was underway.
- Key planning activities had been completed, including review and identification of key compliance requirements and a high-level mapping of patient test results notification processes.
- The fieldwork phase was also in process.
- Auditors identified key risks inherent to the lab and radiologic patient test results notification processes. They were also completing the process design. The full update has been distributed.
- Prior to Chair Scarborough’s announcement of the partnership with the Audit Review Committee, staff had already started down the path of hiring an external consultant to perform the operational review.
- The scope of work to be performed includes:
  - A review of all clinical services
  - A review and assessment of current business processes; and a clinical operations analysis
  - The full scope of work was distributed to the Board.
- The procurement director researched health care consultants and identified six companies that specialized in this work.
- They were provided the scope of the work and a draft county contract and were invited to participate in telephone interviews. The companies were:
  - Public Consulting Group
  - Navigant
  - Advisory Board Company
  - Health Advances, LLC
  - Huron Healthcare
  - Alvarez & Marsal
- Only two companies, Public Consulting Group and Navigant accepted the invitation.
- Both were interviewed on March 6, 2017.
- Public Consulting Group had extensive experience in business process management and operational analysis, but had limited clinical experience.
- Navigant, possessed business process management, operational analysis and clinical experience but did not demonstrate extensive experience in public health.
- Both companies had done work for the County in the past and Navigant was the company that had provided the County with its current contract clinic manager.
- The procurement director would continue identifying additional companies to interview.
- Prior to work in retaining an operational consultant, staff talked to Praxis Partners for Health about working on specific tasks related to organizational structure, staff responsibilities, to review candidate applications for vacant positions, and some quality assurance work.
- Praxis Partners for Health had extensive public health experience in North Carolina, but they do not have the capacity to do the full scope of clinical improvement work that the County needed.
- Based on what was known thus far, it appeared that Navigant, with input from Praxis Partners for Health would provide the depth of experience needed to do the work.

County Manager Diorio recommended scheduling a meeting of the Audit Review Committee to review all the information assembled and formulate the next steps.

*Commissioner Fuller left the dais and was away until noted in the minutes.*
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County Manager Diorio asked the Board to consider releasing the Closed Session minutes of the Board’s January 10, 2017 meeting, in light of recent comments to the media and comments made by the media concerning the Health Department situation, in order to clarify and maintain public confidence in the administration of County services.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to release the minutes of the Closed Session held on January 10, 2017 for public awareness.

Comments

Commissioner Dunlap said it was important that the Board release to the public the Closed Session minutes of January 10, 2017 for public confidence purposes.

**Commissioner Fuller returned to the dais.**

Commissioner Dunlap said inaccurate comments had been made by various members of the Board regarding what they knew and didn’t know, but that the minutes of the January 10, 2017 meeting indicated what was communicated to the Board regarding the situation at the Health Department.

Commissioner Leake said she was still concerned that there were still five women that had not been located. She questioned if staff had exhausted every means possible. Commissioner Leake said she wanted the remaining five women located as soon as possible and that she wanted to receive a status report on Monday, March 13, 2017.

Commissioner Leake said she and Chair Scarborough dialogued on Friday, March 3, 2017 via phone and in her office regarding the situation at the Health Department. Commissioner Leake said she was informed, per that conversation, that there was talk of firing the County Manager; and she asked why and for what. Commissioner Leake said she wanted the public to be aware of what was told to her.

Commissioner Leake said she wanted the public to know that the Board had full confidence in County Manager Diorio and that the County Manager was doing her job.

**Commissioner Fuller asked about the five women, yet to be located. Dr. Plescia said a retired Health Department employee had been brought in, who was experienced in going out and looking for individuals who had been exposed to sexually transmitted diseases, known as a DIS worker. He said this former staff member was going out in the community, door to door, trying to locate the remaining five women.**

Dr. Plescia said staff was also using software resources to help locate the remaining five women.

**Commissioner Fuller asked had staff reached out to local law enforcement to help locate the remaining five women. Dr. Plescia said the challenge around that was that it concerned personal health information. He said turning over that type of information “gets a little tricky.” He said also that some of these individuals were Hispanic and could possibly be “undocumented,” so involving the Sheriff’s Office may work against locating them.**

Dr. Plescia expressed confidence in the ability of the DIS worker to locate the missing five women.

**Commissioner Fuller said staff needed to try harder to locate the remaining five women. He questioned having only one DIS worker involved in this effort and why not a team of people.**
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Commissioner Fuller said there was a report out in the media that one of the test results and maybe others, that was “serious” and there was some indication of pre-cancer or cancer. He asked Dr. Plescia if that was accurate.

Dr. Plescia said “no,” that he did not think the findings they’ve found to date were more serious. Dr. Plescia said it was expected that some of the women would have lesions that would need treatment, which was occurring.

Dr. Plescia said the cases found to date were treatable via an in office procedure and once treated the issue was taken care of.

Dr. Plescia questioned the accuracy of what had been reported in the media.

Dr. Plescia said cancer was not found on any of the pap smears. He said someone with “full blown” cancer, chances were it would show up on the pap smear.

Dr. Plescia said it was always felt that the colposcopy would indicate the need for some type of treatment.

Dr. Plescia said he did not believe there were persons out in the community, as it related to this issue that had “imminent” life threatening situations. Dr. Plescia said the real answer to that won’t be known until all of the women involved had received the necessary follow-up.

Dr. Plescia said he couldn’t say with “100%” certainty that everybody was going to be fine. He said he could say, however, from his own experience and from talking with colleagues and specialists, that it’s believed that these women would have, “in the worst case situation,” some treatable things that would need to be dealt with.

Dr. Plescia said he felt the tone of the article referenced by Commissioner Fuller was really not accurate in terms of what the Health Department would expect to come out of this particular issue and incident.

Commissioner Fuller said he was concerned that there was sort of a “mushrooming” of this going on, which would be justified if there was something there. He said it was the Board’s job to ascertain if there was anything there; which was why he raised the questions that he did.

Commissioner Fuller reiterated that every effort needed to be employed to locate the remaining five women.

Commissioner Fuller said questions had also been raised regarding the County’s management and whether the County Manager had handled this matter appropriately.

Commissioner Fuller said it was clear in his mind that the County Manager had handled this matter “appropriately.”

Commissioner Fuller said the County Manager informed the Board of this situation appropriately and that he, as well as, he felt the Board, had “great” confidence in the County Manager.

Commissioner Ridenhour said he wished the “rumor” that was floating around last Friday about firing the County Manager had not been brought up. Commissioner Ridenhour said it did not add any value to the issue at hand.

Commissioner Ridenhour said he echoed Commissioner Fuller’s concern regarding the article in the Charlotte Observer, which was addressed by Dr. Plescia.
Commissioner Ridenhour said he stood firmly behind the County Manager and staff to get to the bottom of this issue. He acknowledged that the County Manager had kept the Board informed of this issue, despite what some Board members had indicated.

Commissioner Ridenhour noted that at the conclusion of the January 10, 2017 Closed Session meeting that none of the Commissioners expressed any feelings of being “hacked off” at staff. He said it was made clear that the matter was being investigated and that staff would report back.

Commissioner Ridenhour said the County Manager had gone “over and above” what the Board had requested of her, as it related to bringing in a third party review of this situation.

Commissioner Ridenhour said this was a serious matter and one that was being taken serious by the Board, the County Manager, and staff.

Commissioner Cotham asked had staff reached out to the Hispanic media and the faith community regarding the location of the remaining five women. The response was no, with respect to the media, but that it was a good idea. Dr. Plescia said there had been some conversation with the catholic community, mainly for the purpose of restoring public confidence, but he could also use it as an opportunity to help locate the five remaining women.

Commissioner Cotham said she appreciated what the County Manager, as well as, Dr. Plescia had done to help the Board better understand this issue.

Commissioner Dunlap said in light of Dr. Plescia’s comment that some of the women might be Hispanic and in light of the today’s climate, it’s possible that some of them may be afraid now to go to the Health Department for follow-up in fear of ICE.

Commissioner Dunlap said the County needed to create a climate such that those persons would feel comfortable returning to the Health Department for follow-up.

Commissioner James asked for clarity about CIN3 abnormalities, which was addressed.

Commissioner James asked about the five remaining women and was it possible that they haven’t been located because they had immigration issues. He asked was there an alternative way to locate them if that was the case. He said it was possible they could be in federal custody or no longer here. He said nonetheless, they needed to know their status.

Dr. Plescia said the software tool being used by the Health Department would allow them to know if someone was incarcerated.

Commissioner Puckett asked how many of the women, out of the 20 that needed follow-up, had a colposcopy. Dr. Plescia said those women needed to be seen in a referral clinic and had been set up to be seen in Carolinas Healthcare System clinics. He said follow-up tests would take place in March and April.

Commissioner Puckett asked had the women with the highest risk been contacted. The response was yes.

Commissioner Puckett said the notion of the County Manager’s job being in jeopardy was “a rumor that spread out of no where.”

Commissioner Puckett said he had probably been the most critical of the process concerning this issue and that he had sat down with the County Manager and shared his concerns and rationale and that she likewise did the same.
Commissioner Puckett said one thing that still concerned him, however, was not the timeframe in which the County Manager and Dr. Plescia found out about this situation and informed the Board, but rather, the timeframe in which it took Health Department staff to notify Dr. Plescia and the County Manager.

Commissioner Puckett said it was important to go back and determine how the failure occurred in the whole process, to avoid something like this from happening again.

Commissioner Fuller encouraged employees that know of other things that might be going on, to feel comfortable in making the Board aware of those issues. He said the Board can’t address issues that it’s not aware of.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-3858  RENAMING OF COUNTY FACILITY (COMMISSIONER LEAKE)

Commissioner Leake addressed her request to have the Health Department Facility located at 2845 Beatties Ford Road named in honor of the late and former Mecklenburg County Manager, Harry L. Jones, Sr.

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

1) Receive an application submitted by Commissioner Vilma D. Leake to name the Northwest Campus, Health Department Facility located at 2845 Beatties Ford Road, Charlotte NC 28216 in honor of the late and former Mecklenburg County Manager, Harry L. Jones, Sr.; and

2) Schedule a public hearing on March 21, 2017 at 6:30 p.m. to receive public comment on the proposed renaming of the Northwest Campus, Health Department Facility located at 2845 Beatties Ford Road to the Harry L. Jones, Sr. Public Health Center and direct the Clerk to publish the notice of public hearing.

17-3863  RESOLUTION ADVOCATING THE SAFETY OF ALL RESIDENTS (CHAIR SCARBOROUGH)

Chair Scarborough presented a proposed resolution advocating the safety of all residents, in light of recent attacks against the Jewish community.

Commissioner James said some of the wording in the proposed resolution was not applicable to NC and that it should perhaps be reworded.

Commissioner Fuller suggested the Board allow the County Attorney to review it and bring it back to the Board.

Below is the resolution as proposed.
RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

WHEREAS, on January 4, 2011, the Mecklenburg County Board of Commissioners adopted a resolution honoring, supporting and paying tribute to community values that embrace and promote equality, diversity, tolerance, inclusion, respect and civility; and

WHEREAS, the Board of Commissioners recognized that growth, prosperity and the desirability to reside in Mecklenburg County is constantly impacted by embracing the positive values and behaviors of compassion, equality, tolerance, civility, inclusiveness and respect; and

WHEREAS, discrimination against individuals upon the basis of race, color, sex, sexual orientation, gender identity, religion, age, disability, citizenship or national origin does not reflect the community values that should be upheld in Mecklenburg County; and

WHEREAS, Jewish schools and community centers across the county recently have been terrorized by anonymous bomb threats; and

WHEREAS, as of February 28, 2017, more than one hundred (100) Jewish Centers and twelve (12) Jewish schools across the country have received bomb threats and three (3) Jewish cemeteries have been defaced, vandalized or desecrated; and

WHEREAS, Charlotte’s Shalom Park campus has experienced three bomb threats since early January; and

WHEREAS, prohibiting discrimination is for the benefit of the public health, safety and welfare of all residents in Mecklenburg County; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners condemns these actions and the perpetrators exhibiting such behavior; and be it

FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners supports the safety of all its residents and the communities in which they reside, work and recreate.

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to direct the County Attorney to wordsmith the proposed resolution advocating the safety of all residents and the communities in which they reside, work and recreate and to bring it back to the Board for consideration.

Commissioner James left the meeting.

17-3800 PROCLAMATION – SOCIAL WORK APPRECIATION MONTH

Motion was made by Commissioner Fuller, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation designating March, 2017 as “Social Work Appreciation Month” in Mecklenburg County.

The proclamation was read by Commissioner Ridenhour. It was received by Peggy Eagen, Director of Social Services.
March 07, 2017

17-3853  PROCLAMATION – CHILD ABUSE PREVENTION MONTH

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring April 2017 as Child Abuse Prevention Month in Mecklenburg County and the City of Charlotte.

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, children are vital to our state’s future success, prosperity, and quality of life as well as being our most vulnerable assets; and

WHEREAS, all children deserve to have safe, stable, nurturing, and healthy homes and communities that foster their well-being; and

WHEREAS, child abuse and neglect is a public responsibility affecting both the current and future quality of life of a state; and

WHEREAS, parents need support and resources to cope with stress and nurture their children to grow to their full potential; and

WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community:

NOW, THEREFORE, WE, Jennifer Warnick Roberts, Mayor of Charlotte, and Ella B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim, April 2017 as

“CHILD ABUSE PREVENTION MONTH”
in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.
CONSENT ITEMS

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

17-3811  DISPOSAL OF CONCEALED CARRY WEAPONS’ ORIGINAL DOCUMENTATION

ITEM WAS REMOVED FROM THE AGENDA

17-3823  STORM WATER PROGRAM – FY17 VACANT FLOODPLAIN LAND ACQUISITION

Accept the Offer of Sale of Real Estate from Mary Lee King, Annie King Butler, Albert Butler, Brenda King, Thomas King, Thomas Lee King III, & Tina Marie King, owners of property located at Prince Street, Charlotte, NC (tax parcel 069-071-05), for $7,000.

Note: The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk. The project will initially extend along Stewart Creek from I-85 southward to Tuckaseegee Road. It is aimed at addressing stream bank erosion and improving aquatic habitat needed for healthier streams.

17-3824  CONSTRUCTION CONTRACT – BOARD OF ELECTIONS RENOVATION

Award a construction contract to KMD Construction, LLC in the amount of $1,836,350 for the Board of Elections Renovation at 741 Kenilworth Avenue.

17-3825  INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $3,852 for Sheriff’s Office and $18,028 for Asset and Facility Management.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-3829  CAPITAL RESERVE EXPENDITURE REQUEST (PARK AND RECREATION)

Approve expenditure of $13,573.13 from the Consolidated Aquatic Capital Reserve Fund for the installation of a replacement washer and dryer at the Mecklenburg County Aquatic Center.

17-3831  CONSTRUCTION CONTRACT – BRIAR CREEK STREAM ENHANCEMENT & GREENWAY PROJECT

Award a construction contract to OnSite Development, LLC in the amount of $3,060,813.18 for the Briar Creek Stream Enhancement and Greenway Project.
17-3832 FACILITY NAMING APPLICATION – MECKLENBURG AVENUE PEDESTRIAN ENTRANCE OF MIDWOOD PARK

1) Acknowledge receipt of an application submitted on behalf of friends and family of Mr. Jerry Lee Brown to name the Mecklenburg Avenue pedestrian entrance (only) of Midwood Park the “Jerry L. Brown Midwood Park Memorial Entrance”; and

2) Schedule a public hearing on March 21, 2017 at 6:30 p.m. to receive public comment on the proposed naming of the Mecklenburg Avenue pedestrian entrance of Midwood Park in honor of the late Mr. Jerry Lee Brown and direct the Clerk to the Board to publish the notice of public hearing as required.

17-3834 CONSTRUCTION MANAGEMENT @ RISK CONTRACTING METHODOLOGY FOR COUNTY PROJECTS

Authorize the use of Construction Management @ Risk (CM @ Risk) contract methodology for the following Capital Improvement Project as the best delivery method for the project: Mecklenburg County Park and Recreation Eastway Regional Recreation Center.

17-3840 MINUTES

Approve Minutes of Regular meeting held February 21, 2017 and Closed Session held January 10, 2017 and February 7, 2017.

17-3843 AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

1. Approve a list of vehicles and equipment (Exhibit A) as surplus; and

2. Adopt a resolution authorizing sale of personal property by public auction on April 1, 2017 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

Resolution Authorizing Sale of Surplus Personal Property by Public Auction

WHEREAS, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

WHEREAS, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction;

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of April 1, 2017 at 9:00 a.m. at 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full Ordinance/Minute Book 47-A, Document #127.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-3816 DISPOSAL OF ORIGINAL CONCEALED HANDGUN PERMIT RECORDS
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the disposal of concealed handgun permits and supporting documentation as authorized by the NC Department of Cultural and Natural Resources.

Note: As required by the Department of Natural and Cultural Resources (NCDCR), the Sheriff’s Office submitted a request and received approval from NCDCR to dispose of the concealed handgun permit paper applications and other supporting documentation that have been scanned or otherwise duplicated. The Mecklenburg County Sheriff’s Office is committed to the proper management and disposition of records.

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

17-3819 DONATION OF OUTDOOR FITNESS AND PLAYGROUND EQUIPMENT

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

1) Approve a $60,000 donation of outdoor fitness equipment from Southminster, Inc. for first Ward Park; and

2) Approve a $25,000 donation of playground equipment from Cunningham Recreation for Druid Hills Neighborhood Park.

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

17-3828 DONATION FROM DAVIDSON LANDS CONSERVANCY

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate $5,000 donation from the Davidson Lands Conservancy to help fund the installation of a water fountain on the West Branch Rocky River Greenway.

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

17-3830 GRANT APPLICATION – SHIIP/MIPPA

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of an application for a Senior Health Insurance Information Program (SHIIP): Medicare Improvements for Patients and Providers Act (MIPPA) grant of up to $10,000; and if awarded, recognize, receive and appropriate such funds.

Note: The grant awards will be distributed in FY17 and will be used to expand Medicare and Low Income Subsidy Education, Counseling and Enrollment Services offered in the community.

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

17-3842 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate an increase of Federal Revenue in the amount of $37,038 from Cardinal Innovations Health Care.

Note: Funding will be used to 1) Improve the identification of individuals in need of mental health and/or substance abuse services that are detained in Mecklenburg County Jails, 2) Provide safe, reliable transportation from jail to placement, and to critical appointments with providers and collateral agencies, and 3) Provide Moral Reconation Therapy training to Criminal Justice Services staff.

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

**17-3846 FACILITY NAMING APPLICATION – HORNET’S NEST INDOOR SHELTER**

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

1) Acknowledge receipt of an application submitted by the Trinity Park Neighborhood Association to name the indoor shelter at Hornet's Nest Park after David Williamson, Jr.; and

2) Schedule a public hearing on March 21, 2017 at 6:30 p.m. to receive public comment on the proposed naming of the indoor shelter at Hornet's Nest Park in honor of David Williamson, Jr., the David Williamson, Jr. Pavilion at Hornet's Nest Park and direct the Clerk to the Board to publish the notice of public hearing as required.

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

**17-3833 LAND ACQUISITION – STEPHEN’S ROAD NATURE PRESERVE**

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a portion of Tax Parcels 013-042-14 and 013-042-21 (+/- 37 acres) in the extra-territorial jurisdiction of the Town of Huntersville from William Martin Allison for expansion of Stephen’s Road Nature Preserve for a purchase price, not to exceed $25,000 per acre.

**LAND ACQUISITION – LITTLE SUGAR CREEK GREENWAY**

Motion was made by Commissioner Fuller, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway and storm drainage easement (± 4.081 acres) and a temporary construction easement (±0.539 acres) on Tax Parcel 207-081-16 from ARC CTCHRNC001 LLC in the Town of Pineville for a purchase price of $50,550.

**ADJOURNMENT**

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough
March 07, 2017

voting yes, that there being no further business to come before the Board that the meeting be adjourned at 11:16 p.m.

____________________________________  ________________________________________
Janice S. Paige, Clerk                        Ella B. Scarborough, Chair
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, March 21, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3861, 17-3865, 17-3886, and 17-3892 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS – NONE

Prior to going into Closed Session, Deputy County Attorney Tyrone Wade addressed a recent article in the Charlotte Observer regarding text messages. He said some of the content of the article was not accurate.

He explained that text messages were considered a public record, if the message dealt with transacting County business. He said according to Verizon, the County’s service provider, County text messages were purged after seven (7) days, therefore, any text message concerning the business of the County would have to be saved within that timeframe. He said it was the responsibility of the individual either transmitting or receiving the message to save the message.

Deputy County Attorney Wade explained that public records were governed by N. C. Records Retention guidelines. He said per those guidelines, text messages were considered to have no “continuing value” and could be deleted, if it’s value was minimal. He said it’s up to the individual Commissioner to decide which text messages should be saved. It was noted that there was probably a way the County could save all text messages, but it would be costly to do so, because all messages would be captured, business and personal. Further, that all of those
messages would then have to be reviewed to determine what was a public record and what was not, prior to being released.

Deputy County Attorney Wade said the County received a request from the Charlotte Observer on January 27, 2017 for Commissioners text messages between the timeframe of January 9 – 20, 2017. He said the Charlotte Observer was informed that the County did not have those messages because they were automatically purged. He said the Charlotte Observer was aware of that prior to the article being written.

Commissioner James asked were there rules regarding snapchat, which was addressed.

**Commissioner Ridenhour entered the meeting.**

Commissioner James asked were employees aware of the rules regarding text messages. Deputy County Attorney Wade said he would have to follow up with IT for a response.

Commissioner Fuller asked was there a definition of “transacting County business.” Deputy County Attorney Wade and County Attorney Bethune said it was very broad and elaborated.

**CLOSED SESSION**

17-3872 CONSULT WITH ATTORNEY
17-3874 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced there was no Consult with Attorney matter to be discussed in Closed Session.

County Attorney Bethune announced the following land acquisition matter to be discussed in Closed Session: Tax Parcel 067-031-11.

Motion was made by Commissioner Cotham, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition.

*The Board went into Closed Session at 5:41 p.m. and came back into Open Session at 5:58 p.m.*

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 17-3892 Proclamation-Day of National Service from the Consent section of the agenda to the Awards and Recognition section and Item 17-3877 Resolution Condemning Discrimination and Violence Against Others from the County Commissioners Reports & Requests section of the agenda to the Awards and Recognition section.

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

-**FORMAL SESSION**-

Chair Scarborough called this portion of the meeting to order. Commissioner Dunlap gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Item 17-3892 Proclamation-Day of National Service from the Consent section of the agenda to the Awards and Recognition section and Item 17-3877 Resolution Condemning Discrimination and Violence Against Others from the County Commissioners Reports &
Requests section of the agenda to the Awards and Recognition section.

AWARDS/RECOGNITION

17-3892 PROCLAMATION – DAY FOR NATIONAL SERVICE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a joint proclamation declaring April 4, 2017 as a Day For National Service in Mecklenburg County and the City of Charlotte.

The Proclamation was read by Commissioner Puckett and received by Bert Green with Habitat for Humanity Charlotte.

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

17-3877 RESOLUTION CONDEMNING DISCRIMINATION AND VIOLENCE AGAINST OTHERS (CHAIR SCARBOROUGH)

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and...
Scarborough voting yes, to adopt a Resolution Condemning Discrimination and Violence Against Others.

Note: In light of recent events locally and across the country targeted at the Jewish community, the Board of County Commissioners wanted to go on record opposing any acts of discrimination or violence against Jewish residents, as well as, all residents of Mecklenburg County. The resolution shows the Board of County Commissioners concern for the safety and well-being of all residents and the communities in which they reside, work and recreate.

The resolution was read by Commissioner Ridenhour and received by Sue Worrel, Executive Director of the Jewish Federation of Greater Charlotte.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS

WHEREAS, on January 4, 2011, the Mecklenburg County Board of Commissioners adopted a resolution honoring, supporting and paying tribute to community values that embrace and promote equality, diversity, tolerance, inclusion, respect and civility; and

WHEREAS, the Board of Commissioners recognized that growth, prosperity and the desirability to reside in Mecklenburg County is constantly impacted by embracing the positive values and behaviors of compassion, equality, tolerance, civility, inclusiveness and respect; and

WHEREAS, discrimination against individuals does not reflect the community values that should be upheld in Mecklenburg County; and

WHEREAS, Jewish schools and community centers across the country recently have been terrorized by anonymous bomb threats; and

WHEREAS, as of February 28, 2017, more than one hundred (100) Jewish Centers and twelve (12) Jewish schools across the country have received bomb threats and three (3) Jewish cemeteries have been defaced, vandalized or desecrated; and

WHEREAS, Charlotte’s Shalom Park campus has experienced three bomb threats since early January; and

WHEREAS, prohibiting discrimination is for the benefit of the public health, safety and welfare of all residents in Mecklenburg County; now, therefore be it

RESOLVED, that the Mecklenburg County Board of Commissioners joins the local Jewish Community in condemning the aforementioned actions and the perpetrators exhibiting such behavior; and be it

FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners condemns acts of discrimination and violence towards all residents and the communities in which they reside, work, and recreate.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document # 128.

PUBLIC APPEARANCE

17-3870 PUBLIC APPEARANCE

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

Marilyn Stephan, Paul Jones, and Marcus Philemon gave their views and observations, per a recent visit to Mecklenburg County Jail North, particularly the area where juveniles were housed. Their comments were favorable and addressed the cleanliness of the facility, the environment, programs and services available to youth. They are a part of the CharMeck Court Watch.

A copy of a handout regarding CharMeck Court Watch is on file with the Clerk to the Board.

Braxton Winston spoke in opposition to Section 287(g) of the Immigration and Nationality Act.
APPOINTMENTS

17-3866 REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

BICYCLE COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Bryan Hall to the Bicycle Committee for a three-year term expiring March 31, 2020.

BOARD OF EQUALIZATION AND REVIEW

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint James Calder, Ken Hammond, and Eugene Poore to the Board of Equalization and Review for three-year terms expiring April 16, 2020.

Commissioner James nominated all applicants for appointment consideration to the Board of Equalization and Review: Russell Allen, Monique Cartwright, Carol Fortenberry, Melissa Polce, and Joyce Reid.

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chair. Per Board policy, persons seeking appointment to the Board of Equalization and Review must undergo an interview process.

The following Commissioners volunteered to serve on the Board’s Ad Hoc Interview Committee for appointment considerations to the Board of Equalization and Review: Commissioners Cotham, Leake, Puckett, and Ridenhour.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Rachel Martin, David Tibbals, and Suresh Vottikonda to the Citizen’s Capital Budget Advisory Committee for two-year terms expiring July 31, 2019.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Ashley Farley and Emillian Udekigbo to the Citizen’s Capital Budget Advisory Committee for two-year terms expiring July 31, 2019.

COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Alicia Benjamin, Vanessa Clarke and Bonnie Foster to the Community Relations Committee to fill unexpired terms expiring July 30, 2017.

Note: They replaced Juan Bernal Vazquez, DeAngle Gadsden, and Diana Sanchez.

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE
Commissioner Puckett nominated all applicants for appointment consideration to the Information Services and Technology Committee: Frank Benson, Vivek Dighe, and Branden Rosenlieb.

*Note: An appointment will occur at the April 4, 2017 meeting.*

**NURSING HOME ADVISORY BOARD**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Monique Cartwright and Monique Horace to the Nursing Home Community Advisory Committee for a one-year term expiring March 31, 2018.

*Note: They replaced Carole Gaither and Lennon Maye.*

**WOMEN’S ADVISORY BOARD**

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Charlene Henderson to the Women’s Advisory Board to complete her unexpired term expiring April 30, 2018.

*Note: Ms. Henderson failed to meet the 2016 Attendance requirement but asked the Board to reconsider her.*

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Samantha Abt-Bumgarner and Allyson Dunlap to the Women’s Advisory Board to fill unexpired terms expiring April 30, 2018 and Ruth Pierce to fill an unexpired term expiring June 30, 2019.

*Note: They replace Andrea Brown, Mallorri Hermanson and Courtney Rhodes.*

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Vanessa Clarke to the Women’s Advisory Board to fill an unexpired term, expiring April 30, 2018.

*Note: She replaced Miyoshi Petty.*

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Mable Hemphill to the Women’s Advisory Board to fill an unexpired term, expiring November 30, 2019.

*Note: She replaced NouaChi Vang.*

**17-3879 APPOINTMENTS**

**SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD**

The vote was taken on the following nominees for appointments to the Small Business and Entrepreneurship Advisory Board:
Chair Scarborough announced the appointment of Chris Clark, Nikita Devereaux, and Nick Koutsoupias to the Small Business and Entrepreneurship Advisory Board to fill unexpired terms expiring June 30, 2017 and Austin Morphies and Sona Oliver to fill unexpired terms expiring June 30, 2018.

Note: They replace Dorian Carter, Terri DeBoo, Khalif Rhodes, John Shaul, and Juanita Tackett.

17-3880 APPOINTMENT – WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Martin Doss to the Waste Management Advisory Board as recommended by Charlotte City Council for a three-year term expiring February 28, 2020.

PUBLIC HEARINGS

17-3868 PUBLIC HEARING – NAMING OF MECKLENBURG AVENUE PEDESTRIAN ENTRANCE OF MIDWOOD PARK

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on request to name the Mecklenburg Avenue pedestrian entrance of Midwood Park the “Jerry L. Brown Midwood Park Memorial Entrance.”

No one appeared to speak.

Commissioner Ridenhour spoke of Mr. Brown’s love for the community.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on request to name the Mecklenburg Avenue pedestrian entrance of Midwood Park the “Jerry L. Brown Midwood Park Memorial Entrance.” and approve the naming of the Mecklenburg Avenue pedestrian entrance of Midwood Park the “Jerry L. Brown Midwood Park Memorial Entrance.”

17-3869 PUBLIC HEARING – NAMING REQUEST FOR HORNET’S NEST INDOOR SHELTER

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on the request to name the Indoor Shelter at Hornet’s Nest Park the “David Williamson Jr. Pavilion at Hornet’s Nest Park.”
Johnny Johnson spoke in support of the request.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the request to name the Indoor Shelter at Hornet’s Nest Park the “David Williamson Jr. Pavilion at Hornet’s Nest Park” and approve the naming of the Indoor Shelter at Hornet’s Nest Park the “David Williamson Jr. Pavilion at Hornet’s Nest Park.”

17-3894  RE-NAMING OF COUNTY FACILITY (COMMISSIONER LEAKE)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on Mecklenburg County’s proposal to name the Northwest Campus, Health Department Facility located at 2845 Beatties Ford Road to the "Harry L. Jones, Sr. Public Health Center" in honor of the late and former County Manager Harry L. Jones, Sr. who passed away on February 15, 2017.

Lahari Jones (daughter) and Rebecca Jones (wife) expressed thanks and appreciation to the Board for wanting to name a County facility after Mr. Jones, but asked that the family be allowed time to consider this matter and that no action be taken. They said the family was still grieving and not able to comment on the proposal and/or make a recommendation at this time.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioner Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on Mecklenburg County’s proposal to name the Northwest Campus, Health Department building located at 2845 Beatties Ford Road, as the "Harry L. Jones, Sr. Public Health Center" in honor of the late and former County Manager Harry L. Jones, Sr. who passed away on February 15, 2017.

Note: The Board respected the family’s request and took no further action.

ADVISORY COMMITTEE REPORTS

17-3851  LUESA—AIR QUALITY COMMISSION ANNUAL REPORT

The Board received as information the annual report of the Air Quality Commission, presented by its Chairman Peter McGrath.

Commissioner Clarke returned to the dais.

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

Commissioners thanked Mr. McGrath and members of the Air Quality Commission for the report and asked questions of him, all of which were addressed.

MANAGER’S REPORT

17-3852  LIVABLE MECK UPDATE
Item was removed from the agenda and will be rescheduled.

17-3888 HUMAN RESOURCES UPDATE

The Board received as information a Human Resources Update on Community Partnerships and Paid Parental Leave from Human Resources Director Joel Riddle.

It was noted that per staff’s research regarding paid parental leave, it was being recommended that the Board implement “Paid Family Leave.” “Paid Family Leave” would allow employees to be off for the birth of a child, legal placement of a child for adoption, foster care or guardianship, or when caring for their child/step child, spouse or parent/step parent who had a serious health condition. Paid Parental Leave only addressed the birth of a child, legal placement of a child for adoption, foster care or guardianship and not serious health conditions of children, spouse, or parents.

Reasons for Implementing Paid Family Leave:
- Maintain competitiveness with recruitment and retention
- Address employees’ suggestions for benefits related to elder care
- Consideration to when caring for seriously ill spouse or parent
- Eliminate the perception of preferential treatment for a small sector of the organization
- Provide equal benefit for diverse employee population
- The proposed effective date would be January 2018.

Eligibility: Full time benefits eligible employee and eligible for continuous family medical Leave as defined by FMLA excluding intermittent and employee only leave.

Qualifying Reasons: Birth of a child, legal placement of child for adoption, foster care or guardianship, and/or caring for the employee’s child/step child, spouse or parent/step parent who has a serious health condition.

Amount/Duration: County provides 100% of employee’s salary not to exceed six (6) weeks and runs concurrently with FMLA.

Cost: Potential reduction to turn back dollars, costs to temporarily backfill, reassign responsibilities or pay overtime to cover absence. However, there is no additional budgetary appropriation.

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

Comments

Commissioner Cotham spoke in support of paid parental leave, which she suggested be considered. She also expressed support of staff’s recommendation for “Paid Family Leave.”

Commissioner Ridenhour expressed concern for the cost of providing “Paid Family Leave.” He said the County currently had a very “generous” benefit package. Commissioner Ridenhour said he was okay with expanding maternity leave to parental leave and offering sixteen weeks, like Bank of America, but had reservations about expanding it to “Paid Family Leave” as proposed.

County Manager Diorio said “Paid Family Leave” was being recommended based on the data because only 1.7% of County employees took advantage of FMLA for parenting or bonding. County Manager Diorio said with the average age of the County’s workforce being in mid-forties, it was more likely that more employees would benefit from “Paid Family Leave” than...
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“Paid Parental Leave.” County Manager Diorio said if the County wanted to be fair and equitable to the entire employee base, then benefits needed to be offered so that everyone would have the opportunity to take advantage of them, if needed, over the course of their employment with the County.

County Manager Diorio said she didn’t foresee cost as being an issue. She said it would cost more but that the Board would not be asked to appropriate any additional funds.

Commissioner Puckett asked whether the proposed leave would be in addition to an employee’s vacation time. The response was yes.

Commissioner Puckett said comparing the County’s benefits to those offered in the banking industry was not an “apples to apples” comparison.

Commissioner Puckett expressed concern for the cost of providing “Paid Family Leave.” He noted other current employee benefits that weren’t provided in other employment sectors. He said the County’s current employee benefits were very competitive.

Commissioner Fuller made favorable comments regarding the County’s participation in the Mayor’s Summer Youth Employment Program and Park and Recreation’s Youth Employment Corps program.

Commissioner Fuller asked about the County’s current policy with respect to the Family Medical Leave Act, which was addressed.

Commissioner Fuller asked staff to consider whether the proposed “Paid Family Leave” could be in addition to FMLA leave since FMLA leave was unpaid anyway. He noted as an example that an employee with enough vacation and sick leave could possibly end up taking eighteen weeks.

Director Riddle said he felt Commissioner Fuller’s suggestion had been accounted for and explained how.

Commissioner Fuller asked if staff felt utilization of the benefit would increase. The response was yes.

Commissioner James questioned whether the ability to take off to care for someone should only be made available to someone who was the “primary caregiver.” He expressed concern for possible abuse by employees, particularly males. He suggested staff look at Wells Fargo’s primary caregiver leave policy.

Commissioner James questioned whether the County should consider a trade off, whereby the implementation of “Paid Family Leave” would replace the ability to accumulate unlimited sick and vacation leave, which was currently allowed.

Commissioner Dunlap asked for clarity on the purpose of wanting to implement “Paid Family Leave.” The purposes noted were for competitiveness and as a morale builder.

Commissioner Dunlap questioned whether there were other options available to accomplish the same goal, such as offering extra vacation days or sick days for not taking time off as an incentive. He said he was comfortable with the “Paid Family Leave” being provided to the primary caregiver.

Director Riddle said the County currently did what Commissioner Dunlap referenced because employees can accumulate four hours of extra vacation if they go seven pay periods without
taking sick time. He said theoretically an employee could earn two extra days of vacation annually.

Commissioner Dunlap asked that other options be considered prior to asking the Board to vote on the proposed “Paid Family Leave.”

Commissioner Clarke expressed general support of the proposal. He said in most advanced and industrialized countries parental leave was mandated by law. He said the amount of time off ranged from four weeks to twenty weeks. He said it was paid for through a system that was like the social security system, so it didn’t just fall on one employer or another.

Commissioner Clarke commented in response to Commissioner James’ concern about a person being the “primary caregiver.” He addressed the need for primary caregivers to have someone to assist them in getting things done.

Commissioner Clarke said there was always the possibility of abuse by persons taking advantage of the benefit, but he did not see it being a major problem.

Commissioner Clarke said although he was generally supportive of the proposal, more time was needed by the Board to consider all the options. He said this was a complex issue.

Commissioner Leake said she hoped this matter would be looked at from the perspective of supporting families.

Commissioner Cotham said Mecklenburg County employees were very dedicated to their job and that she did not foresee the abuse of this benefit, if provided, being a major problem.

Commissioner Cotham asked staff to consider with respect to maternity leave, perhaps granting more time to mothers who had a C-Section or multiple births.

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

Commissioner Puckett addressed the competitiveness of the County’s existing benefits. He said a lot of the County’s older employees typically would have accumulated enough sick leave to address whatever needs they or a family member had.

Commissioner Ridenhour asked for clarity around what was offered by some of the other counties that were looked at. The response was that those counties had parental leave.

Commissioner Ridenhour asked that when the matter came back to the Board that more information be provided as to what the banks offered. He questioned whether the banks offered sixteen weeks for the family side of the equation. Commissioner Ridenhour said he felt that less time was offered for the family leave versus the parental leave.

Commissioner Ridenhour said he was supportive of bringing the County’s policy into the 21st century and that he would be supportive of changing the maternity and parental leave to twelve or sixteen weeks. He said he was okay with offering family leave but that perhaps the number of weeks should be less.

Commissioner Ridenhour addressed the competitiveness of the County’s existing benefits and made reference to the fact that upon retiring employees were paid for accumulated sick and vacation leave.

Chair Scarborough said to have a spouse at home while the mother was on maternity leave was very beneficial.
UPDATE ON CORRECTIVE ACTIONS AT THE PUBLIC HEALTH DEPARTMENT

The Board received an update from the County Manager on the status of activities and corrective actions at the Public Health Department. The following was noted:

- There were 185 patients with abnormal pap smear test results.
- 110 of the 185 patients needed a repeat test.
- They were all sent communications.
- Follow-up with those patients would be monitored to make sure they come back in for their repeat test.
- There were 75 of the 110 that needed specialty referrals, 40 of whom were seen at the specialty clinic that was run out of the Health Department. Sixteen were seen at a referral organization that the Health Department used.
- Sixteen are scheduled to see a specialist and three no longer live in N. C. but have been located.
- Those three are being located through the Health Department in the state in which they now reside.
- All patients have now been located. They have either been seen or will be scheduled to be seen for their follow-up test.
- County Internal Audit was continuing its review of the Health Department.
- The N.C. Department of Health was in Mecklenburg County today, March 21, 2017 to talk with staff in the Health Department’s Family Planning Division to start their review. They would continue to do that review, as well as, do an agency-wide review of the Health Department.
- Staff was moving forward with obtaining a consultant to help with a clinical operational assessment of the Health Department.
- The Request for Proposal was sent out to 28 firms, four of whom expressed interest in doing the work.

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

- Those four firms were interviewed, Public Consulting Group, Navigant, Galloway Consulting, and Cigna Med Solutions.
- Staff recommends contracting with Navigant for $261,000 to do the assessment and to help with implementation of the recommendations.
- Staff recommends contracting with and Practice Partners for Health to work with staff on executive level roles and responsibilities and other issues at the senior level of the Health Department. The contract amount would be $25,000.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 7-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett and Scarborough voting yes, to authorize the County Manager to obtain the services of Navigant for $261,000 and Practice Partners for Health in the amount of $25,000.

RETIRING OFFICER

The County Manager acknowledged the pending retirement of Charlotte-Mecklenburg Police Officer Robert “Bob” Goodwin in April. Officer Goodwin has provided coverage at Board meetings for the last 6 years. He has 30 years of service with the Charlotte-Mecklenburg Police Department.
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County Manager Diorio expressed thanks to Officer Goodwin for his years of service. This was echoed by the Board as well.

**Commissioner Ridenhour returned to the dais.**

**DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS**

**17-3884 DEPARTMENT MANAGEMENT MONTHLY REPORTS**

The Board received as information monthly department management reports for March, 2017.

*Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments and that reports show relevant performance indicators of departmental activity.*

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

**17-3885 FEATURE DEPARTMENT PRESENTATION: CHARLOTTE MECKLENBURG LIBRARY**

The Board received a report from the Charlotte Mecklenburg Library CEO Lee Keesler.

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

Commissioners thanked Mr. Keesler for the report and asked questions of him, all of which were addressed.

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**17-3859 PROPOSED AMENDMENT TO THE COUNTY FACILITY NAMING POLICY (COMMISSIONER RIDENHOUR)**

Commissioner Ridenhour addressed the County’s current Facility Naming Policy and the process differences between a facility naming request for a facility on park property versus non-park property. He said the process for naming a facility that was on park property was much more cumbersome.

It was noted that the County enters into public/private partnerships to create funding opportunities for Park and Recreation capital projects. In some cases, private entities offer the naming of facilities for those donors as a mechanism to raise private dollars. In those instances, the complex and lengthy process for the approval of naming park and recreation facilities can be seen as a disincentive for donors. The proposed amendment to the County Facility Naming Policy will facilitate and encourage donor participation in these important projects. The proposed amendment reads as follows:

I. If a private entity has entered into an agreement with the County to raise funds for a capital improvement, construction or renovation, and the entity desires to offer naming rights as a mechanism to raise funds, the policy provisions in the “Park and Recreation Public Areas and Facilities Naming Policy” will not apply.

II. After the application is submitted to Mecklenburg County, staff will review the application and perform any due diligence it deems necessary for the purposes of delivering a staff
recommendation to the Board of County Commissioners. This action will be performed in an efficient but thorough manner, so a public hearing may be scheduled in a reasonable period of time. The recommendation should be presented to the Board of County Commissioners prior to the public hearing being held.

III. The Board of County Commissioners will receive the application, hold the public hearing and then consider the application for approval.

Comments

Commissioner Dunlap questioned why a private entity should be allowed to “go around” the process.

Commissioner Ridenhour explained the difference between this type of request versus others, noting that this would be applicable to community partners wanting to enter into an agreement with the County to raise funds for a capital improvement, construction or renovation, and the entity desires to offer naming rights as a mechanism to raise funds.

Commissioner Dunlap said he was concerned about the message this would send, which was that if you “got money you can get something named, but if you don’t you’re just out.”

Commissioner Dunlap said Park and Recreation on its own had found donors and supporters to support various projects.

Commissioner Dunlap said private entities should go through the same process as Commissioners and the public with respect to facility naming requests.

Commissioner Leake noted that all park property was owned by the County and paid for with taxpayer dollars. Commissioner Leake said she viewed the request as creating a “have and the haves” process. Commissioner Leake said she needed more clarity.

Commissioner Puckett noted that recently the County had already done what was being proposed, as a result of the contract agreement with the Smiths regarding memorial stadium. He said in that instance, the Board gave up the naming rights and waived the rules. Thus, the Board of Commissioners had the right to do so, site specific, at any time.

Commissioner Puckett suggested that perhaps Queens University should make a similar request of the County to waive the process for naming rights but fold them under the Board’s Guidelines, so that the public was protected.

Commissioner Puckett said it was a little strange having two different sets of requirements, as was currently the case.

Commissioner Dunlap questioned why there were two sets of facility naming guidelines. He suggested there only be one.

Commissioner Puckett recommended voiding Appendix 1, the Park and Recreation standards and just have the Board’s guidelines applicable to all naming requests.

Commissioner Fuller noted that the County’s policy already allowed for exceptions to be made.

Commissioner Fuller said his preference would be to have a rule that addressed when exceptions would be made. He said what was being proposed was an example of such a rule. He said even with this rule, there was still a process that one would have to go through.

Commissioner Leake asked for clarity with respect to who would receive the funds raised.
Count Attorney Bethune explained that the funds would be used on the site. He said using Queens University as an example, Queens would raise the funds to build the tennis court and wanted the ability to name the tennis court once it was built. He said the court would be used by Queens during school hours and the public during non-school hours.

Commissioner Fuller asked if staff had any comment on the proposal.

Park and Recreation Director Jim Garges noted the following:

- Park and Recreation had worked with Queens University for several months regarding this project.
- Queens was aware of the current policy and that the naming could have taken place by now had they wanted it to.
- The current process was in place so that citizens who lived near Park and Recreation facilities would have an opportunity to weigh in on a naming.
- In some instances, the process might take a little longer but that in his ten years, no one had complained about the naming process.
- In this instance the scheduling of meetings took a little longer than it should have and Park and Recreation acknowledged responsibility for that.
- It was a matter of making sure organizations understood the process.
- The naming process could begin while a project was under construction and organizations were informed of that.
- Park and Recreation was supportive of people being involved in the process and wanting to raise money.
- The process starts with the Board being made aware of the naming of a facility before anything starts in case a Board member had an objection about it. This was important because there could be an occasion where the process began and the Board was not aware of it and when it came time for the public hearing, things go “south.” Park and Recreation would not want that to happen to anyone.

Director Garges said the Board could shorten the process if it desired to do so. He said the ability to name a facility if you make a donation was already in the policy. He said the Board currently had all of the flexibility it needed.

Director Garges said in the instance involving Queens University, all they needed to do to get things underway was to put in an application for consideration, which had not occurred.

Director Garges said everyone was required to complete an application, whether money was involved or not. He noted that requests did not have to involve money.

Commissioner Gotham spoke in support of the proposed amendment. She said it was a “win” for everyone, including the taxpayer. She said the amendment would just put the matter on a faster pace.

Commissioner Puckett said he was okay with the proposed amendment but would recommend going forward that the current policy be reviewed to see if it could be streamlined.

Commissioner Dunlap said he, too, felt the current policy should be revisited. He said his interpretation of what was said by Director Garges was that the Board was being asked to fix a problem that didn’t exist.
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Commissioner Dunlap said he was not supportive of “piecemealing a fix” that the entire facility naming policy should be reviewed and that staff come back with recommendations for possible changes.

Commissioner Ridenhour said he was not opposed to the entire policy being reviewed, but that proposed amendment still allowed for public input and for the County to do its due diligence.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake, that the proposed amendment and a review of the entire facility naming policy be referred to the Park and Recreation Commission for a review and a recommendation back to the Board by the next meeting.

Commissioner Puckett said the Board currently had the flexibility to waive any portion of the policy that it wanted to.

Substitute motion was made by Commissioner Ridenhour, seconded by Commissioner Fuller and carried 6-2 with Commissioners Cotham, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioners Dunlap and Leake voting no, to approve the following amendment to the Mecklenburg County Facility Naming Policy:

I. If a private entity has entered into an agreement with the County to raise funds for a capital improvement, construction or renovation, and the entity desires to offer naming rights as a mechanism to raise funds, the policy provisions in the “Park and Recreation Public Areas and Facilities Naming Policy” will not apply.

II. After the application is submitted to Mecklenburg County, staff will review the application and perform any due diligence it deems necessary for the purposes of delivering a staff recommendation to the Board of County Commissioners. This action will be performed in an efficient but thorough manner, so a public hearing may be scheduled in a reasonable period of time. The recommendation should be presented to the Board of County Commissioners prior to the public hearing being held.

III. The Board of County Commissioners will receive the application, hold the public hearing and then consider the application for approval.

Policy recorded in full in Ordinance/Minute Book 47-A, Document #129.

17-3874 LAND ACQUISITION

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution of intent to exchange a fee simple portion of County owned Tax Parcel 067-031-11 (+/- 2.26 acres) for a permanent greenway easement on a portion of Tax Parcel 067-031-04 (+/- 3.76 acres) for construction of greenway trail along Stewart Creek with Morehead Ridge, LLC. Secondly, to authorize the County Manager to execute a rezoning petition to be filed with the City of Charlotte for the portion of County owned Tax Parcel 067-031-11 (+/- 2.26 acres) proposed to be conveyed to Morehead Ridge, LLC.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #130.

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

CONSENT ITEMS
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Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 7-0 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

17-3849 GRANT APPLICATION – CRIMINAL JUSTICE SERVICES

Authorize Criminal Justice Services (CJS) to submit an application to the U.S. Department of Justice, Bureau of Justice Assistance for $400,000 for three years under the Comprehensive Opioid Abuse Site-based Program solicitation.

17-3864 LAND DONATION- BACK CREEK GREENWAY

Accept the donation of Tax Parcel 105-371-04 (±6.21 acres) for the future construction of a portion of Back Creek Greenway trail from University East Business Park Association, Inc.

17-3867 CAPITAL RESERVE EXPENDITURE REQUESTS (PARK AND RECREATION)

1. Approve expenditure in the amount of $180,000 from the Park and Recreation Capital Reserve account for completion of renovations to the Jeff Adams tennis courts; and

2. Approve expenditure in the amount of $24,000 from the Park and Recreation Capital Reserve account for replacement of the sewer lift pump at Blythe Landing.

17-3871 MINUTES

Approve Minutes of Regular meeting held March 7, 2017.

17-3875 TAX REFUNDS

1) Approve refunds in the amount of $7,719.53 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor, and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of $188,625.11 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $12,690.41.

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

17-3876 BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

Recognize, receive and appropriate a revenue increase of $100,000 from Emerald Cove II, LLC and Yadkin Bank as part of a default of bond obligations related to Joy’s Serenity Point Subdivision in the Town of Cornelius to FY17 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until project is completed.
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17-3887 FORECLOSURE ACQUISITION PROGRAM CAPITAL PROJECT ORDINANCE

Approve Foreclosure Acquisition Program Capital Project Ordinance.

Note: This ordinance enables the Tax Collector to implement the Foreclosure Acquisition Program by providing funding to be used to acquire property through the tax foreclosure process. Without this ordinance, foreclosure action cannot commence until at least one bidder is identified. By establishing a capital fund through this ordinance, the fund can be replenished using proceeds from the sale of County acquired property.

MECKLENBURG COUNTY, NORTH CAROLINA
FORECLOSURE ACQUISITION PROGRAM
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 21ST DAY OF MARCH, 2017:

WHEREAS, Mecklenburg County has decided to accumulate funds from the sale of County property acquired through the tax foreclosure process together with any other available funds;

NOW, THEREFORE, BE IT ORDAINED that the Foreclosure Acquisition Program Capital Project Fund is hereby established as follows:

Section I. The purpose of this Foreclosure Acquisition Program Capital Project Fund is to hold and account for revenue as specified above and held for use for the purpose of providing funds for expenses related to the acquisition of property through the foreclosure process.

Section II. The County Director of Finance is authorized to receive and place into the Foreclosure Acquisition Program Capital Project Fund the specified revenues.

Section III. $500,000 transfer from the General Fund, is hereby appropriated for the purposes specified above.

Section IV. This Foreclosure Acquisition Capital Project Fund will remain in place until terminated by the Board of County Commissioners.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document # 131.

17-3891 CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE (CCBAC)

Approve an amendment to the Citizen’s Capital Budget Advisory Committee (CCBAC) charge.

Note: Currently, the CCBAC is charged with reviewing, developing and recommending capital standards for all functional areas as a basis of determining capital need for BOCC approval. The proposed amendment allows the CCBAC to:

1) To receive and review capital project forms and quarterly capital project reports;
2) Report to the Board of County Commissioners annually on the findings of the quarterly capital reports as it relates to Capital, Deferred Maintenance and Capital Operating Costs; and
3) Review the agency and community engagement process for the Capital Improvement Program.

Citizens Capital Budget Advisory Committee

1. The Committee will be focused on the charge given by the Board of County Commissioners:

   • To receive and review capital project forms and quarterly capital project reports;
   • Report to the Board of County Commissioners annually on the findings of the quarterly capital
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- Review the agency and community engagement process for the Capital Improvement Program;
- The Chair and Vice Chair are required to meet periodically with the Financial Services Director or designee to report on the activities of the CCBAC.

2. A quorum must be present for an official meeting of the Committee and for official action to be taken. Decisions of the Committee are determined by a majority vote of the members present.

3. A chair and vice chair will be elected by members.

4. The Chairman may appoint subcommittees to work on specific tasks and reviews. These sub-committees will present information and recommendations to the Committee. The work of the subcommittees is considered “work in process” until official action is taken by the Committee.

5. The Chairman will approve the agenda for distribution to members. (When meeting on a monthly schedule, approval will occur one week before the scheduled meeting date. When meeting on a more frequent basis, approval will occur three business days before the scheduled meeting.) Items may be placed on the agenda by any member of the Committee in advance of a meeting by requesting such at a previous meeting of the Committee or by contacting the Chairman at least one day prior to the day of approving the agenda for distribution. In order to add an item to the agenda during a meeting, all Committee members present must vote in favor of adding the item.

5. All meetings of the Committee are open to the public.

6. The Chairman or his/her designee shall serve as the official spokesperson of the Committee. In doing so, the Chairman will convey official actions taken by the Committee and may discuss the different viewpoints and concerns of the membership relating to these actions. Members of the Committee are to refer the media to the Chairman for this information.

7. County staff is assigned to the Committee and its subcommittees to provide information and administrative support for the Committee’s charge. Requests for information and support should be made to the assigned staff, preferably during meetings, rather than to individual County departments or other agencies participating in the County’s capital program.

8. It is appropriate for a member of the Committee to be excused where that member recognizes a conflict of interest between his own interest and the interest of the County. It is suggested that, if in doubt, the member should be excused. It is also appropriate for a Committee member to be excused if he or she was not present for the discussion or dissemination of information in reference to the vote.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

17-3861 BUDGET ADMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Recognize, receive and appropriate a net increase in revenue in the amount of $116,052 (The net increase is to reflect actual state and federal funding.)

2. Recognize, receive and appropriate an increase in Environmental Health revenue in the amount of $74,139

3. Approve the creation of an Environmental Manager position to be funded with the additional revenue

4. Recognize, receive and appropriate additional Medicaid revenue for the Children’s Developmental Services Agency (CDSA) Program in the amount of $49,254

818
5. Approve the creation of a Case Coordinator position to be funded with additional Medicaid Funds, and

6. Approve the creation of 2 part-time Administrative Support positions in the Call Center to support peak call periods.

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

17-3865 DUKE ENERGY LIGHTING SERVICE CONTRACT – THOMAS MCALLISTER WINGET PARK

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 6-0 with Commissioners, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a 10-year service contract with Duke Energy in the amount of $19,080 ($1,908 per year) for all parking lot lights and poles at Thomas McAllister Winget Park.

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

17-3886 C.W. WILLIAMS – FY2017 RESTRICTED CONTINGENCY

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 6-0 with Commissioners, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the release of C.W. Williams restricted contingency funding in the amount of $390,000 as recommended by the County Manager.

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

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 6-0 with Commissioners Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:43 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk Ella B. Scarborough, Chair
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 4, 2017.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

Commissioners Fuller, James, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3881, 17-3896, 17-3903, 17-3908, 17-3917, & 17-3918 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS

17-3931 BOARD TOPICS OF INTEREST: BUSINESS INVESTMENT GRANTS PROGRAM

The Board received a report from Economic Development Director Peter Zeiler on the County’s Business Investment Grants Program.

Commissioners James, Puckett, Fuller and Ridenhour entered the meeting during the presentation.

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

Comments

Commissioner Leake asked what could be done to help small businesses become strong in the community, which was addressed.

Commissioner Clarke commented on the value of offering incentives. He said it shouldn’t be
Chair Scarborough thanked Director Zeiler for the report.

17-3929 SMALL BUSINESS PLAN UPDATE

The Board received as information a presentation from Economic Development Director Peter Zeiler highlighting the results from a small business report.

Note: This was an overview of a small business report completed by Thomas P. Miller & Associates. The update included a set of options for the Board's consideration. One of the options included the establishment of a revolving fund, which was identified as a topic of interest during the preparation of the 2017 Board Retreat.

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

Comments

Commissioner Dunlap said he was glad to see the results of the study regarding growing small businesses and entrepreneurship. He said this was something he'd requested be done in the past and he looked forward to the County moving in this direction.

Commissioner Leake commented on the Small Business Consortium that started several years ago, as an initiative of hers.

Chair Scarborough thanked Director Zeiler for the report.

CLOSED SESSION

17-3911 CONSULT WITH ATTORNEY

County Attorney Bethune announced that there were no matters to be discussed in Closed Session.

REMOVAL OF ITEMS FROM CONSENT

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, James, Puckett, Ridenhour, and Scarborough voting yes, to move Item 17-3918-Proclamation – Scottish Heritage Week from the Consent section of the Agenda to the Awards/Recognition section of the agenda.

NEW AGENDA ITEM ADDED

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to add an item to the agenda under the Consent section regarding the receipt of facility naming applications submitted by Queens University of Charlotte.
Chair Scarborough called this portion of the meeting to order. Commissioner Fuller gave the invocation, which was followed by the Pledge of Allegiance to the Flag, and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

17-3918 PROCLAMATION – SCOTTISH HERITAGE WEEK (COMMISSIONER PUCKETT)

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating the week of April 3, 2017 as Scottish Heritage Week in Mecklenburg County.

The Proclamation was read by Commissioner Puckett and received by Henry Mummaw, Board Member of Historic Rural Hill. Mr. Mummaw noted that the Loch Norman Highland games were scheduled for April 8 & 9 and not April 16 & 17 as stated in the proclamation.

PUBLIC APPEARANCE

17-3909 PUBLIC APPEARANCE

The following person appeared to speak during the Public Appearance portion of the agenda:

Scott Higgins a resident of Cornelius, Chair of the Park, Art, Recreation and Culture Commission for the Town of Cornelius, spoke in support of a North Mecklenburg County Recreation Center being built. He addressed the need for such a facility in the area.

APPOINTMENTS

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Commissioner Cotham presented the recommendation of the Board’s Ad Hoc committee on appointments to the Board of Equalization and Review. Commissioner Cotham served as chair of the committee. The other committee members were Commissioners Leake and Puckett.

A copy of the committee’s letter of recommendation is on file with the Clerk to the Board.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Carol Fortenberry to the Board of Equalization and Review for a three-year term expiring April 16, 2020 and Joyce Reid to fill an unexpired term expiring April 16, 2018, as recommended by the Board’s Ad Hoc Appointment Committee.

Note: Staff will continue to advertise for the remaining vacancy.

INFORMATION SERVICES AND TECHNOLOGY

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

- Frank Benson Commissioners Leake, Puckett, James & Ridenhour
- Vivek Dighe None
- Branden Rosenlieb Commissioners Clarke, Cotham, Dunlap, Fuller, and Scarborough

Chair Scarborough announced the appointment of Branden Rosenlieb to the Information Services and Technology Committee to fill an unexpired term expiring February 28, 2018.

Note: He replaced Maurice Dunn.

17-3933 APPOINTMENTS – WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Henry Antshell to the Waste Management Advisory Board for a three-year term expiring April 30, 2020, and to nominate and appoint Christopher Brown, Jo Covington Harashima, and Elizabeth Knapp to the Waste Management Advisory Board for three-year terms expiring April 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and failed 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, and Commissioner Ridenhour voting no, to waive the County’s term limit policy and reappoint Linda Ashendorf for a three-year term expiring April 30, 2020.

Note: It takes a unanimous vote for someone to be reappointed, however, that person can be nominated and considered at a subsequent meeting. Linda Ashendorf has served two full consecutive terms but desires to continue, pending Board approval.

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the County’s term limit policy and allow Linda Ashendorf to reapply to the Waste Management Advisory Board.
PUBLIC HEARINGS

17-3907 CLOSING A PORTION OF RIGHT-OF-WAY OF WILBANKS DRIVE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open a public hearing to hear comments with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way.

Note: Per the petition, the portion of right-of-way petitioned for abandonment and closing, and the adjacent parcels are to be developed as a residential neighborhood with alternate ingress and egress to be provided prior to the closing of said portion of the current ROW.

Randy Martin, representing the petitioner/developer and Cameron Ware, legal counsel for the petitioner/developer, spoke in favor of the closing of a portion of Wilbanks Drive right-of-way.

The following was noted:
- The use of the term closing was a little misleading.
- The intent was to realign Wilbanks Drive.
- As the petitioner/developer moved forward with sketch plans and site plan construction documents it became apparent that meeting the subdivision ordinance was not possible with the current alignment of the right of way.
- The proposed realignment would make the road safer, as well as, bring it up to standards.
- The petitioner/developer met with the homeowners on Wilbanks Drive regarding continued access.
- A temporary road would be built to assure continued access.
- The petitioner/developer would make sure all utilities in that area were active and protected.
- The petitioner/developer planned to bring water down the road.
- Other than what’s normal when construction takes place, residents would not be negatively impacted.

Mr. Ware said he worked with County Attorney Bethune regarding the order document to make sure everything was in order.

Comments

Commissioner James asked for clarity regarding there being some sort of septic field underneath the current road, which was addressed by Mr. Ware.

Commissioner James asked would the developer pay for the current resident on Wilbanks Drive that had the sewer easement, hook-up to City water/sewer once it was ran down the road. Mr. Ware said there had not been any agreement in that regard.

Commissioner James asked about the development’s planned crossed street and other aspects of the planned development, which was addressed.

Commissioner James said residents in the area had expressed concern, because they weren’t aware of all the details of what this matter was about. He said the use of the term abandonment caused concern.
Commissioner James asked would a delay in voting on the order for closing pose any problems for the developer. Mr. Ware said the petitioner/developer had followed the required process with respect to the request for abandonment and closing of a portion of Wilbanks Drive right-of-way. Further, that the petitioner/developer spent about three hours meeting with residents that lived on the end of Wilbanks Drive. Mr. Ware said as a result of that meeting, access to the temporary road was incorporated in the order document that was before the Board. Also, at that meeting the petitioner/developer found out about the active septic line and agreed to protect that septic line during the construction. He said the petitioner/developer wanted to be a good neighbor to the residents in the area.

Mr. Ware said a lot of the concerns that had been expressed via email exchanges were not County related but City of Charlotte planning concerns.

Mr. Ware said the petitioner/developer would like the Board to move forward but would not object if the Board wanted to continue the hearing to another date.

Commissioner James acknowledged that Mr. Ware was correct that a lot of the concerns expressed to Board members were zoning related and not in the County’s purview; however, he said perhaps it would be good to allow the residents and the petitioner/developer more time to meet regarding their concerns before the Board took action.

Commissioner Dunlap asked was it correct the request was being made to get the road up to state specifications. Mr. Ware said it would be realigned to meet City specifications, which it currently did not meet.

Commissioner Dunlap asked was it correct the developer planned to preserve the use of the septic field, meaning residents currently using the septic field would still be able to. Mr. Ware said there was only one resident using that line and that the petitioner/developer would not interfere with that use during construction.

Commissioner Dunlap asked was it correct the developer had obtained its zoning rights to develop what they wanted to. The response was yes.

Commissioner Fuller asked for clarity regarding the septic issue, which was addressed.

Mr. Ware said the petitioner/developer offered, as noted in the order document, to protect the current septic system, even though there were no legal rights still in existence for the current septic system.

Commissioner Fuller asked if homeowners were using that septic system currently. Mr. Ware said only one homeowner was using it.

Commissioner Fuller asked for clarity regarding the availability of water and sewer in the area once construction was completed and if the one property owner would have access. Mr. Ware said the one property owner currently and has had that access since last year but had not chosen to take advantage of that access to date.

Commissioner Clarke asked who was responsible for maintaining the current road. Mr. Ware said he believed it was a road that Duke Power put in years ago, prior to transferring the property to Crescent. He said there was no obligation to the property owner or the petitioner/developer to maintain the road. He said it was a public right-of-way that was dedicated to the County. He said the landowners at the end of Wilbanks could maintain the road if they wanted to.
April 4, 2017

Commissioner Clarke asked was it correct that once the petitioner/developer built the street to the City’s specifications, the street would then be maintained by the City. *Mr. Ware said the intent would be for the City to take over maintenance once the development was completed.*

Commissioner Clarke said once the City took over maintenance of the road that would relieve the property owners of any financial burden associated with maintaining the road.

Commissioner Cotham commented on her visit to the area and dialogue with the property owners. She said there was still a lot of uncertainty on the part of the property owners, since the plans for the development had not been finalized.

Commissioner Cotham said property owners in the area needed more time because there were still a lot of unanswered questions regarding the development.

Other Speakers:

David Laws, T. Arnold Edwards (resides in the area but not on Wilbanks Drive), and Fred Parker (resides in the area but not on Wilbanks Drive) spoke in opposition of the closing of a portion of Wilbanks Drive right-of-way. The following was noted:

- The question before the Board was whether to allow the rerouting of the road and the two conditions associated with that were, would it allow the homeowners ingress and egress to their homes; and was it detrimental to the public interest.
- A meeting was held between the developer and the homeowners and it was a “good” meeting, even though the homeowners didn’t receive any written answers that helped them.
- The concerns of the homeowners related to the condition of was it detrimental to the public interest, with the focus being concern for the environment, the septic system, emergency ingress and egress, and the impact of such a dense development on children in such a small area.
- Concerns were expressed for the development’s impact on storm water runoff, existing wildlife habitat, and lake access.
- The development would impact more than just homeowners on Wilbanks.
- They asked the Board to vote no on the closing of the road or to delay a vote in order to give the homeowners more time to meet with the developer to discuss their concerns.

Comments

County Attorney Bethune noted that Wilbanks Drive, the road in question, was not a state maintained road.

Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke, to close the public hearing on the abandonment and closing of a portion of Wilbanks Drive right-of-way and approve the closing.

Substitute motion was made by Commissioner James, seconded by Commissioner Ridenhour, to continue the public hearing on the proposed abandonment and closing of a portion of Wilbanks Drive right-of-way to the Board’s May 2, 2017 meeting at 6:30, to allow the petitioner/developer and the residents in the area time to further discuss this issue and their concerns.

Commissioner James commented on the purpose of his motion.

Commissioner Dunlap withdrew his motion.
The vote was then taken on the motion made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to continue the public hearing on the proposed abandonment and closing of a portion of Wilbanks Drive right-of-way to the Board’s May 2, 2017 meeting at 6:30, to allow the petitioner/developer and the residents in the area time to further discuss this issue and their concerns.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-3899 UPDATE ON CORRECTIVE ACTIONS AT THE PUBLIC HEALTH DEPARTMENT

The Board received an update from the County Manager on the status of activities and corrective actions at the Public Health Department. The following was noted:

PUBLIC HEALTH UPDATE
PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS APRIL 4, 2017

1) Public Health Initiatives

External Reviews
- The contract with Navigant will be fully executed this week
- The contract with Praxis Partners for Health has been fully executed.
- The final scopes of work for both consultants will be finalized after the Audit Review Committee meeting on April 18, 2017. We want the committee to have the final sign-off on the work to be completed.
- Internal Audit has completed its planning work and has started their fieldwork which includes reviewing processes and charts
- We will be holding a preliminary planning meeting with Praxis Partners, Navigant and Internal Audit on April 10. The focus of the meeting is to define roles and responsibilities to ensure all the work is aligned and there is no duplication of effort. In addition, the teams from Navigant and Praxis Partners will do site visits to see the operations and meet key staff.
- At the Audit Review Committee meeting on April 11th, both consultants will give presentations to the Committee to review their scope of work and areas of responsibilities
- To date, there has been 4 program site visits by the State. The programs reviewed include family planning, STD clinics, STD surveillance and the lab. The review of the lab resulted in two findings:
  1) The lack of a written procedure on how pap smear specimens are transported from the lab to our contract vendor LabCorp.
  2) One recently hired employee did not have an established education and training folder.

Both of those findings have been rectified.
There were no other findings from the other 3 site visits. We expect to get the final reports in the next 30 days which could include findings that were not presented at the exit conferences.
This week there are 3 state site visits scheduled for the following programs: Child Health, Care Coordination for Children (CC4C) and the Breast and Cervical Cancer Program (BCCP).

At the request of Commissioner James we have expanded the scope of the reviews to include:
  1) A review of all abnormal pap test results notification from 2013 and forward
when Mecklenburg County resumed management of public health services from Carolinas HealthCare System

2) An aging report of all pap test notifications for abnormal results to include the time from when the patient came to Public Health for testing to when the patient was notified, when the follow-up was completed and when the file was ultimately closed

While we believe that we can extract some data from the Cerner system, this would need to validated by a manual review of each chart. This takes someone with knowledge and experience with the Cerner system along with clinical expertise. We believe that Navigant is in the best position to assist with this. We have spoken to them about this and they believe they have the resources to do this. This would need to be added to their scope of work.

Pap Incident
• All 185 women impacted have been notified of their abnormal Pap smears results and have been seen or scheduled for a follow-up appointment
• Ten patients still need to be seen and all ten have appointments in April

Process Improvements
• Health Department has developed a new, comprehensive Pap follow-up protocol:
  o Patients are now notified of any result
  o Patients with abnormal results receive both phone calls and mail notification with results, instructions, and education
  o Patients with abnormal results are immediately linked with needed follow-up care by having Public Health schedule appointments on their behalf.
• An offer has been made to a new staff nurse to replace the employee who left the County
• An additional staff nurse is being hired so we will now have a staff nurse at each location
• These two nurses will be responsible for reviewing all labs and performing notifications and follow-up for all abnormal test results
• The nurses will be cross trained to be able to work on all types of lab tests
• A medical assistant is being hired who will be responsible for notifications for all normal test results
• Public Health Department has established an interim Quality Assurance team comprised of an Interim Clinic Manager contracted through Navigant and existing quality improvement staff to conduct daily monitoring of clinic activities and adherence to new protocols via direct observation, outcome data analysis, program policy analysis and development, and chart audits. It is led by Dr. Keener, Medical Director, who reports directly to Dr. Plescia
• A permanent quality assurance team is being established. While we believe that this will include a Quality Assurance Coordinator and a Quality Assurance Nurse Advisor, the final structure will be developed with Praxis Partners who will assist with the organizational structure and position development and description. Staff will report to the Medical Director. The quality assurance staff will work with each program in Public Health to review policy and procedures and conduct regular audits

Staffing Updates
• The position for the Director of Clinical Services who leads the clinical division, is on hold, awaiting recommendations from external reviews
• The remaining 3 staff are in the process of being hired, those include staff nurse, supervising nurse and nurse manager.

2) Public Records Request Review
• Drafting a policy and procedure for the review of information to be released in response to public records requests
The new procedures will include three levels of legal review. The first review will be done by the Deputy County attorney, the second by the deputy compliance officer or department attorney with subject matter expertise in the area, and the final review will be done by a third attorney. This is an interim solution while we evaluate resource needs to fully implement these procedures. We are also writing the business requirements and specifications for a technology solution that will manage front end security and identify sensitive information in emails and attachments. We will present the policy to the Audit Review Committee when it is complete.

3) Email Policy

We are updating our email policy to include new restrictions. After canvassing impacted departments, we know that email is heavily relied on to provide and obtain services to customers and transmit information to regulatory bodies. We are exploring several options including requiring secure delivery for all internal and external emails that contain sensitive information. That would make these emails easily identifiable when performing an eDiscovery search. We are also analyzing the implementation of “rights management” that allows the sender to restrict actions that could be taken with a document like emailing, printing or sharing. In the case of Public Health, we will be looking to more fully utilize the communications functions within the Cerner system. The Cerner systems allows staff to communicate with each other about patients inside the system where it will remain protected. This will eliminate the need to share patient information through the County’s email system. We intend to evaluate each option thoroughly so as not to negatively impact departmental operations. We will present the final email policy when it is completed.

4) HIPAA Incident

All the email files have been reviewed. Approximately 2,081 adult clinic patients were seen between 7/1/2014 and 7/1/2016. Adult clinics include STD’s, family planning and breast and cervical cancer programs. Most patients were seen in either the family planning or the breast and cervical cancer program during the July 1, 2015 to June 30, 2016 timeframe. For most patients, information disclosed included name, date of service and type of service received. For some patients, the information also included more specific demographic information such as address, phone number or date of birth. For some patients, the information also included more specific clinical information such as chief complaint, test or screening result or diagnosis. The total number between all the lists is currently 2081, but staff is still in the process of making comparisons to eliminate duplicate names. The county has insurance coverage for these situations and in consultation with Risk Management, we have engaged a law firm, Baker Hostetler with expertise in HIPAA data incidents to work with us on drafting the notification letters to each of the identified individuals and offer guidance on how best to set up a call center for follow up questions. The project plan is being completed and we will follow all necessary steps to comply with the law.

Comments

Chair Scarborough asked was staff aware of the need for confidentiality with respect to this type of information. County Manager Diiorio said yes and that it would continue to be reiterated.
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Commissioner Clarke referenced the HIPPA incident and noted for the public’s awareness that information was inadvertently released to the media when complying with a request from the media.

Commissioner Clarke asked how many media outlets the information was released to. The response was two.

Commissioner Clarke asked did the media outlets agree to return that information and was it felt the media outlets had not shared that information with anyone else. The response was yes to both.

Commissioner Clarke asked would a statement regarding the media’s receipt and return of the information be included in the notification that would go out to those impacted. County Manager Diorio said the language used in the notification would be as required by the HIPPA law, which was very prescriptive.

Commissioner Clarke said, if possible, it should be made clear in the notification process that personal health information was not disclosed beyond the two media outlets, who returned the information and that the County had no reason to believe it was disclosed by the media outlets to anyone.

Commissioner Clarke asked for confirmation that the files were retrieved. The response was yes.

Commissioner Ridenhour asked about the HIPPA files and where the information was housed and about the County’s email policy. He asked was it a case where someone in Information Technology accessed the wrong file or was the information exchanged back and forth via email. The response was that in responding to the public information request, emails were captured within the timeframe requested and some of those emails had attachments associated with them, which was the information that inadvertently got released.

County Manager Diorio said going forward additional restrictions would be placed on how email was to be used and how it’s to be used with respect to patient health information.

Commissioner Ridenhour asked about the Cerner System, which was addressed. The Cerner System was the County’s electronic Medical Records system.

Commissioner Ridenhour said it was troubling to think that employees of the Health Department were not aware of what communication system they should be using when it came to patient health information.

Commissioner Leake asked how many of the recommendations addressed in the County Manager’s press conference had been addressed, per the update provided. County Manager Diorio said they were all in progress and elaborated.

Commissioner Leake expressed concern that some of the recommendations had not been completed. County Manager Diorio noted some changes that had been implemented.

Commissioner Leake asked when a report would be received from the Health Department. County Manager Diorio explained that her report was representative of the Health Department, Information Technology and the Legal Department. She said the Board would not receive a separate report.

Commissioner Leake said she wanted and her constituents wanted to hear from the Health Department.
Commissioner Leake referenced a letter she received regarding management at the Health Department. She said there were employees that had information and concerns that they wanted to share but feared retaliation. She asked where could those employees go and feel comfortable expressing themselves. Commissioner Leake said she would share the letter with County Manager Diorio.

Commissioner Leake said she saw an advertisement regarding a party that was going to be held by the Health Department. She questioned the need for such a party considering recent incidences at the Health Department. County Manager Diorio said she had already informed the Health Department that a party was not to take place.

Commissioner Leake expressed her desire to have issues at the Health Department resolved as quickly as possible.

Commissioner Leake expressed concern regarding individuals violating the County’s ban on smoking on government property, specifically around the Government Center. She said signs prohibiting it should be more visible.

Commissioner Fuller said he was glad to see that staff would be looking at the public records review and email policy process. He said a clear protocol was needed.

Commissioner Fuller asked about the HIPPA incident and the engagement of the law firm of Baker Hostetler. He asked why a local firm wasn’t used. Deputy County Attorney Tyrone Wade said the firm was selected in accordance with the agreement with the County’s insurance carrier.

Commissioner Fuller said with respect to the public health issues, he was still concerned that the County’s focus was too narrow. He said the focus seemed to be more on responding to this incident and incidents of this type. County Manager Diorio said the scope of work for the consultants was pretty clear. She said they were very broad and included looking at all aspects of the Health Department and not just this incident.

County Manager Diorio said the additional things added, at the request of Commissioner James, were specific to this incident but the scope of work provided to Navigant was very broad and included the entire Health Department and all its functions.

Commissioner Fuller asked what processes were currently in place for employees that had concerns about what was going on in the Health Department to voice those concerns without fear of retaliation. County Manager Diorio said employees could use the Fraud Hotline, email the County Manager, go to Human Resources, go to a Commissioner, or go to Internal Audit, and even the media to voice their concerns.

Commissioner Fuller said he would like to see some type of system or protocol, or suggestion box or something for employees who felt they needed to speak to Commissioners directly.

Commissioner Fuller acknowledged that sometimes individuals had ulterior motivations, but he was getting too many concerns expressed to him. He said those concerns should be taken “seriously.” He said the concerns dealt with the efficiency and effectiveness of how things were being handled at the Health Department, relationships between certain staff and management at the Health Department, and management of the Health Department in general.

Commissioner Fuller said some employees felt the hotline was not a good avenue to use.

Commissioner Fuller said he did not want there to be other problems brewing but ignored because the attention was on the current problems.
County Manager Diorio said it was obvious that employees were communicating with Commissioners directly already.

County Manager Diorio said what she needed to understand was that once the employee’s concern elevated to a Commissioner, “anonymously”, what was going to be done about it.

County Manager Diorio said she needed to know from the Board what did success look like for this project.

County Manager Diorio said with changes there would always be some people who like them and some who did not. She said if success was going to be judged by the “level of noise” heard from employees, who may or may not be happy with the changes that were being made, that was not success.

County Manager Diorio said everyone needed to understand how success was going to be measured with respect to this project. She said some people don’t want change.

County Manager Diorio said she understood that employees had concerns and that those concerns needed to be addressed but that would not determine whether staff was successful in the changes made in the Health Department.

County Manager Diorio said she needed clarity from the Board about what that success looked like because if she was going to be judged on those results, they needed to be “crystal clear” about what that was and what it meant.

Commissioner Fuller said he understood what the County Manager was saying and that for him success was “at least means that when people do make complaints that we can say, no that’s not correct because we’ve done x, y, & z.” He said he didn’t think management could say that today.

Commissioner Fuller said management needed to be concerned that the processes were correct, but the people part of it had to be acknowledged as well.

County Manager Diorio said she felt management was acknowledging the people part of it but that she was concerned that not too much weight be put on anonymous emails that come from employees.

County Manager Diorio said she went to the Health Department and talked to employees on several occasions. She heard some concerns and they were being addressed.

Commissioner Dunlap said if a Commissioner was receiving information from employees, they had a responsibility to specifically say what the allegation was, so that it could be investigated.

Commissioner Dunlap encouraged employees to follow the processes available to them already. He said with respect to the Hotline, the concerns were received by a third-party vendor. He said if the process was followed the allegations would be looked into to see if they were accurate or not.

Commissioner Dunlap said issues and concerns had always been expressed by individuals from the Health Department, even under prior administrations. He said you’ll always have employees that were dissatisfied for one reason or another.

Commissioner Leake said she’d like to have a floor chart of the staffing at the Health Department, so that she could see who was delivering the services. Commissioner Leake said she heard complaints from black males about feeling uncomfortable when receiving services at
the Health Department and in some instances when those services were provided by white females.

Commissioner Leake asked that the floor chart be broken out by site location, race, and gender and without any names.

Commissioner Ridenhour referenced an email he received and believed received by all Commissioners except for Commissioner Leake. He said the email was about setting up some type of communication system between the Board and employees.

Commissioner Ridenhour noted some of the specific concerns addressed in the email. He said some of the things noted in the email were already being addressed by the County Manager. Also, that some of things referenced were issues that come about naturally, depending on one’s job.

Commissioner Ridenhour said it was evident, per the steps the County Manager had taken, that matters at the Health Department were being taken very seriously. He said it may take longer to resolve some of the issues but work was being done.

County Manager Diorio said she received the email referenced by Commissioner Ridenhour and that she had reached out to Dr. Plescia regarding some of those concerns. County Manager Diorio shared Dr. Plescia’s response to her inquiry.

This concluded the discussion.

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

17-3925 LIVABLE MECK UPDATE

The Board received an update on the Livable Meck effort. Rebecca Herbert, the County’s Community Engagement & Strategy Manager gave the report.

Note: Livable Meck, known previously as the Mecklenburg Livable Communities, was launched in 2014. The Project has convened a variety of stakeholders in various settings and continues to provide a forum for partnerships and cooperation among many partners committed to the quality of life in the Mecklenburg County area. A Livable Meck partner’s event was hosted on Tuesday, February 21, 2017; over 100 people attended, representing public and private industries throughout Mecklenburg County. The purpose of this update was to present the Progress Report and introduce the new web site www.livablemeck.com to the residents of Mecklenburg County. Mecklenburg County government has two roles associated with Livable Meck - convener and partner. In its next phase, Livable Meck will focus on the seven guiding principles and associated strategies; developing marketing strategies; and creating collaboration opportunities focused on timely topics such as aging, childhood obesity, affordable housing, etc.

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

Comments

Commissioner Leake asked for clarity between what Livable Meck was about versus the work that Strategic Planning Director Monica Allen was doing, which was addressed.

Commissioner Leake asked how this project would change the community, impact job creation, better relationships, or improve education. Ms. Herbert responded and said she’d be happy to
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meet with Commissioner Leake or any Commissioner one on one to provide a clear understanding of this effort.

Commissioner Fuller asked about the relationship of this effort to the work that was done by the Economic Opportunity Task Force. Ms. Herbert said that was currently being looked at to see where the two could align.

Commissioner Fuller addressed the need for social capital.

Commissioner Ridenhour commented on the broad scope of Livable Meck.

This concluded the presentation.

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

17-3935 REVENUE UPDATE

The Board received a Revenue Update from Assistant County Manager/Interim Finance Officer Mark Foster.

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

Comments

Commissioner Dunlap asked about expected revenue over and above what was projected, which was addressed.

Commissioner Fuller asked was it correct to say that this was just a forecast and should not be looked upon as the County having extra money available next year. Assistant County Manager/Interim Finance Officer Foster said that was correct.

This concluded the presentation.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-3930 RESOLUTION PASSED BY THE PARK & RECREATION COMMISSION REGARDING THE CAPITAL IMPROVEMENT PROGRAM (COMMISSIONER LEAKE)

Commissioner Leake acknowledged the Board’s receipt of a letter from the Park & Recreation Commission (PRC) that included resolutions passed by the PRC.

Note: On March 16, 2017, the Park & Recreation Commission sent a letter to the Board of County Commissioners requesting via two resolutions, that the Board of County Commissioners remove the Memorial Stadium project from the Capital Improvement Plan.

A copy of the letter is on file with the Clerk to the Board.
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Commissioner Leake said the receipt of the letter raised concerns for her around the role of the County’s advisory boards. She asked when would the Board’s Ad Hoc Committee on a Review of Advisory Boards be meeting. The response was April 25, 2017 at 2:00 p.m.

NEW ITEMS

It was acknowledged that during the 5:00 p.m. session the Board voted to add to the agenda, the naming requests received from Queens University of Charlotte.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of the following applications submitted by Queens University of Charlotte and to schedule a public hearing on April 18, 2017 at 6:30 p.m. to receive public comment on the proposed naming requests and direct the Clerk to the Board to publish the notice of public hearing as required:

17-3945  FACILITY NAMING APPLICATION - TRACK AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name the track at the Queens Sports Complex at Marion Diehl Park the "Irwin Belk Track;"

17-3947  FACILITY NAMING APPLICATION - SOCCER FIELD AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name the soccer field at the Queens Sports Complex at Marion Diehl Park "Dickson Field;"

17-3948  FACILITY NAMING APPLICATION - TENNIS COURT AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a tennis court at the Queens Sports Complex at Marion Diehl Park "Donald and Frances DeArmon Evans ’59 Tennis Court;"

17-3949  FACILITY NAMING APPLICATION - TENNIS COURT AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a tennis court at the Queens Sports Complex at Marion Diehl Park "Peggy Thomas Hibbert ’69 Tennis Court;"

17-3950  FACILITY NAMING APPLICATION - TENNIS COURT AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a tennis court at the Queens Sports Complex at Marion Diehl Park "Lou Finch Jones ’61 Championship Tennis Court;"

17-3951  FACILITY NAMING APPLICATION - TENNIS CENTER AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name the tennis center at the Queens Sports Complex at Marion Diehl Park "Howard & Julie Levine Tennis Center;"
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17-3952 FACILITY NAMING APPLICATION - TENNIS COURTS (4) AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a group of four (4) tennis courts at the Queens Sports Complex at Marion Diehl Park "Margaret Martin Tennis Courts;"

17-3953 FACILITY NAMING APPLICATION - TENNIS COURT AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a tennis court at the Queens Sports Complex at Marion Diehl Park "Penny P. O'Callaghan '78 Tennis Court;"

17-3954 FACILITY NAMING APPLICATION - TENNIS COURT AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a tennis court at the Queens Sports Complex at Marion Diehl Park "Phyllis Pharr Court;"

17-3955 FACILITY NAMING APPLICATION - MEETING SPACE AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a meeting space at the Queens Sports Complex at Marion Diehl Park "Phyllis Pharr Meeting Space;"

17-3956 FACILITY NAMING APPLICATION - HOCKEY FIELD AT QUEENS SPORTS COMPLEX AT MARION DIEHL PARK

An application submitted by Queens University of Charlotte to name a hockey field at the Queens Sports Complex at Marion Diehl Park "Bessant Field."

CONSENT ITEMS

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

17-3895 STORM WATER PROGRAM – FY17 VACANT FLOODPLAIN LAND ACQUISITION

Authorize the County Manager to enter Offer to Purchase and Contract with Jean Kendall Ponischil, by J. Baron Groshon, Guardian of the Estate, to acquire property located off Celia Avenue, Charlotte, NC (tax parcel 069-076-28), for $1,400.

Note: The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk.

17-3901 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $679 for Asset and Facility Management; $1,232 for Sheriff's Office; $23,394 for Park and Recreation and $2,462 for Social Services.
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Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-3902 LAND EXCHANGE -- STEWART CREEK

1) Adopt a resolution authorizing the exchange of a fee simple portion of County owned Tax Parcel 067-031-11 (+/- 2.26 acres) for a permanent greenway easement on a portion of Tax Parcel 067-031-04 (+/- 3.76 acres) for construction of greenway trail along Stewart Creek with Morehead Ridge, LLC and authorize the County Manager to enter into a land exchange agreement with Morehead Ridge, LLC and the E.C. Griffith Company for the exchange of the properties.

2) Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway easement on a portion of Tax Parcel 067-031-03 (+/- 1.98 acres) from the E.C. Griffith Company for a purchase price of $43,344 per acre.

3) Accept donation of storm water easements on Tax Parcels 067-031-03 (+/- 1.98 acres) and 067-031-04 (+/- 1.49 acres) from the E.C. Griffith Company and Morehead Ridge, LLC, and

4) Receive, recognize and appropriate +/- $273,961 (based on final payment amount due) from Morehead Ridge, LLC for the exchange of a portion of Tax Parcel 067-031-11 for a permanent greenway easement on Tax Parcel 067-031-04 to the County’s Land Fund Account for future Park and Recreation land acquisition and land management activities.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
AUTHORIZING EXCHANGE OF A PORTION OF TAX PARCEL 067-031-11 BETWEEN WEST MOREHEAD STREET AND FREEDOM DRIVE IN CHARLOTTE FOR A GREENWAY EASEMENT ON A PORTION OF TAX PARCEL 067-031-04 ALONG STEWART CREEK IN CHARLOTTE

WHEREAS, Mecklenburg County owns Tax Parcel 067-031-11 located between West Morehead Street and Freedom Drive in west Charlotte and Morehead Ridge, LLC owns Tax Parcel 067-031-04 which is adjacent to the County's parcel and is along Stewart Creek in which the County has future plans for a greenway trail; and

WHEREAS, Morehead Ridge, LLC desires to develop a mixed-use community on Tax Parcel 067-031-04 and to do so will need to acquire +/- 2.26 acre portion of County owned Tax Parcel 067-031-11 (hereinafter referred to as "County Exchange Parcel") to implement its desired plans and the County will need to acquire +/- 3.76 acre permanent greenway easement on a portion of Tax Parcel 067-031-04 (hereinafter referred to as "Morehead Exchange Easement") to build a greenway trail along a tributary of Stewart Creek; and

WHEREAS, the County Exchange Parcel has been valued at $193,333 per acre and the Morehead Ridge Easement has been valued at $43,344 per acre and the County and Morehead Ridge, LLC have agreed to exchange the fee simple County Exchange Parcel for the Morehead Ridge Easement, resulting in the County receiving payment in the estimated amount of $273,961 for the difference in the values of the County Exchange Parcel and the Morehead Exchange Easement based on the estimated acreages (with the actual payment amount to be determined after surveys have been completed); and

WHEREAS, the Mecklenburg County Asset and Facility Management Department has determined that in its opinion the County will receive full and fair consideration for the County Exchange Parcel to be conveyed to Morehead Ridge, LLC; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Exchange Parcel for the Morehead Ridge Easement and to follow the statutory procedure to authorize the exchange; and
WHEREAS, pursuant to G.S. 160A-271, the Board approved a resolution declaring its intent to authorize the exchange of the County Exchange Parcel for the Morehead Ridge Easement and authorized publication of a notice of such intent, which notice was published in The Charlotte Observer on March 24, 2017 as required by law, now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners hereby authorizes the exchange of the County Exchange Parcel for the Morehead Ridge Easement and authorizes the County Manager to negotiate and execute an exchange agreement and execute the deed and any other documents necessary to effectuate the exchange.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #132.

17-3905 RIGHT-OF-WAY ABANDONMENT FROM STATE MAINTENANCE AND PETITION FOR DEDICATION – NECK ROAD

1) Authorize the County Manager to execute all documents necessary to file a Right-of-Way Abandonment petition with the North Carolina Department of Transportation (NCDOT) requesting abandonment of maintenance of a portion of Neck Road (±4.625 acres) in Mecklenburg County along Tax Parcels 013-041-01, 013-181-13, 013-241-01 and 013-171-01, and

2) Authorize the County Manager to execute all documents necessary to file a Right-of-Way Dedication petition with the North Carolina Department of Transportation (NCDOT) requesting acceptance of a portion of Tax Parcel 013-041-01 (±0.016 acres) for a turnaround as part of Neck Road to be maintained by NCDOT.

17-3906 BUDGET AMENDMENT – BEARDEN MUSIC SERIES DONATION

Recognize, receive and appropriate a $15,000 sponsorship donation from Alston & Bird for the Bearden Music Series.

Note: Alston & Bird, an international law firm with offices in the heart of uptown Charlotte. The Bearden Music Series is an annual Park and Recreation event held once a month, June through September, at Romare Bearden Park. Each month showcases a different genre of music i.e. Jazz, Cajun, Latino and Blues.

17-3910 MINUTES

Approve Minutes of Regular meeting held March 21, 2017.

17-3912 CONSTRUCTION CONTRACT – CORDELIA AVENUE PARK PAVILION

Award a construction contract to MV Momentum Construction, LLC in the amount of $1,169,000 for the construction of a new indoor park shelter and site improvements at Cordelia Avenue Park.

17-3914 IN BUILDING RADIO DISTRIBUTION AGREEMENT – MECKLENBURG COUNTY COURTHOUSE

Authorize the County Manager to execute a five (5) year In-Building Radio-Distribution Agreement with Celco Partnership d/b/a Verizon Wireless for the installation of in-building radio-distribution devices to improve courthouse cellular service.
17-3915 TAX REFUNDS

Approve refunds in the amount of $13,114.08 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $137.56.

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

17-3916 SOLID WASTE MANAGEMENT FACILITIES CAPITAL RESERVE FUND

1. Authorize the transfer of $1,250,000 from the Solid Waste Enterprise Fund to the Solid Waste Management Facilities Capital Reserve Fund, and

2. Recognize, receive and appropriate an insurance reimbursement to the Solid Waste Management Facilities Capital Reserve Fund of $228,672.22.

17-3920 LAND ACQUISITION – STEPHEN’S ROAD NATURE PRESERVE

Receive as information an update on the County’s acquisition of a portion of Tax Parcels 013-042-14 and 013-042-21 (+/- 37 acres) in the extra-territorial jurisdiction of the Town of Huntersville from William Martin Allison for expansion of Stephen’s Road Nature Preserve.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

17-3881 GRANT APPLICATION – CRIMINAL JUSTICE SERVICES

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize Criminal Justice Services to submit an application to the U.S. Department of Justice, Bureau of Justice Assistance for $300,000 for two years under the Justice and Mental Health Collaboration Program solicitation.

Note: CIS will pursue Category 3 funding to expand upon already established mental health and justice system partnerships that support the department’s mental health court and jail diversion initiatives.

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

17-3896 BUDGET AMENDMENT – JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the reallocation of $13,386 of Juvenile Crime Prevention Council (JCPC) funding.
Note: In January 2017, CMPD returned $13,386 in JCPC funding as a result of an internal budget adjustment. On March 16, 2017, the JCPC voted to reallocate the funding to two existing JCPC programs. The JCPC would like to reallocate $2,500 to the DASH Strengthening Families program and $10,886 to the GAP program. DASH will use the reallocated funds to partner with Winthrop University to develop an outcomes assessment tool and develop a program logic model. GAP will use the funds to purchase new computers, student incentives and financial record keeping services.

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

17-3903 LEASE AGREEMENTS – MECKLENBURG COUNTY HEALTH DEPARTMENT CARE MANAGEMENT PROGRAMS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute lease agreements, including subsequent renewal terms, with Carolinas Healthcare System (CHS) for office space for the Health Department’s Pregnancy Care Management and Care Coordination for Children programs.

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

17-3908 BUDGET AMENDMENT – WINGET SCHOOL RECREATION SITE SUMMER CAMP (PARK & RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend the budget to recognize $30,720 in revenue and appropriate $30,720 in expenses.

Note: Mecklenburg County Park and Recreation currently offers a Traditional Summer Camp at Berewick Recreation Center in the Steele Creek area of Charlotte. The eight-week camp has 48 participants each week and is currently at capacity with 173 on the waitlist. The addition of a camp at Winget Park Elementary School will help serve the needs of this growing community.

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

17-3917 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate an increase in revenue in the amount of $11,111, and approve the creation of a Nurse position.

Note: During the fiscal year, the Health Department receives notification of modified funding for programs within the department from NC Division of Public Health. The net increase of state allocation is $11,111 from the Zika Virus Mosquito Control program. The Health Department is requesting a Nurse position to work with a Clinical Assistant to follow up on test results.

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

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:43 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
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 18, 2017.

ATTENDANCE

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

Absent:  None

-INFORMAL SESSION-

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified the following items to be removed from Consent and voted upon separately: 17-3904, 17-3922, 17-3927, 17-3934, and 17-3939.

STAFF BRIEFINGS

17-3972  CHARLOTTE REGIONAL PARTNERSHIP FY2018 FUNDING REQUEST

The Board received an update on the Charlotte Regional Strategic Plan and FY2018 Funding Request from the Charlotte Regional Partnership and Charlotte Chamber of Commerce. Ronnie Bryant, President and CEO of the Charlotte Regional Partnership and Keva Walton, Chief Growth Officer with the Charlotte Chamber of Commerce gave the presentation.

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

Comments

Commissioner Clarke asked about state funding and for clarify on what was being asked of the County, which was addressed.

Commissioner Dunlap said there was a need for the following: 1) unified language when referring to “small businesses;” 2) clarity on which entity people should contact first; and 3) development of the local talent that’s already in the community, as well as, focusing on the talent that’s coming into the community.
Commissioner Dunlap asked what would the County’s funding be used for. The response was marketing only.

Commissioner Dunlap asked about the funding amounts being requested from others in the region, which was addressed. It was noted the ask was based on population.

Commissioner Fuller commented on the need to develop existing local talent.

Commissioner Fuller asked about the link between the increase in investments and expected results, which was addressed.

Commissioner Leake asked about the economic benefit of the investment, which was addressed. She commented on the need for investment opportunities across the county and not just in certain areas. She specifically addressed the need for investment in the Beatties Ford Road corridor.

Commissioner Ridenhour asked about the other partners and commented on how they benefit from the County’s contribution.

This concluded the discussion.

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

Chair Scarborough thanked the presenters for the update.

REAL ESTATE DISPOSITION

The Board received a briefing from Dennis LaCaria, Senior Assistant to the County Manager, on a disposition opportunity. It involved the following parcels: 07316101, 07316103, 07316106, 07316201, and 07316202, a total of 1.073 acres.

Note: The Board of County Commissioners holds title to all County-owned real estate and must provide consent for disposition of same.

The following was noted:

- Purchaser would build mixed-income development
  - 20 senior housing units affordable to 60% AMI
  - 20 family housing units affordable to 60% AMI
  - 40 market rate for-sale family units
  - 100 public parking spaces
  - 3500 sf retail wrap along South Graham St

If the Board elected to move forward, the process would be as follows:

- 180 days due diligence (DD) for Buyer
- Appraisal ordered
- Mandatory Referral/Planning Commission
- Upset bid process
- Board review and approval
- Closing 60 days from expiration of DD

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

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize staff to move forward with the
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steps necessary to consider disposition of the following parcels: 07316101, 07316103, 07316106, 07316201, and 07316202, a total of 1.073 acres.

CLOSED SESSION

17-3941 CONSULT WITH ATTORNEY
17-3943 LAND ACQUISITION

County Attorney Bethune announced the following land acquisition matters to be discussed in Closed Session: Tax Parcel #069-076-23.

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

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 6:27 p.m. and came back into Open Session at 6:28 p.m.

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-3938 PUBLIC APPEARANCE

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

APPOINTMENTS

17-3900 NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Aaron Levy to the Air Quality Commission as the health professional representative for a three-year term expiring August 31, 2020.

Note: He replaces Gee Barker.

ALCOHOLIC BEVERAGE CONTROL BOARD
The following persons were nominated for appointment consideration to the Alcoholic Beverage Control Board:

David Conway   by Commissioner Puckett
Antoine Ensley  by Commissioner Cotham
Catherine Goodrich  by Commissioner Clarke
Leonard King   by Commissioner Puckett
Howard Phillips  by Commissioner Ridenhour
Paul Stroup     by Commissioner Ridenhour

Note: An appointment will occur following an interview of the above nominees by an ad hoc committee of the Board appointed by the Chair. Per Board policy, persons seeking appointment to the Alcoholic Beverage Control Board must undergo an interview process.

The following Commissioners volunteered to serve on the Board’s Ad Hoc Interview Committee for appointment considerations to the Alcoholic Beverage Control Board: Commissioners Clarke, Dunlap, and Leake.

CITIZEN’S TRANSIT ADVISORY GROUP

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Adam Pasiak to the Citizen’s Transit Advisory Group for a two-year term expiring April 30, 2019.

Note: He replaces Freddie Brown.

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Rick Winiker to the Park and Recreation Commission as the Central Region 3 representative to fill an unexpired term, expiring June 30, 2018 and Marc Seelinger as the South Region 3 representative to fill an unexpired term, expiring June 30, 2017 and a three-year term beginning July 1, 2017 and expiring June 30, 2020.

Note: They replace Abram Early and Tonya Phifer.

PUBLIC HEARINGS

17-3959 PUBLIC HEARING – NAMING REQUESTS BY QUEENS UNIVERSITY OF CHARLOTTE

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing on the requests to name the following County-owned facilities at the Queens Sports Complex at Marion Diehl Park as noted below:

1. Hockey Field to be named Bessant Field after Cathy Bessant
2. Meeting Space to be named Phyllis Pharr Meeting Space after Phyllis Pharr
3. Tennis Court to be named Phyllis Pharr Court after Phyllis Pharr
4. Tennis Court to be named Penny P. O’Callaghan ’78 Tennis Court after Penny P. O’Callaghan
5. Tennis Courts (4) to be named Margaret Martin Tennis Courts after Margaret Martin
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6. Tennis Center to be named Howard & Julie Levine Tennis Center after Howard & Julie Levine
7. Tennis Court to be named Lou Finch Jones ’61 Championship Tennis Court Mecklenburg County after Lou Finch Jones
8. Tennis Court to be named Peggy Thomas Hibbert ’69 Tennis Court after Peggy Thomas Hibbert
9. Tennis Court to be named Donald & Frances DeArmon Evans ’59 Tennis Court after Donald & Frances DeArmon Evans
10. Soccer Field to be named Dickson Field after R. Stuart and Alan Dickson
11. Track to be named Irwin Belk Track after Ike Belk

No one appeared to speak.

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the request to name the following County-owned facilities at the Queens Sports Complex at Marion Diehl Park as noted below and approve the said namings:

1. Hockey Field to be named Bessant Field after Cathy Bessant
2. Meeting Space to be named Phyllis Pharr Meeting Space after Phyllis Pharr
3. Tennis Court to be named Phyllis Pharr Court after Phyllis Pharr
4. Tennis Court to be named Penny P. O’Callaghan ’78 Tennis Court after Penny P. O’Callaghan
5. Tennis Courts (4) to be named Margaret Martin Tennis Courts after Margaret Martin
6. Tennis Center to be named Howard & Julie Levine Tennis Center after Howard & Julie Levine
7. Tennis Court to be named Lou Finch Jones ’61 Championship Tennis Court Mecklenburg County after Lou Finch Jones
8. Tennis Court to be named Peggy Thomas Hibbert ’69 Tennis Court after Peggy Thomas Hibbert
9. Tennis Court to be named Donald & Frances DeArmon Evans ’59 Tennis Court after Donald & Frances DeArmon Evans
10. Soccer Field to be named Dickson Field after R. Stuart and Alan Dickson
11. Track to be named Irwin Belk Track after Ike Belk

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-3973 LAW ENFORCEMENT SERVICE DISTRICT AND FIRE PROTECTION SERVICE DISTRICT UPDATE

The Board received presentations on the preliminary FY2018 budget estimates for the Law Enforcement Service District and Fire Protection Service District (FPSD).

Management & Budget Director Michael Bryant addressed the Law Enforcement Service District (LESD) and Land Use and Environmental Services Agency Director Ebenezer Gujjarpudi addressed the Fire Protection Service Districts (FPSD).

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

LAW ENFORCEMENT SERVICE DISTRICT

Comments
Commissioner James asked about the process for terminating and/or amending the agreement if the Board desired to do so, which was addressed.

County Attorney Bethune said notice would have to be provided to the City of Charlotte this April, to terminate the agreement 14 months from now. He said this would be applicable to the City of Charlotte if they wanted to terminate as well.

Commissioner James said a fix was needed because the Charlotte-Mecklenburg Police Department (CMPD), in his opinion, was not using the funds received from the County to only fund services provided in the Law Enforcement Service District. He said the funds were being used in other areas of the City.

Commissioner James said an agreement needed to be reached to allow for some type of severability agreement with the City of Charlotte. Commissioner James said this would allow some other things to be done, for example, if one of the towns wanted to take over providing coverage in the unincorporated area, they could do so.

Commissioner James said he didn’t think the Town of Pineville was interested. He said the Town of Mint Hill at one time expressed interest, but their quote to provide the service was more than the CMPD’s.

Commissioner James said there needed to be a way to legally modify the agreement.

County Attorney Bethune said it could be modified by entering into an amended agreement with the City of Charlotte.

The following persons appeared to speak regarding the Law Enforcement Service District:

Mayor John Aneralla, Town of Huntersville, Town of Huntersville Commissioners Rob Kidwell and Dan Boone, and Town of Huntersville Mayor Pro Tem Danny Phillips. The following was noted:

- For the Town of Huntersville, it was not about the numbers, but about safety and services.
- The Town of Huntersville police department could provide services in the unincorporated area of Huntersville much quicker than the CMPD, because they’re already there.
- The desire was not to take anything away from the CMPD but rather to increase the response time for servicing the area.
- It would take the CMPD at least 18 minutes to respond to an incident on Hwy 73 near the McGuire Plant.
- A recent accident occurred near the McGuire Plant on Hwy 73 and there was confusion as to who was to be dispatched. The first entity to respond to the 911 Call was Lincoln County, who then dispatched it over to the Highway Patrol, who then discovered that it was in the jurisdiction of the CMPD. It took the CMPD three (3) hours to get to the location.
- The recent incident confirmed this was about service.
- The residents in the Town of Huntersville Extra Territorial Jurisdiction (ETJ) deserved better service.
- The average response time for the Town of Huntersville Police Department was about nine (9) minutes.
- Accidents occur frequently on Highway 73 near the McGuire Plant.

Town of Huntersville Chief of Police Cleveland L. Spruill noted the following:
The Town of Huntersville Police Department had worked with the CMPD regarding this issue for the last three (3) years, since his tenure as Chief of Police.

The hope was to reach an agreement that would allow the Huntersville Police Department to assume responsibility for the ETJ of Huntersville.

Unfortunately, an agreement had not been reached.

For the record, the CMPD and Police Chief Kerr Putney were "outstanding" individuals, who shared the responsibility of providing public safety to the community and they did an "outstanding" job at that.

His being present was not to speak negatively about the CMPD, but to state the Town of Huntersville Police Department’s position with respect to this issue.

The Town of Huntersville Police Department position was that they were in a much better position to provide “high level, quality” police services in its ETJ, than the CMPD.

Chief Putney, CMPD, agreed with the Town of Huntersville Police Department’s position on the issue.

This was really a “numbers” game, a “money” game.

The purpose of the LESD tax money was to fund law enforcement services in the ETJ and not to give the money to the City of Charlotte, so that it could use some or all of it and stay in Charlotte until a crime occurred in the ETJ; and after that call, the officer(s) goes back into the City of Charlotte.

When the agreement was entered in 1996, the ETJ was mainly rural, that’s no longer the case.

There’s a need now for on-going, active, visible police patrol in the area.

There were no CMPD Beat Officers assigned to the ETJ.

The cost to taxpayers in the ETJ had continued to increase.

A question that needed be asked of the CMPD was out of the additional police officers they planned to hire, how many would be assigned to the ETJ.

The Town of Huntersville Police Department already responds to 21% of the calls for service in the ETJ.

For the Town of Huntersville Police Department, it was not about money but rather providing a level of service.

The Town of Huntersville Police Department’s average response time was about 9 minutes, per call for service. CMPD’s average response time was over 18 minutes.

There were times when it was felt an agreement was reached between the CMPD and Town of Huntersville Police Department, only to find that for some reason, on the City’s part, there wasn’t.

Most recently, the Town of Huntersville Police Department was told that the CMPD might be interested in entering an agreement but only if the Town of Huntersville Police Department took the ETJ and patrol it for a year, for free; and the next year the CMPD would give the Town of Huntersville the money.

The Town of Huntersville was not willing to do that.

The Town of Huntersville Police Department was supportive of the Board of County Commissioners seeking some type of change or addendum to the current agreement with the City of Charlotte with respect to the ETJ of Huntersville to allow the Town’s Police to patrol it.

“For $3 million,” the Town of Huntersville Police Department could do a much better job of patrolling the ETJ compared to what was being provided by the CMPD.

Comments

Commissioner Dunlap said this issue had been a concern for the last several years.

Commissioner Dunlap said his philosophy was that if you patrol an area, you should get paid for doing so and if you’re not, you shouldn’t receive payment.
Commissioner Dunlap asked was it correct if certain communities were pulled out of the agreement that the cost to other communities would increase because of the overall cost of patrolling the unincorporated areas. County Manager Diorio said the numbers would have to be ran to see but that there was precedent from when the County did the Lake Patrol agreement, which did not increase the cost for others.

County Manager Diorio said if there was a willingness to come to the table, she did not think it would cause the cost to go up for others.

County Manager Diorio said attempts at reaching an agreement with the City of Charlotte were unsuccessful in the past. She said the City of Charlotte was willing to give up the service but not the funding.

Commissioner Dunlap said a concern he had was that the City of Charlotte was asking for 68 police officers, because they don’t have enough officers to patrol the current area. He said it would be in the City’s financial interest to enter an agreement with the Town of Huntersville. He said the City of Charlotte would then have additional officers that they would not have to send to Huntersville and possibly reduce the cost to taxpayers.

Commissioner Dunlap said he supported ending the agreement and moving forward with what was to happen in 14 months.

Commissioner Dunlap said he hoped this would bring the City of Charlotte to the table, so that there could be an amical agreement. He said the Town of Huntersville could not make this happen alone. The County’s assistance was needed.

Commissioner Dunlap said he would like to hear from the new City Manager on this issue because there were always two sides.

Commissioner Puckett said he’d always questioned the need for the current agreement.

Commissioner Puckett said the $18 million (cost of services) that’s collected by the City of Charlotte did not go directly to the CMPD, instead, the City allocated the funds to the CMPD to take care of whatever services they felt they had to do or contracted to do.

Commissioner Puckett said if this was strictly a pass through, break even, or if it was costing the City of Charlotte more to provide the service than what they were receiving in revenue, the City would not have a problem with turning this over to the Town of Huntersville.

Commissioner Puckett said the City of Charlotte was receiving the revenue and providing whatever minimum level of service that was required.

Commissioner Puckett said it was unfair to the Town of Huntersville and their police department to take 21% of the calls in the ETJ, an area they weren’t funded for.

Commissioner Puckett said at some point with the growth of the Town of Huntersville, citizens paying Huntersville property taxes were going to start seeing a decrease in service level, because their police officers were providing services in the ETJ, an area the County was paying the City of Charlotte to cover.

Commissioner Puckett said Chief Putney, CMPD did the best job he could with the resources available to him, however, the Chief told him personally that he believed the service level would be provided better by the Town of Huntersville Police Department.

Commissioner Puckett said it was obvious the service level would be better, if provided by the Town of Huntersville Police Department, because they’re already there in the area.
Commissioner Puckett said even though the CMPD felt this was the way to go, the current City Manager did not want to give up the money that was being received.

Commissioner Puckett said unfortunately the way the contract was written, “it’s all or nothing.” Commissioner Puckett said the County looked at trying to bifurcate the agreement a few years ago, to see if it was possible to pull out the Town of Huntersville.

Commissioner Puckett said it was his understanding the City of Charlotte could have offered an amendment to allow that to happen, but was not interested in doing that.

Chief Spruill, Town of Huntersville Police Department said the City of Charlotte amended the agreement with respect to the Town of Davidson, in exchange for communications services.

Chief Spruill said the City of Charlotte could amend the agreement if they had “the will to do it.”

Commissioner Puckett said the issue was the City of Charlotte did not want to “give up the cash.”

Commissioner Puckett said the Board had two options, continue to take what was being received or take the entire $18.5 million and allocate it elsewhere. He said Mecklenburg County Sheriff Irwin Carmichael would love to provide service in the ETJ.

Commissioner Puckett said even though Sheriff Carmichael would be interested in providing the service in the ETJ, he did not think it would be wise for the Sheriff’s Office to staff up to cover the entire county when that level of service would have to shrink as annexations occurred.

**Motion was made by Commissioner Puckett, seconded by Commissioner Leake, to ask the County Manager to investigate the challenges and opportunities and the process of giving notice to the City of Charlotte to end the Police Services contract; to engage Sheriff Carmichael and the six towns to develop a strategy to police the current ETJ.**

Commissioner Puckett said he hoped the City of Charlotte would be willing to give up a portion of the money it was receiving versus all of it.

Commissioner Leake said it was important that citizens felt safe at all times.

Commissioner Leake said the County needed to move forward as quickly as possible.

County Manager Diorio asked for clarity around the motion. She said the motion as stated did not direct her to terminate the agreement. She said only 12 days remained, in this fiscal year, to give that type of notification.

Commissioner Puckett restated his motion as noted below.

**Motion was made by Commissioner Puckett, seconded by Commissioner Leake, to ask the County Manager to give notice to the City of Charlotte to end the Police Services contract; to engage Sheriff Carmichael and the six towns to develop a strategy to police the current ETJ.**

County Attorney Bethune said if the Board wanted it to be effective FY19, he believed the County Manager was correct, the Board had 12 days to give notice to the City of Charlotte.

Commissioner Clarke said the only leverage the County had was to terminate the contract.
April 18, 2017

Commissioner Clarke said it was his understanding the County had a legal obligation to provide law enforcement services in the unincorporated area of the County. He said a plan was needed to provide that service if the agreement was terminated.

Commissioner Clarke recommended getting the N.C. General Assembly to pass a bill stating that each municipality within Mecklenburg County was obligated to provide all police services in their ETJ. Commissioner Clarke said each municipality would receive the proceeds of the LESD tax in their ETJ.

Commissioner Clarke said he didn’t know the size of the ETJ areas, but with respect to the percentage of population, 80% lived in Charlotte’s ETJ. Thus, the City of Charlotte would get the bulk of the taxes.

Commissioner Clarke asked County Attorney Bethune was it possible to get that type of Legislation.

County Attorney Bethune said he wasn’t sure if there was a law currently saying municipalities had a “duty” to provide law enforcement services. He said they had the “right” to do it, because it’s one of the essential functions of government. He said the Sheriff, however, had county-wide jurisdictional authority. He noted further that the County did not have a “duty” to provide law enforcement services in the unincorporated area of the County, but rather, the “authority” if it chose to do so. He said nor did the County have a “duty” to provide fire protection services.

County Attorney Bethune said there was a bill pending in the N.C. Legislature, sponsored by local representatives, that would give each of the municipalities in Mecklenburg County the authority to exercise law enforcement jurisdiction throughout the entire ETJ, to the same extent that they have authority within their incorporated area.

Chief Spruill said every law enforcement agency had the authority to enforce up to one mile beyond their jurisdiction.

Commissioner Cotham spoke in support of the Huntersville Police Department providing law enforcement services in their ETJ.

Commissioner Fuller asked for clarity on the taxes being generated via the LESD and how it was being used and if the amount generated was more than what it costs to provide the services.

County Manager Diorio said the money went to the City and into its general fund. She said the information received from the City regarding the cost of the service was not in a manner where it could be easily determined how much the service was costing.

County Manager Diorio said it priced as a percentage of the budget based on population. She said it did not have anything to do with what it cost to provide the services in the ETJ, nor was it tied to any service level.

Commissioner Fuller said the City should be able to tell the County exactly how much it was costing to provide the services.

Commissioner Fuller said a better way was needed to provide these services because the current model was not working.

Commissioner Fuller said he was supportive of the motion but hoped by doing this, there would be time to enter another agreement, even during the termination process and that all the stakeholders could be brought to the table.
Commissioner Ridenhour asked for clarity regarding the notice of termination process, which was addressed.

Commissioner Ridenhour asked about the original service level agreement when this began.

Chief Spruill said the agreement did not address the expected service level because the ETJ was all rural. He said at that time, it was acceptable for the area not to be patrolled or serviced directly unless a call was received because there was no development. Further, that the LESD tax, at that time, was .05 cents, compared to the current .21 cents and the level of service was still the same.

Commissioner Ridenhour said going forward specific service level expectations were needed in any agreement.

This concluded the discussion.

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

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

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to ask the County Manager to give notice to the City of Charlotte to end the Police Services contract; to engage Sheriff Carmichael and the six towns to develop a strategy to police the current ETJ.

FIRE PROTECTION SERVICE DISTRICT UPDATE

Land Use and Environmental Services Agency Director Ebenezer Gujjarlapudi addressed the Fire Protection Service Districts (FPSD).

Comments

Commissioner Dunlap asked if there would be an increase in taxes for those in the ETJ. Director Gujjarlapudi addressed how the taxing process worked. He said the proposed increase was to increase it from .07 cents to .08 cents for the upcoming fiscal year and addressed the reason for the increase.

Commissioner James said he was never supportive of the Fire Protection Service District model. He said it was a disincentive for volunteer fire departments to convert to Town Fire Departments, where there was not one.

Commissioner James said this type of system was not sustainable. He said the County should find a way to adjust the contract to “force” the volunteer fire departments to convert to a Town/Municipal Fire Department.

Commissioner Dunlap suggested the Board receive another presentation on the Fire Protection Service District prior to budget deliberations, to give everyone a clear understanding of the model. He asked that the Fire Marshall be included in the next presentation.

County Manager Diorio said staff would report on this again.

LAW ENFORCEMENT SERVICE DISTRICT UPDATE
County Attorney Bethune noted a change needed in the motion that was approved regarding giving notice to the City of Charlotte to end the Police Services contract. He said the Board needed to be more specific and suggested the following wording: that Mecklenburg County terminate the Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte-Mecklenburg Police Department effective at the beginning of Fiscal Year 2019, i.e., July 1, 2019 and that the County Manager provide the City of Charlotte notice of the termination as allowed by the Agreement.

Commissioners Puckett and Leake, makers of the original motion, accepted the suggested wording and made the following amended motion:

Motion was made by Commissioner Puckett, seconded by Commissioner Leake, and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that Mecklenburg County terminate the Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte-Mecklenburg Police Department effective at the beginning of Fiscal Year 2019, i.e., July 1, 2019 and that the County Manager provide the City of Charlotte notice of the termination as allowed by the Agreement.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-3960 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for April, 2017.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.

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

17-3961 FEATURE DEPARTMENT PRESENTATION: INFORMATION SERVICES AND TECHNOLOGY

The Board received as information a report from the County’s Information Services and Technology (IT) Department Chief Information Officer, Keith Gregg.

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

Comments

Commissioner James asked if IT used 2-Step authorization processes, which was addressed.

Commissioner Fuller asked about the security of the County’s election system, which was addressed.

Commissioner Dunlap asked about the advisory board referenced in the presentation. It was noted this was an internal staff advisory board.

Commissioner Ridenhour asked about the quality of the vendors used by IT. He said the system goes down quite frequently. Director Gregg addressed the question.

Commissioner Ridenhour asked if the County had any vendor risk management programs in place, which was addressed.
April 18, 2017

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

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

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

LAW ENFORCEMENT SERVICE DISTRICT UPDATE

Commissioner Puckett noted, per County Attorney Bethune, an additional change needed in the motion that was approved regarding notice to the City of Charlotte to terminate the Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte-Mecklenburg Police Department effective at the beginning of Fiscal Year 2019, i.e., July 1, 2019. The correction needed was to change the Fiscal Year 2019, i.e. date to July 1, 2018 rather than July 1, 2019.

Commissioners Puckett and Leake, makers of the original motion, accepted the suggested wording and made the following amended motion:

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that Mecklenburg County terminate the Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte-Mecklenburg Police Department effective at the beginning of Fiscal Year 2019, i.e., July 1, 2018 and that the County Manager provide the City of Charlotte notice of the termination as allowed by the Agreement.

Commissioner Dunlap returned to the dais.

CONSENT ITEMS

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

17-3890 PROCLAMATION – THE BIG SPRING CLEAN DAY

Adopt a proclamation designating Saturday, May 13, 2017 as "The Big Spring Clean Day" in Mecklenburg County.
April 18, 2017

Mecklenburg County
North Carolina
Proclamation

WHEREAS, the County of Mecklenburg is rich in natural resources and beauty; and
WHEREAS, water is a basic and essential need for all life; and
WHEREAS, trash fouls our waterways as well as our landscapes; and
WHEREAS, every citizen should contribute to keeping our environment clean and
healthy by working together to preserve clean water and the natural beauty of our
surroundings; and
WHEREAS, The Big Spring Clean is a local community effort to retrieve trash from
Mecklenburg County’s waterways and landscapes.

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg Board of County
Commissioners, do hereby proclaim, May 15, 2017 as

“THE BIG SPRING CLEAN DAY”
in Mecklenburg County and commend its observance to all citizens.

Adopted this the 18th day of April, 2017.

Ellis B. Scarborough
Chair
Mecklenburg Board
of County Commissioners

17-3926 PROCLAMATION – PREPAREATHON!

Adopt a Joint Proclamation declaring April 24-28, 2017 as Charlotte-Mecklenburg’s
PrepareAthon! Week.

PROCLAMATION
City of Charlotte/Mecklenburg County

WHEREAS, Charlotte-Mecklenburg’s PrepareAthon! creates an important opportunity for residents to
be prepared for any type of emergency where they live, work, and play; and
WHEREAS, taking steps toward personal preparedness and ensuring that our households, workplaces,
schools, institutions of higher learning, houses of worship, and community-based organizations are
prepared for disaster can reduce fatalities and economic devastation following a major crisis; and
WHEREAS, participating in Charlotte-Mecklenburg’s PrepareAthon! will increase the number of
residents who understand which disasters could happen in our communities; and
WHEREAS, our citizens will know what to do to be safe and mitigate damage; and
WHEREAS, the citizens of Charlotte and Mecklenburg County will take action to increase their
preparedness by participating in community resilience planning; and
WHEREAS, the Emergency Management Office, American Red Cross, FEMA Regional Offices,
National Weather Service, and other federal, state, local, tribal, territorial, private, and volunteer agencies
are working to increase public activities in preparing for emergencies and to encourage individuals to take
action; and
WHEREAS, emergency preparedness is the responsibility of every citizen of Charlotte and Mecklenburg
County; all citizens are urged to use preparedness tips and work together to prepare that
everyone in our communities be ready for any type of emergency; and
WHEREAS, participating in Charlotte-Mecklenburg’s PrepareAthon! will ensure that our community
becomes a leader in preparedness and contributes to our Nation’s resilience;

NOW, THEREFORE, WE, Jennifer Watson Roberts, Mayor of Charlotte, and
Ellis B. Scarborough, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim,
April 24 – 28, 2017 as

“CHARLOTTE-MECKLENBURG’S PREPAREATHON! WEEK”
in Charlotte and Mecklenburg County and commend its observance to all citizens.

WITNESS OUR HANDS and the official Seals of the City of Charlotte and Mecklenburg County.

Jennifer Watson Roberts, Mayor
City of Charlotte

Ellis B. Scarborough, Chair
Mecklenburg Board of
County Commissioners

875
Decline the County’s statutory right of first refusal on a +/- 1.75 acres portion of Tax Parcel 135-221-08 (“Subject Property”) owned by Charlotte-Mecklenburg Board of Education at Lebanon Road Elementary School to permit sale of the property to SXCW Properties, LLC (“Buyer”)

Note: By state statute, the County must decline its right of first refusal to any properties the Charlotte-Mecklenburg Board of Education intends to dispose of prior to it moving forward with conveyance to another entity.

Approve Minutes of Regular meeting held April 4, 2017.

1) Approve refunds in the amount of $10,719.94 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of $72,912.59 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $0. A list of the taxpayer recipients is on file with the Clerk to the Board.

Award a firm-fixed price contract to SouthWood Corporation for an initial term of four (4) years, with an option to extend for one (1) additional year.

Note: This contract is for the fabrication, delivery and installment of wayfinding signage for the Park and Recreation and Asset and Facility Management Departments.

Approve expenditure of $42,500 from the Consolidated Aquatic Capital Reserve Fund as follows for Cordelia Neighborhood Pool:

1) $7,500 for replacement of ADA accessibility lift
2) $13,000 for canvas funbrellas replacement
3) $11,000 for replacement of deck furniture
4) $11,000 for replacement of damaged lane lines and reels
Amend the LUESA Fee Ordinance to revise Floodplain Development Fees.

*Ordinance recorded in full in Minute Book 47-A, Document #133.*

Recognize, receive and appropriate $23,811 from the North Carolina Department of Public Safety Juvenile Community Programs for fiscal year 2016 – 2017.

*Note: The Juvenile Community Programs Section has awarded two Mecklenburg County JCPC programs with discretionary funding. SHIFT Restitution was awarded $23,000 to fund the requested purchase of a 2016 Ford Transit Passenger Van for transportation. D-A-S-H Mentoring was awarded $811 to fund the requested purchase of four Acer Chrome Box desktops and four VGA conversation cables. The purpose of the discretionary funding is to further enhance the services provided to youth.*

Approve a $250,000 grant application to the North Carolina PARTF to supplement the costs for the Little Sugar Creek Greenway - Access Trail to South Mecklenburg High School and 5K Trail.

*RECORDED IN FULL IN MINUTE BOOK 47-A, DOCUMENT #134.*

Approve revisions to the Mecklenburg County Solid Waste Fee Ordinance

*Note: The changes include, but are not limited to:*

1. Continue implementation of the multi-year fee plan developed in FY2017;
2. Lower the solid waste volumetric fees for residential customers, and increase the volumetric fees for non-residential/out of county customers;
3. Incorporate fees to cover the costs associated with accepting, processing, and transporting waste materials to their final disposal point.

Additionally, LUESA Solid Waste proposes to increase the Residential Solid Waste Availability Fee from the current $20.50 per year to $24 per year. This increase is included in the FY 2018 Operating Budget request and is not part of the Mecklenburg County Fee Ordinance.

*Ordinance recorded in full in Minute Book 47-A, Document #135.*

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

*Commissioners James and Ridenhour left the dais and were absent for the remainder of the meeting.*
17-3904 DONATION OF SUPPLIES FOR ADOPT-A-STREAM

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize and receive a supply donation worth up to $1,200 from the Branch Banking and Trust (BB&T) Company to Charlotte-Mecklenburg Storm Water Services for the Adopt-A-Stream Program.

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

17-3922 REAPPOINTMENT – MECKLENBURG COUNTY TAX COLLECTOR

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, that in accordance with the requirements of North Carolina General Statute 105-349, to reappoint Neal L. Dixon to the Office of Mecklenburg County Tax Collector for a four-year term effective July 1, 2017 and; direct the Clerk to the Board to administer the oath of office prior to the effective date and file it in the permanent records.

A copy of the Oath will be on file with the Clerk to the Board.

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

17-3927 REAPPOINTMENT – MECKLENBURG COUNTY TAX ASSESSOR

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, that in accordance with G.S. 105-294(a), to reappoint Kenneth L. Joyner to the Office of Mecklenburg County Tax Assessor for a four-year term effective July 1, 2017 and; direct the Clerk to the Board to administer the oath of office prior to the effective date and file it in the permanent records.

A copy of the Oath will be on file with the Clerk to the Board.

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

17-3934 BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to:

1. Recognize, receive and appropriate a net increase in other revenue in the amount of $30,000 in FY 17;

Note: The Department of Social Services will provide Tenant Based Rental Assistance to assist families with self-sufficiency by providing a stipend for rental assistance. These services are designed to assist families with maintaining their independence; addressing crisis, social and economic needs and individual well-being. The Community Resource Division (CRD) will work collaboratively with faith based and community organizations. The funding will provide families with access to resources that enable them to maintain self-sufficiency and divert them from experiencing homelessness. Upon payment of services Mecklenburg County will receive reimbursement from the City of Charlotte.
2. Recognize, receive and appropriate additional Federal IV-E Child Care Subsidy revenue of $241,047 from the North Carolina Division of Child Development and Early Education (DCDEE), and

Note: Mecklenburg County funding authorization from DCDEE reflected an additional $241,047 for Child Care Subsidy. Child Care Resources, Inc. (CCRI) is the Child Care administrator. The funds will cover services for children currently receiving title IV-E. No additional county dollars are requested.

3. Recognize, receive and appropriate an increase of state Adoption Promotion funding in the amount of $48,000.

Note: The North Carolina Division of Social Services has provided additional funding in the amount of $48,000 for the Adoption Promotion Fund to Mecklenburg County Youth and Family Services Division of the Department of Social Services. No local match is required as a condition for receipt of these funds. The purpose of the fund is to enhance and expand adoption services, to secure permanent homes for hard to place children, and to promote public/private partnerships. Allowable uses for the funds include Adoption Services, Adoption Recruitment, Adoption Assistance Case Management, Child-specific Recruitment, Assessment and Training of Adoptive Parents and Post Adoption Case Management. The funds cannot be used to supplement the salaries of current county employees and can be used in the future years as needed.

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

17-3939  DUKE LIGHTING SERVICE CONTRACT AMENDMENT – FRIENDSHIP PARK

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to approve a contract amendment with Duke Energy to lower poles from 30 feet to 25 feet for all entrance road and parking lot lighting at Friendship Park on Cindy Lane.

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

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, 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 9:22 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk            Ella B. Scarborough, Chair
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, May 2, 2017.

ATTENDANCE

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

Absent:
None

-INFORMAL SESSION-

Commissioners Clarke, Fuller, Dunlap and Puckett were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3974, 17-3975, 17-3976, 17-3988, 17-3991, & 17-4001 to be removed from Consent and voted upon separately.

Commissioner Puckett entered the meeting.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 6-0 with Commissioners Cotham, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to move Items 17-3974 Proclamation Foster Care Awareness Month, 17-3975 Proclamation Older Americans Month and 17-4001 Proclamation Mecklenburg Declaration of Independence Week from the Consent section of the agenda to the Awards/Recognition section.

Chair Scarborough said Item 17-4006 Resolution Supporting Raising The Age of Juvenile Jurisdiction From 16 to 18 in N.C., placed on the agenda by Commissioner Cotham, would also be moved up on the agenda.

Commissioner Clarke entered the meeting.

CLOSED SESSION

17-3979 CONSULT WITH ATTORNEY
17-3985 LAND ACQUISITION
17-3998 BUSINESS LOCATION AND EXPANSION
Prior to going into Closed Session, County Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

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

County Attorney Bethune announced the following land acquisition matters to be discussed in Closed Session: Tax Parcels 201-123-03, 201-123-04, 201-123-05, 201-123-06, & 201-124-13.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 6-0 with Commissioners Clarke, Cotham, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purposes: Land Acquisition and Business Location and Expansion.

**The Board went into Closed Session at 5:23 p.m. and came back into Open Session at 5:43 p.m.**

Commissioners Dunlap, Fuller, and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.

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

**-FORMAL SESSION-**

Chair Scarborough called this portion of the meeting to order. Commissioner James gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

**AWARDS/RECOGNITION**

17-3974   PROCLAMATION – FOSTER CARE AWARENESS MONTH

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating May 2017 as "Foster Care Awareness" Month in Mecklenburg County.

The proclamation was read by Commissioner Fuller.
Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating May 2017 as “Older Americans” month in Mecklenburg County.

The proclamation was read by Commissioner Leake.
Motion was made by Commissioner Ridenhour, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring May 14 - 20, 2017 as Mecklenburg Declaration of Independence Week in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Ridenhour and received by Eric Locher and Marty Clontz.
The following person appeared to speak during the Public Appearance portion of the agenda:

Jade X. Jackson addressed an upcoming movie event scheduled for May 3, 2017 at 6:30 p.m. entitled The Movie 13. It will be shown at Statesville Avenue Presbyterian Church, 3435 Nevin Road, Charlotte, NC, sponsored by Charlotte United Progressive Coalition.

The following persons spoke in support of the resolution proposed by Commissioner Cotham and co-sponsored by Commissioners Bill James, Matthew Ridenhour, George Dunlap, Ella B. Scarborough and Vilma D. Leake:

Corine Mack, Stantavia Wright, JaQuaveyon Barber, Shamari Pittman, Gemini Boyd, Jade X. Jackson, Frank Crawford, and Joel Segal.
May 2, 2017

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution Supporting Raising the Age of Juvenile Jurisdiction from 16 to 18 in N.C. For All Crimes Other Than Class A through E Felonies and Traffic Offenses and Supporting the Passage of House Bill 280.

A RESOLUTION SUPPORTING RAISING THE AGE OF JUVENILE JURISDICTION FROM 16 TO 18 IN NORTH CAROLINA FOR ALL CRIMES OTHER THAN CLASS A THROUGH E FELONIES AND TRAFFIC OFFENSES AND SUPPORTING THE PASSAGE OF HOUSE BILL 280

WHEREAS, on March 8, 2017, a bipartisan group of North Carolina House of Representatives members filed House Bill 280 with the North Carolina House of Representatives Clerk’s Office; and

WHEREAS, House Bill 280, titled “Juvenile Justice Reinvestment Act” would raise the age of juvenile jurisdiction to include 16 and 17-year-olds, except in the case of certain felonies and motor vehicle laws; and

WHEREAS, North Carolina remains the only state in the U.S. that automatically prosecute 16 and 17-year-olds, as adults, regardless of the severity of the crime; and

WHEREAS, adolescents prosecuted in the juvenile justice system are less likely to go on to commit another crime compared to juveniles tried in the adult system, which results in lower costs to society and more children growing up to become educated, employed citizens; and

WHEREAS, evidence shows that the juvenile justice system with programs tailored to how children think and learn is more effective at rehabilitating youth and that neuroscience and psychological studies prove brain development continues until well into a person’s 20s; and

WHEREAS, raising the age of juvenile jurisdiction to 18 will lead to significant long-term financial savings, safer communities, better academic results and overall better outcomes for children; and

WHEREAS, although juvenile crime has been declining, in 2014 alone, more than 17,000 misdemeanor charges were filed against 16 and 17-year-olds, statewide; and

WHEREAS, even in cases where the charges are dismissed, there remains the very real and long-term collateral consequences of a public record that could impact a young person’s ability to get hired for their first job, be eligible for college financial aid or enlist in the military; and

WHEREAS, 97 percent of crimes committed by 16 and 17-year-olds, in North Carolina are either categorized as misdemeanors (80 percent) or non-violent felonies (17 percent); and

WHEREAS, in 2016, the NC Commission on the Administration of Law & Justice under the strong direction and leadership of NC Supreme Court Chief Justice Mark Martin, made a recommendation in favor of raising the age of juvenile jurisdiction (except for A-E felonies and traffic offenses); and

WHEREAS, the NC Commission on the Administration of Law & Justice also recommends expanding existing programs to reduce school-based referrals to juvenile and adult court known as “School-Justice Partnerships;” and

WHEREAS, the NC Sheriffs‘ Association, NC Police Benevolent Association, NC Association of County Commissioners, NC Association of Chiefs of Police, and NC Chamber of Commerce Legal Institute are all on record in support of raising the age to 18; and

WHEREAS, the North Carolina Association of County Commissioners adopted raising the age of juvenile jurisdiction from 16 to 18 in its 2017-2018 Legislative Goals, placing it within the top five priority goals for the session;

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg County Board of Commissioners affirms its support of raising the age of juvenile jurisdiction from 16 to 18 for all crimes other than Class A through E felonies and traffic offenses;

AND, BE IT FURTHER RESOLVED, that the Mecklenburg County Board of Commissioners asks the North Carolina General Assembly to adopt House Bill 280, together with all necessary funding such a change requires.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #136.

APPOINTMENTS
May 2, 2017

17-3990 APPOINTMENTS – BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Andrew Kennedy to the Building Development Commission as the Professional Engineers of NC-Charlotte Chapter representative to fill an unexpired term expiring July 31, 2017 and then a three-year term effective August 1, 2017 and expiring July 31, 2020.

Note: He replaces Robert Belisle.

PUBLIC HEARINGS

17-3996 CONTINUATION OF PUBLIC HEARING ON CLOSING A PORTION OF RIGHT-OF-WAY OF WILBANKS DRIVE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to continue the public hearing to hear comments with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way.

The following persons appeared to speak to this matter:

David Laws, on behalf of the homeowners on Wilbanks Drive, thanked the Board for continuing the public hearing. He said it gave the homeowners additional time to meet with the developer/petitioner. Mr. Laws said per the meeting with the developer, 13 items were generally agreed upon. He said the only thing that remained was some wordsmithing by the developers’ lawyer.

A list of those items is on file with the Clerk to the Board.

Randy Martin, on behalf of the developer/petitioner, spoke in favor of the closing of a portion of Wilbanks Drive right-of-way. He acknowledged that the meeting with the homeowners went well. He said communication had also taken place with County storm water staff and City of Charlotte staff.

Motion was made by Commissioner James, seconded by Commissioner Puckett, to close the public hearing with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way, and to approve the order closing a portion of the Wilbanks Drive right-of-way.

Commissioner Dunlap offered an amendment to the motion, which was to incorporate the 13 items that were agreed upon between the homeowners and developer/petitioner into the Order for Closing a portion of Wilbanks Drive right-of-way.

Commissioners James and Puckett, makers of the motion, accepted Commissioner Dunlap’s amendment.

Cameron Ware, legal counsel for the developer/petitioner, clarified that the developer/petitioner had not agreed to those 13 items shared by Mr. Laws. He said progress was made, per the meeting with homeowners, but there wasn’t a consensus. He said the petitioner was not prepared to have those 13 items incorporated into the Order for Closing a portion of Wilbanks Drive right-of-way. He said what was shared by Mr. Laws was a private draft of an agreement. Mr. Ware said the developer/petitioner did agree, however, to pay for the water and sewer hook-up fees. He said the other items were still being discussed and wordsmithing. Mr. Ware said those items were separate and apart from the issue of closing a

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Commissioner Dunlap said he was trying to look out for the homeowners to ensure that what was agreed upon would indeed occur since there was a signed document indicating 13 items that were mutually agreed upon.

It was pointed out to Commissioner Dunlap that the document presented to the Board had only been signed by the homeowners. In light of that fact, Commissioner Dunlap withdrew his amendment.

Commissioner Fuller noted there were other things that had been agreed upon and was reflected in the Order for Closing that was before the Board.

Commissioner Fuller asked was it possible, however, to indicate that there was consensus on the issues mentioned in the document presented to the Board by the homeowners.

County Attorney Bethune said it was his understanding that those matters were still in progress and that there was not consensus on all 13. He noted also that those matters did not relate to the abandonment and closing of the road and were not within the scope of the statute governing road closings.

County Attorney Bethune said once approved the Order would not be recorded until certain things occurred that had nothing to do with the development. He said the Order addressed matters preceding development and dealt with the abandonment and closing of a portion of Wilbanks Drive.

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

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing with respect to the abandonment and closing of a portion of Wilbanks Drive right-of-way, and approve the order closing a portion of the Wilbanks Drive right-of-way.

County Attorney Bethune noted that the Order would not be signed until he received confirmation the things that were required to be done, relevant to the new road being constructed and accepted by the City of Charlotte, had occurred.

Order recorded in full in Ordinance/Minute Book 47-A, Document #137.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4000 CAPITAL IMPROVEMENT PLAN UPDATE

The Board received an update on the County’s Capital Improvement Plan (CIP) from Assistant County Manager/Interim Finance Officer Mark Foster.

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

Comments

Commissioner Clarke asked based on what was presented, did it assume that the County would not authorize additional bonds for the next ten years. The response was no.
Assistant County Manager/Interim Finance Officer Foster said it assumed the only bonds in a new referendum would be associated with the Charlotte-Mecklenburg Schools (CMS) Capital Improvement Program. He said it also assumed bonds that had not been issued would be able to be tapped.

Commissioner Clarke asked was this a change in practice. Assistant County Manager/Interim Finance Officer Foster said no. He said the practice had been to use as much pay-go as possible within the limits of the County’s capacity; but still have the ability to utilize the bond referendums as they were intended to supplement pay-go.

County Manager Diorio said what was presented was really a five-year CIP.

Commissioner Clarke asked about outstanding debt, which was addressed.

Commissioner James referenced and asked for clarity regarding the General Fund and Debt Service Fund chart presented, which was addressed.

Commissioner James asked about the cashflow by year chart and CMS’ special projects, which was addressed.

Commissioner James questioned why CMS put Bruns Academy and West Charlotte High School on their list of projects in front of other projects that were already on the list and ranked higher.

Commissioner James said CMS was not following its own priority list and that an explanation should have been provided to the County as to why. He said it was not fair that District Two had more projects scheduled than any other district.

Commissioner Ridenhour echoed Commissioner James’ remarks regarding CMS not following its own priority list. He questioned whether these changes were made because of political pressure. He said he was questioning the needs for Bruns and West Charlotte, only the process by which they were placed on the list.

Commissioner Ridenhour addressed the needs of District Five. He also noted disappointment of residents in District Five with the CMS Student Assignment Plan.

Commissioner Dunlap said he wanted to know if CMS was still committed to K-8 schools.

Commissioner Dunlap asked about the Memorial Stadium project and the amount shown for the project. County Manager Diorio explained that the County was going to do its share of the cost of the project ($42.5 million). She said the Team was going to give the County $12.5 million upfront and was going to pay off the rest of their share over the course of the lease payments; but that the part the Team would pay over the course of the lease payments would have to be financed by the County on the front end, which was why the amount appeared as it did.

Commissioner Dunlap asked was it correct that the County’s investment was still what it had originally agreed to and that the upfront funding the County was having to do would be recouped. County Manager Diorio said that was correct.

Commissioner Dunlap asked would the total CIP amount shown negatively impact the County’s bond rating. The response was no, not if the County stayed within the statistics of what was being recommended by staff.
Commissioner Dunlap asked had staff projected out what would happen if a recession like in 2008 reoccurred and was the County prepared for such a reoccurrence, which was addressed.

County Manager Diorio noted the County’s Debt Policy.

Commissioner Puckett said he was opposed to the CMS bond request because of the uncertainty around K-8 schools, the magnet school component of it and that it lacked logic.

Commissioner Leake addressed the needs of District Two and how those needs had not been addressed over the years.

Commissioner Fuller addressed the state of economic opportunity in Charlotte/Mecklenburg and the correlation it had with educating children.

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

Chair Scarborough addressed the needs of children with respect to ensuring that all children were afforded a quality education.

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

DEPUTY COUNTY MANAGER/CHIEF OF STAFF CHRIS PEEK

County Manager Diorio noted that Deputy County Manager/Chief of Staff Chris Peek, effective May 15, 2017, would be leaving the County to assume the position of the President and Chief Executive Officer of CaroMont Regional Medical Center in Gastonia, N.C. He joined Mecklenburg County as a senior Human Resources manager in 2006.

County Manager Diorio expressed thanks to Deputy County Manager/Chief of Staff Chris Peek for his years of service with Mecklenburg County, which was echoed by members of the Board.

17-4002 ABOVE & BEYOND @ WORK WINNER

The Board recognized the County Manager’s Above & Beyond @ Work Award winner, Marie Campbell from DSS, who was introduced by County Manager Diorio.

Note: The Above & Beyond @ Work Award was created by County Manager Diorio to recognize outstanding employees. Marie Campbell is the sixth winner.

Ms. Campbell thanked County Manager Diorio and the Board for recognizing her.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS – NONE

STAFF REPORTS & REQUESTS

17-3986 COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM – 2017 ANNUAL ACTION PLAN (FY 2017-18) SUMMARY

Assistant to the County Manager Timmothy Tibbs and Victoria Rittenhouse with the Centralina Council of Governments presented the 2017 Annual Action Plan (FFY 2017-18) for Mecklenburg County’s Community Development Block Grant program.

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough.
May 2, 2017

voting yes, to approve the 2017 Annual Action Plan (FFY 2017-18) for Mecklenburg County’s Community Development Block Grant program, funded by the US Department of Housing and Urban Development.

Note: As required by the U.S. Department of Housing and Urban Development (HUD), Mecklenburg County prepares an Annual Action Plan each year, which describes the funding levels and activities to be undertaken during the individual upcoming program year for the CDBG program to address the priority needs and objectives as outlined in the Consolidated Plan. As an entitlement community, Mecklenburg County receives an annual share of federal Community Development Block Grant funds. To receive its CDBG entitlement funding, the County must submit the Annual Action Plan to HUD. The 2017 Annual Action Plan includes the funding application for CDBG funds in the amount of up to $825,000. The 2017 Annual Action Plan strives to reflect the County’s continued efforts and commitment to address public facility and infrastructure improvements, and need for child care assistance for low to moderate income persons. Additionally, Mecklenburg County will continue to undertake specific actions to address the national objectives outlined by HUD by providing for increased activity involving resident initiatives, evaluation and reduction of lead-based paint hazards, increased employment opportunities, the further development of community-based institutional facilities and the enhancement of coordination between public and private housing and human service agencies. All activities and funding priorities included in Mecklenburg County’s Annual Action Plan will address three statutory goals set by HUD:

- Provide Decent Housing
- Provide A Suitable Living Environment
- Provide Expanded Economic Opportunities

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

17-3985 LAND ACQUISITION – CMS SITE AT SANDY PORTER ROAD

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the purchase price of $1,600,000 for Charlotte-Mecklenburg Board of Education to acquire Tax Parcels 201-123-03, 201-123-04, 201-123-05, 201-123-06 and 201-124-13 (19.75 acres approximately) to serve as the site of an elementary school in southwest Charlotte, NC from Jo Beth Bassett Melton and husband Charles Randal Melton; Lynn C. Schwalje and husband Michael J. Schwalje; James E. Shelton and wife Leslie A. Shelton; and Steven R. Casper and Edward L. Casper as Trustees of The Casper Family 1988 Trust.

CONSENT ITEMS

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

17-3978 MINUTES

Approve Minutes of Regular meeting held April 18, 2017.

17-3980 SET A PUBLIC HEARING – FIXED FEE COMPONENT OF THE STORM WATER FEE

Set a public hearing for 6:30 pm on May 16, 2017 on a proposed increase to the Fixed Fee Component of the Storm Water Fee.
May 2, 2017

17-3982 CAPITAL RESERVE EXPENDITURE REQUESTS – RAY’S SPLASH PLANET (PARK AND RECREATION)

Approve expenditure of $225,000 from the Consolidated Aquatic Capital Reserve Fund as follows:

1) $175,000 for expansion of the family locker room
2) $10,000 for facility signage replacement
3) $40,000 for repair of the mechanical pump room

17-3983 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Henry Bennett Jones, Jr. and wife Josephine A. Jones, owners of property located at 3302-3310 Commonwealth Avenue, Charlotte, NC (tax parcel 129-101-54), for $234,000;

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises; and

3. Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING TRANSFER OF REUSABLE BUILDING MATERIALS TO HABITAT FOR HUMANITY OF CHARLOTTE, INC.

WHEREAS, Mecklenburg County is proposing to acquire and demolish certain structures located in flood-prone areas along various creeks in Mecklenburg County through its Charlotte-Mecklenburg Storm Water Services, Engineering & Mitigation Program, moreover described as follows:

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<th>TAX PARCEL ID</th>
<th>STREET ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
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<td>28205</td>
</tr>
</tbody>
</table>
WHEREAS, the properties in question may become a part of the Mecklenburg County open space, parks and greenway system; and

WHEREAS, Habitat For Humanity of Charlotte, Inc. ("Habitat For Humanity"), a North Carolina not-for-profit corporation engaged in providing quality housing to low and moderate income persons in Mecklenburg County, has requested that it be allowed to remove and sell such reusable building materials from said structures, and to use the proceeds to help develop housing for low and moderate income persons in Mecklenburg County; and

WHEREAS, Habitat For Humanity has estimated that it will be able to sell such reusable building materials; and

WHEREAS, North Carolina General Statute 160A-279 provides that whenever a county is authorized to appropriate funds to any private entity which carries on a public purpose, the county may, in lieu of appropriating funds, convey for private sale to such entity any personal property which it owns provided that it attach a covenant which will assure that the property be put to a public use by the recipient entity; and

WHEREAS, assisting with providing housing for low and moderate income persons is a public purpose as provided in N.C.G.S. 153A-378; and

WHEREAS, said N.C.G.S. 160A-279 requires that the procedural provisions of G.S. 160A-267 shall apply, which statute requires that the Board adopt a resolution authorizing appropriate officials to dispose of the property by private sale at a negotiated price, and that a notice summarizing the contents of the resolution be published once after its adoption, and that such sale be consummated no earlier than ten (10) days after the publication of said notice; and

WHEREAS, the Board of County Commissioners has determined that it would be in the public interest and appropriate to use this statutory authorization to convey the reusable building materials to Habitat For Humanity; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize W. Dave Canaan, Director of Mecklenburg County Water and Land Resources, to transfer title to the reusable building materials contained in structures listed above once under the ownership of Mecklenburg County, to Habitat For Humanity, with the covenant that Habitat For Humanity must remove the building materials in a timely manner, and that such building materials either be used directly in the construction of housing for low and moderate income persons, or that the property be sold and the proceeds be used to provide housing for low and moderate income persons; and be it further

RESOLVED that the Clerk to the Board is directed to publish a notice summarizing the contents of this resolution once after its adoption, and that the transfer of property to Habitat For Humanity not be consummated until ten (10) days after its publication.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #138.

17-3987  TAX REFUNDS

Approve refunds in the amount of $101,021.38 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $59.33.
May 2, 2017

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

17-3992 BUDGET AMENDMENT – CHILD SUPPORT ENFORCEMENT DEPARTMENT (REINVESTMENT REVENUE)

Recognize and appropriate revenue of $328,124, received in FY16, to be reinvested into the Child Support Enforcement program.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

17-3976 BUDGET AMENDMENT – DSS (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive, and appropriate additional Federal IV-E Child Care Subsidy revenue of $304,365 from the North Carolina Division of Child Development and Early Education (DCDEE).

Note: Mecklenburg County funding authorization from DCDEE reflected an additional $304,365 for Child Care Subsidy. Child Care Resources, Inc. (CCRI) is the Child Care administrator. The funds will cover services for children currently receiving title IV-E. No additional county dollars are requested.

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

17-3988 CAPITAL RESERVE EXPENDITURE REQUEST – REVOLUTION PARK (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve expenditure of $490,660 from the Synthetic Turf Field Capital Reserve Account to replace the synthetic turf field at Revolution Park with an organic geofill with underlaying pad.

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

17-3991 GRANT APPLICATION – RESILIENCE IN COMMUNITIES AFTER STRESS AND TRAUMA (RECAST)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the Health Department to submit a grant application for up to $1,000,000 per year for five years from the Federal Substance Abuse and Mental Health Services Administration (SAMHSA), and if awarded, recognize, receive and appropriate awarded funds for the grant period.

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

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:03 p.m.

____________________________________  ____________________________
Janice S. Paige, Clerk                        Ella B. Scarborough, Chair
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, May 16, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioner Leake was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-3993, 17-3994, 17-4007, 17-4017, 17-4019, 17-4031, & 17-4032 to be removed from Consent and voted upon separately.

CLOSED SESSION

17-4015 CONSULT WITH ATTORNEY
17-4016 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune said there were no Consult with Attorney matters to be discussed in Closed Session. He announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels # 221-131-16, 213-091-11, 213-091-12, 213-091-13 & 087-041-08.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition.

The Board went into Closed Session at 5:20 p.m. and came back into Open Session at 6:15 p.m.

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

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order. Commissioner James gave the invocation which was followed by the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4013 PUBLIC APPEARANCE

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

Mecklenburg County Public Health Employees: Jeff Edwards-Knight, Sarah Green, Nancy Paige, Gina Scott, Dick Winters, and Solita Jefferies spoke in support of the Health Department and its current leadership.

Zhivi Williams, newly elected Chair of the Women’s Advisory Board, introduced herself and other advisory board members to the Board for awareness purposes. The other members present were: Linda Carr, Samantha Abt-Bumgarner, Ruth Pierce, and Mabel Hemphill.

Note: The following persons registered to speak but did not appear: Jana Savory and Cherry Reaves.

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

APPOINTMENTS

17-4009 REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Paul Stefano to the Building Development Commission as the Plumbing, Heating, and Contractors Association representative to fill an unexpired term expiring July 31, 2019.

Note: He replaces Harold Hester.

CARDINAL INNOVATIONS COMMUNITY OVERSIGHT BOARD

Motion was made by Commissioner Cotham, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Cardinal Innovations Community Oversight Board for three year terms expiring May 31, 2020:

Beverly Corpening as a Consumer/Family Member representative
Sonja Goodwin as the Citizen Stakeholder representative
Deborah Page as a Consumer/Family member representative.

**CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint George Dortche and Kristle Lee to the Charlotte-Mecklenburg Community Relations Committee to fill unexpired terms expiring September 30, 2017.

*Note: They replace Matthew Gardner and Christina Newcomb.*

**DOMESTIC VIOLENCE ADVISORY BOARD**

The following person was nominated by Commissioner Puckett for appointment consideration to the Domestic Violence Advisory Board: Ricardo Suarez.

There were no other nominations.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Ricardo Suarez to the Domestic Violence Advisory Board to fill an unexpired term expiring April 30, 2018.

*Note: He replaces Mark Renaud.*

**PARK AND RECREATION COMMISSION**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Tristan McMannis to the Park and Recreation Commission for a three-year term expiring June 31, 2020, effective July 1, 2017, as the Southern Towns representative.

The following person was nominated by Commissioner Ridenhour for appointment consideration to the Park and Recreation Commission for the South Region 2 slot: John Leonard.

There were no other nominations.

Motion was made by Commissioner Ridenhour, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint John Leonard to the Park and Recreation Commission for a three-year term expiring June 30, 2020, effective July 1, 2017 as the South Region 2 representative.

*Note: He will replace Ed Barnhart who has served two consecutive terms.*

**STORM WATER ADVISORY COMMITTEE**

Commissioner Dunlap nominated all applicants for appointment consideration to the Storm Water Advisory Committee: David Collins, Brian Pace, and Eric Seckinger.
May 16, 2017

Note: An appointment will occur June 6, 2017.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Linda Ashendorf to the Waste Management Advisory Board for a three-year term expiring April 30, 2020.

PUBLIC HEARINGS

17-4012 PUBLIC HEARING – FIXED FEE COMPONENT OF THE STORM WATER FEE

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to hear comments related to proposed changes in the Fixed Fee Component of the Storm Water Fee.

No one from the public appeared to speak to this matter.

Dave Canaan, Director of Storm Water Services addressed questions from the Board.

Note: The proposed change for FY18 will increase the current Fixed Fee of $0.85 to $0.95, per bill.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 7-1 with Commissioners Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, and Commissioner Dunlap voting no, to close the public hearing with respect to the proposed changes in the Fixed Fee Component of the Storm Water Fee, and adopt the Resolution Authorizing Increasing The Fixed Fee Cost Component Of The Storm Water Service Charges To Be Levied Within Mecklenburg County.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING INCREASING THE FIXED FEE COST COMPONENT OF THE STORM WATER SERVICE CHARGES TO BE LEVIED WITHIN MECKLENBURG COUNTY

WHEREAS, on May 17, 1993, the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which plan requires use of a rate structure based on impervious area and a base charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, on November 1, 1993, Mecklenburg County and all the municipalities in Mecklenburg County entered into separate agreements titled “AGREEMENT FOR OPERATION OF A SINGLE STORM WATER SYSTEM IN MECKLENBURG COUNTY” to deal with billing and collection services funded by the fixed fee component of the storm water service charge; and

WHEREAS, on May 16, 2017, the Board of County Commissioners held a public hearing on the proposed change in the fixed fee component of the storm water service charges to be levied on properties within Mecklenburg County; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that effective July 1, 2017 the fixed fee component of the storm water service charge to be levied on properties within Mecklenburg County is $0.95 per bill.
Resolution recorded in full in Ordinance/Minute Book 47-A, Document #139.

17-4024 BUSINESS INVESTMENT GRANT: OERLIKON METCO (US) INC.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Oerlikon Metco (US) Inc.

No one from the public appeared to speak to this matter.

The matter was presented by Economic Development Director Peter Zeiler.

Note: Oerlikon Metco (US) Inc. is a subsidiary of OC Oerlikon, a publicly traded Swiss technology and manufacturing company. OC Oerlikon has 16,000+ employees. Global sales and orders were $3.29 billion. Oerlikon Metco is a provider of surface treatments and coatings, and additive manufacturing processes used in end products like automotive and airplane engines. OC Oerlikon has been operating in Mecklenburg County since 1965 through its Oerlikon Textiles division in Charlotte. Oerlikon Metco is seeking to establish a US facility to launch and grow its North American additive manufacturing presence and has identified a 22-acre parcel as a suitable property in the Town of Huntersville. The project will consist of advanced component manufacturing activities; a research, development and application engineering center; and a sales and service support office. There is competition for this project from Rock Hill, SC; Detroit, MI and Pittsburg, PA. Oerlikon Metco’s proposed project includes:
- A taxable investment of $57.5 million to be completed in the next three years
- Creation of 93 new jobs with an average wage of $93,011 (which is equal to 195% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.).

Commissioner Clarke returned to the dais.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, and Commissioner James voting no, to close the public hearing on a proposed Business Investment Program grant to Oerlikon Metcon (US) Inc., and adopt a resolution approving a Business Investment Program grant for Oerlikon Metco (US) Inc. for a total estimated amount of $2,168,620, and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR OERLIKON METCO (US) INC.

WHEREAS, Oerlikon Metco (US) Inc. is seeking to establish a North American additive manufacturing presence in Mecklenburg County; and

WHEREAS, the company evaluated sites in Rock Hill, SC; Detroit, MI and Pittsburg, PA; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the Town of Huntersville and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on October 04, 2016 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to locate its new operation in Huntersville. The project will include a capital investment of approximately $57.5 million and will create 93 new jobs within Seven years at an average annual
WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County; now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #140.

17-4025 BUSINESS INVESTMENT GRANT: SOUTHEASTERN METAL PRODUCTS LLC

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Southeastern Metal Products LLC.

No one from the public appeared to speak to this matter.

The matter was presented by Economic Development Director Peter Zeiler.

Note: Southeastern Metal Products LLC, (SEMP) founded in 1952, provides manufacturing and engineering services for high quality sheet metal stamping and fabrication. Customers include Caterpillar, John Deere and Scott Fire and Safety Company. The company has operated in Charlotte from its founding 65 years ago and currently has a 100,000-square foot manufacturing facility, located at 1420 Metals Drive with 122 employees. Southeastern Metal proposes an expansion of 42,000 square feet at the current site to meet production goals and customer growth. The current investment and existing jobs are at risk to be relocated out of state if SEMP opts to expand in a different location. There is competition for this project from Cherokee County, South Carolina. Southeastern’s proposed project includes:

- A taxable investment of $4,100,000 to be completed in the next three years
- Creation of 70 new jobs with an average wage of $40,252 (which is equal to 121% of the average for the Charlotte-Gastonia-Rock Hill M.S.A.). The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to $122,022.00.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, and Commissioner James voting no, to close the public hearing on a proposed Business Investment Program grant to Southeastern Metal Products LLC, and adopt a resolution approving a Business Investment Program grant for Southeastern Metal Products LLC for a total estimated amount of $122,022, and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR SOUTHEASTERN METAL PRODUCTS LLC

WHEREAS, Southeastern Metal Products will expand its current site in Charlotte to increase production for existing customer growth to Charlotte, NC; and

WHEREAS, the company evaluated sites in Cherokee County, SC; and
WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on December 06, 2016 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately $4.1 million and will create 70 new jobs within Five years at an average annual salary of approximately $40,252. The Business Investment Program grant is a 90% grant over 5 years, with an estimated total amount of up to $122,022. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County; now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #141.

ADVISORY COMMITTEE REPORTS

17-4011 FY 17-18 JCPC FUNDING RECOMMENDATIONS

The Board received a report from Darrell Gregory, Chair of the Juvenile Crime Prevention Council, regarding the FY17-18 JCPC funding recommendation.

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

Comments

Commissioner Dunlap asked if audits were required of agencies that receive funding. Criminal Justice Services Director Sonya Harper said agencies do not go through a full audit process because these were pass through dollars. She said beginning next fiscal year, however, agencies would be asked if they’ve been subject to an audit and/or what type of accounting processes were in place.

Commissioner Dunlap said he was glad to hear that going forward more information would be sought from agencies. He noted the audit requirement the County had for community service grants. He said agencies should be treated the same.

Director Harper said agencies were subject to an audit by the NC Department of Public Safety and were contractually obligated to use funds as indicated in the original budget. She said a lot of the agencies were small, therefore, a full financial audit was not required of them.

County Manager Diorio said these agencies were not required to have audited financial statements as required by the County of agencies receiving community service grants.

Commissioner James said it was a risk to provide this amount of funding and not require audited financials and/or internal controls. He questioned the allocation of funding to First Baptist Church-West Community Services Association (GAP): $136,891. He noted the County’s experience with First Baptist Church-West with respect to its financials and questioned whether it should be noted in the JCPC information for record purposes.

Commissioner James suggested the JCPC consider requiring an audit if the allocation was above a certain amount, perhaps $50,000. He also suggested the County consider asking the State if it
would impose the same requirements on the recipients of JCPC funding as the County did with County Community Service Grant recipients.

Commissioner Leake, in response to Commissioner James’ comment regarding First Baptist Church-West, said whatever the issue was regarding their financials, it was resolved to the County’s satisfaction because funds were allocated to them.

Commissioner Leake said checks and balances were needed, however, the state and county requirements did not have to be the same.

Commissioner Leake referenced a former program called the Gang of One. She said this agency/program did not utilize the funds allocated to it to be used at Greenville Center. She said nothing was done about it and the funding was returned to the federal government.

Commissioner Leake asked if International Association of Applied Control Theory-(IAACT) (DASH Strengthening Families): $99,790 and International Association of Applied Control Theory-(IAACT) (DASH Mentoring): $97,800 were the same programs. JCPC Chairman Gregory addressed the two programs.

Commissioner Leake asked were these programs visited. JCPC Chairman Gregory said he had just recently visited the site.

Director Harper said her staff monitored all programs.

Commissioner Fuller, in response to Commissioner James’ comment regarding First Baptist Church-West, said the only thing he recalled was the question of whether their audit had been completed. Commissioner Fuller said he did not want the public to think First Baptist Church-West had done anything wrong.

JCPC Chairman Gregory said when agencies apply for funding the state’s liaison to the JCPC reviews the information and goes beyond what is required in that review.

Commissioner Fuller questioned whether the County had the authority to add additional requirements beyond what was required of recipients of JCPC funds by the state.

Scott Stoker, JCPC Area Consultant, Division of Adult Correction and Juvenile Justice, North Carolina Department of Public Safety, Piedmont Area Community Programs Office was present and addressed the Board. He clarified that these were not grant funds, but were allocations from the State to the County and that the County could set guidelines if it desired to do so.

Mr. Stoker commented on the State’s monitoring process of programs.

Commissioner Dunlap said he raised the initial question regarding audits but not to put additional work on the County. He said these were state funds and that the State had an audit division. He said if there were ever concerns they should be forwarded to the State.

County Manager Diorio said she would meet with Director Harper regarding this issue and come back with a recommendation.

Commissioner Ridenhour requested program outcome data for the various agencies.

Note: This concluded the presentation. The above was not inclusive of every comment but was a summary.
Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate the FY17-18 JCPC funding recommendations as follows:

1. JCPC Admin (Mecklenburg County): $15,500
2. Transforming Youth Movement Inc. (SHIFT Restitution): $285,350
3. CMPD Youthful Diversion Program: $95,389
4. Urban League Of Central Carolinas-(Academic Enhancement Program): $148,400
6. International Association Of Applied Control Theory-(IAACT) (DASH Mentoring): $97,800
7. Barium Springs Home For Children (Court Psychologist): $125,503
8. Tresports Programs (Tresports Positive Action Program): $186,059
9. First Baptist Church-West Community Services Association (GAP): $136,891
10. Project 658 (Juvenile Structured Day): $125,000
11. Give N Go Inc. (Pre-Apprenticeship Certificate Training (Vocational Skills): $100,000

MANAGER’S REPORT - NONE

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-3964 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for May 2017.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.

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

17-3997 FEATURE DEPARTMENT PRESENTATION: ASSET AND FACILITIES MANAGEMENT (AFM)

The Board received a presentation from Asset and Facilities Management (AFM) Director, Mark Hahn on the AFM Strategic Plan goal of “Enhance Security of County/Library Facilities”.

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

Comments

Commissioner Fuller asked about the number of security companies being used and where they’re being used, the role of Park Rangers, and the establishment of a security operations center. Director Hahn addressed each of these matters.

Commissioner Ridenhour requested a copy of the consultant’s report once finalized. Commissioner Ridenhour asked about certifications held by security staff, which was addressed.

Commissioner Ridenhour commented on recent terrorist attacks across the world, particularly where there were large gatherings of people. He asked about security plans for County parks, which was addressed.
Commissioner James asked about biometric upgrades to current security processes. He commented on the need to ensure that a person entering a County facility was indeed a County employee and not someone that had obtained an employee’s access badge.

Commissioner James questioned why the County, the City of Charlotte, and Charlotte-Mecklenburg Schools did not have biometric locks. Director Hahn said attempts were made to implement that type of security several years ago at the Valerie Woodard Center, however, problems were encountered with respect to it working properly. He said it could possibly be revisited in the future.

Commissioner James said the security cameras around the Government Center appeared to be antiquated. Director Hahn noted that the County was not responsible for security measures at the Government Center but rather the City of Charlotte. Director Hahn said the County was installing state of the art equipment when doing its upgrades.

Commissioner James raised the question of whether it would save taxpayer dollars if the County, City of Charlotte, and Charlotte-Mecklenburg Schools had the same type of security system. He acknowledged that Charlotte-Mecklenburg School’s situation might be different considering the number of facilities it had.

Commissioner Leake said security was not only a local issue of concern but a national one.

Commissioner Leake commented on security within the Government Center and how some persons fail to wear their ID badges. She also expressed concern for security at public meetings throughout the County.

Commissioner Leake asked how many facilities the County provided security for. The response was 32 facilities.

Note: This concluded the presentation. The above was not inclusive of every comment but was a summary.

**STAFF REPORTS & REQUESTS**

**17-3944 OPENCOUNTER IMPLEMENTATION**

The Board received an update from Peter Koht, Founder and COO of OpenCounter, on the joint County and City effort in the implementation of OpenCounter software, which is designed to assist novice small business customers in navigating the permitting process. He was introduced by Land Use & Environmental Services Agency Director Ebenezer Gujjarlapudi.

Note: This is a web-based tool that allows people interested in opening or relocating a business within the limits of the City of Charlotte to answer a series of questions about the nature of their business and their future location, and receive a “checklist” of items and agencies that may have a role in the construction and relocation process. No special construction experience is required for this tool - it’s designed for layman use. This tool is part of our Code Enforcement’s customer service enhancement strategy in collaboration with the City of Charlotte.

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

Comments

Commissioner Fuller asked for clarity on how the process would work, which was addressed by Mr. Koht and Director Gujjarlapudi.
Commissioner Puckett commented on the Economic Development Department’s work with small businesses. He said he hoped LUESA had involved them in this effort. Director Gujjarlapudi said Economic Development Director Peter Zeiler was aware of this effort.

Commissioner Ridenhour asked for clarity, also on how the process would work, which was addressed by Mr. Koht.

Commissioner Ridenhour asked who else was using this type of software, which was addressed.

Commissioner Leake referenced the Small Business Consortium she began several years ago. She said the OpenCounter effort was something that she would like shared with the Consortium group.

Note: This concluded the presentation. The above was not inclusive of every comment but was a summary.

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4028 FACILITY NAMING APPLICATION – RENAISSANCE GOLF COURSE TO “HARRY L. JONES, SR. GOLF COURSE”

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to acknowledge receipt of an application submitted by Commissioner Vilma D. Leake to name the Renaissance Golf Course, located at 1200 West Tyvola Road, the “Harry L. Jones, Sr. Golf Course”; and schedule a public hearing on June 6, 2017 at 6:30 p.m. to receive public comment on the proposed naming of the Renaissance Golf Course, the “Harry L. Jones, Sr. Golf Course”; and direct the Clerk to the Board to publish the notice of public hearing as required.

17-4035 MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL 434 IN ITS CURRENT FORM IN REGARDS TO A BAN ON ALL BUFFERS ALONG WATERWAYS, LAKES, ETC.

Commissioner Puckett introduced a resolution entitled Mecklenburg County Board of Commissioners Resolution Expressing Opposition to senate bill 434 in its current form in regards to a ban on all buffers along waterways, lakes, etc.

WHEREAS, SB 434 calls for a ban on all buffers along waterways, lakes etc.; and

WHEREAS, SB 434 additionally forbids local municipalities and counties to impose their own buffer regulations; and

WHEREAS, urban areas of NC are seeing high growth and developmental density along rivers and lakes that result in a different level of impact and environmental concerns than more rural areas; and

WHEREAS, the need to protect water quality without the use of buffers will require dramatic alternatives, such as large scale condemnation and/or land acquisition far exceeding what would be needed for water protection with a limited buffer plan; and

WHEREAS, Mecklenburg County has significantly improved the water quality of our creeks and lakes with
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a judicious use of buffers thus proving reasonable and responsible use of buffers can be both cost efficient and effective; and

WHEREAS, computer modeling is making it possible to pinpoint areas that would be impacted by development and provide the data needed to customize buffer sizes and areas impacted; and

WHEREAS, technological advances such as computer modeling lessens or even removes the need for “one size fits all” buffer requirements; and

WHEREAS, the State of NC, her counties, cities and towns should take advantage of all the tools available now and in the future to protect and safeguard our water; and

WHEREAS, the impact or usefulness of those tools will be unique to each geographic area and perhaps to individual projects; and

WHEREAS, SB 434 forbids counties and municipalities the practicable use of these tools to strategically use buffers and/or other methods to protect water quality

NOW, THEREFORE, BE IT RESOLVED, that the Mecklenburg County Board of Commissioners requests that the NC House of Representatives deny passage SB 434 as structured and either introduce new legislation regarding statewide buffer regulations allowing for local control or alter the current proposed legislation to allow for local regulation of buffers.

Motion was made by Commissioner Puckett, seconded by Commissioner James to adopt MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL 434 IN ITS CURRENT FORM IN REGARDS TO A BAN ON ALL BUFFERS ALONG WATERWAYS, LAKES, ETC.

Comments

Commissioner Dunlap said he was not opposed to the resolution, however, he felt the wording should be amended to sound more positive.

Commissioner Puckett said he was amenable to wordsmithing the resolution.

Commissioner Fuller concurred with Commissioner Dunlap that the proposed resolution should be wordsmith to make it clear as to why Mecklenburg County felt the passage of SB 434 would be damaging and to urge them to amend it or introduce new legislation relating to statewide buffer regulations. Commissioner Fuller suggested the word “deny” not be used.

Commissioner Puckett said he would amend the Now, Therefore, Be It Resolved paragraph as suggested. Commissioner James, who seconded the motion concurred. It was the consensus of the Board to allow Commissioner Puckett to reword the Now, Therefore, Be It Resolved paragraph, which he would provide to the Clerk for inclusion in the final resolution.

The vote was then taken on the motion as follows.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL 434 IN ITS CURRENT FORM IN REGARDS TO A BAN ON ALL BUFFERS ALONG WATERWAYS, LAKES, ETC.

Note: Below is the final wording of the resolution proposed by Commissioner Puckett and adopted by the Board, per the above motion.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION EXPRESSING OPPOSITION TO SENATE BILL 434 IN ITS CURRENT FORM IN REGARDS TO A BAN ON ALL BUFFERS ALONG WATERWAYS, LAKES, ETC.

WHEREAS, SB 434 calls for a ban on all buffers along waterways, lakes etc.; and
WHEREAS, SB 434 additionally forbids local municipalities and counties to impose their own buffer regulations; and

WHEREAS, urban areas of NC are seeing high growth and developmental density along rivers and lakes that result in a different level of impact and environmental concerns than more rural areas; and

WHEREAS, the need to protect water quality without the use of buffers will require dramatic alternatives, such as large scale condemnation and/or land acquisition far exceeding what would be needed for water protection with a limited buffer plan; and

WHEREAS, Mecklenburg County has significantly improved the water quality of our creeks and lakes with a judicious use of buffers thus proving reasonable and responsible use of buffers can be both cost efficient and effective; and

WHEREAS, computer modeling is making it possible to pinpoint areas that would be impacted by development and provide the data needed to customize buffer sizes and areas impacted; and

WHEREAS, technological advances such as computer modeling lessens or even removes the need for “one size fits all” buffer requirements; and

WHEREAS, the State of NC, her counties, cities and towns should take advantage of all the tools available now and in the future to protect and safeguard our water; and

WHEREAS, the impact or usefulness of those tools will be unique to each geographic area and perhaps to individual projects; and

WHEREAS, SB 434 forbids counties and municipalities the practicable use of these tools to strategically use buffers and/or other methods to protect water quality

NOW, THEREFORE, BE IT RESOLVED, that due to the potential risk to water quality, especially in high growth urban areas, and due to the extraordinary potential cost of protecting water quality without the opportunity to impose local buffers, the Mecklenburg County Board of Commissioners respectfully request that the North Carolina House of Representatives alter SB 434 to allow for implementation of local buffers designated for water quality protection.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #142.

17-4016 CLOSED SESSION: LAND ACQUISITION – W. CRAIGHEAD ROAD SOLID WASTE ACQUISITION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 087-041-08 (+ 1 acre) from the Piedmont Episcopal District of the African Methodist Episcopal Zion Church for $8,500.

Note: The purpose of this acquisition is to provide an enhanced buffer for the Recovery Center and to allow for the potential construction of another driveway access to the facility directly from W. Craighead Road.

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):
17-3969  RESOLUTION ADOPTING CHANGES TO THE COUNTY’S AND THE CITY OF CHARLOTTE’S STORM WATER INTERLOCAL AGREEMENT

Adopt the resolution authorizing execution of the Amended and Restated Storm Water Management Program Interlocal Agreement between Mecklenburg County and the City of Charlotte.

MECKLENBURG COUNTY
RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED STORM WATER MANAGEMENT PROGRAM INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE

WHEREAS, on May 17, 1993 the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County – Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, which Plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, Mecklenburg County and the City of Charlotte (the “City”) have negotiated and wish to amend and restate the Storm Water Management Plan Interlocal Agreement to manage a storm water management program that deals with the operation and maintenance of the storm water drainage system within the City limits of City; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement “…shall be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Amended and Restated Storm Water Management Plan Interlocal Agreement between the County of Mecklenburg and the City in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #143.

17-3999  SOLE SOURCE VENDOR APPROVAL – MOTOROLA CONSOLE MMC 7500

Approve the sole source purchase of a Motorola Model 7500 IP based dispatch operator console.

Note: In December of 2003, the City of Charlotte and Mecklenburg County entered into an Interlocal Agreement consolidating all functions of the Public Safety Radio Network with Mecklenburg County under the City of Charlotte. The Char-Meck Radio Infrastructure is designed using Motorola specific broadcast equipment and the entire Mecklenburg County Sheriff’s Office (MCSO) radio fleet are Motorola radios. The functionality, programming, service agreements and repairs for existing equipment must be supported by Motorola trained technicians for service warranty purposes. MCSO is adding a third dispatch console to the infrastructure, which must interface and work with the two existing consoles and radio fleet.

17-4003  CAPITAL RESERVE EXPENDITURE REQUEST – ELON PARK (PARK AND RECREATION)

Approve expenditure of $27,140 from the Park and Recreation Capital Reserve account for work to replace netting around Elon Park’s synthetic fields.

17-4004  BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE DECREASE)
1. Recognize, receive and appropriate revenue from the City of Charlotte in the amount of $14,438; and

Note: Funds received from the City of Charlotte in regards to the Race Matters for Juvenile Justice position assigned to the Clerk of Superior Courts Office.

2. Recognize, receive and appropriate revenue from Cardinal Innovations HealthCare in the amount of $9,000; and

Note: Funds received from Cardinal Innovations HealthCare for sponsorship of the Moral Reconation Therapy training. Criminal Justice Services employees will deliver this training to Mecklenburg County offenders.

3. Reduce Federal Revenue from Cardinal Innovations HealthCare in the amount of $37,038.

Note: On March 7, 2017, a budget amendment was approved to receive Federal revenue in the amount of $37,038 from Cardinal Innovations HealthCare to 1) Improve the identification of individuals in need of mental health and/or substance abuse services that are detained in Mecklenburg County Jails, 2) Provide safe, reliable transportation from jail to placement, and to critical appointments with providers and collateral agencies, and 3) Provide Moral Reconation Therapy training to Criminal Justice Services staff. It was determined by the State that the proposed use of funding did not meet grant guidelines. Recently, guidelines were provided to Criminal Justice Services and the department may reapply for the funds in FY18.

17-4005 FUNDING FOR MECKLENBURG COUNTY REGIONAL SPORTSPLEX STADIUM SEATING

Recognize, receive and appropriate the contribution of $400,000 from the Town of Matthews towards the cost of adding 1,000 seats to the stadium at the Mecklenburg County Regional Sportsplex (MCRS) located at 2425 Sports Parkway, Matthews, NC; and amend the Capital Budget Ordinance.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2016 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted December 20, 2016

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 16th DAY OF MAY 2017:

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

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, $153,704,856 is hereby appropriated.

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

<table>
<thead>
<tr>
<th>Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-2016 fiscal years</td>
<td>$50,500,000</td>
</tr>
<tr>
<td>2017 fiscal year</td>
<td>67,292,790</td>
</tr>
<tr>
<td>2018 fiscal year</td>
<td>26,589,000</td>
</tr>
</tbody>
</table>

929
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.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #144.

17-4010 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $6,891 for Asset and Facility Management and $2,055 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-4014 MINUTES

Approve Minutes of Regular meeting held May 2, 2017 and Closed Session held May 2, 2017, October 4, 2016 and December 6, 2016.

17-4018 BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

Recognize, receive and appropriate up to $1.5 million in estimated additional Solid Waste fee revenue for FY17.

17-4020 TAX REFUNDS

1) Approve refunds in the amount of $8,269.27 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of $98,239.70 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $0.00.

A list of the taxpayer recipients is on file with the Clerk to the Board.
THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-3993  BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate $33,559 for 2017 Presidential Inaugural Reimbursement.

Note: Reimbursement was for security assistance provided by Mecklenburg County Sheriff’s Office (MCSO) for the 2017 Presidential Inauguration.

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

17-3994  BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

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

1. Recognize and appropriate $117,552 from Inmate Commissary revenue to the Sheriff’s Office Special Revenue Fund; and

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate $39,998 from the Vocational Facility telephone revenue to the Sheriff’s Office Special Revenue Fund; and

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.

3. Recognize and appropriate $275,620 from concealed handgun permit fees to the Sheriff’s Office Special Revenue Fund.

Note: The Sheriff’s Office 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.

17-4007  BUDGET AMENDMENT – COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate $19,000 in estimated additional revenue to be generated from New Options for Violent Actions (NOVA) Program fees and charges before June 30, 2017.

Commissioner Leake removed this item from Consent for more public awareness.
17-4017  BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate a net increase in revenue of $74,951.

Note: The North Carolina Division of Public Health (DPH) awards the Health Department funding to support federal and state programs. During the fiscal year, the Health Department receives notification of modified funding for programs within the Department from DPH.

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

17-4019  GRANT APPLICATION – COST-EFFECTIVE CHILDHOOD OBESITY PREVENTION STRATEGIES IN YOUR COMMUNITY (CHOICES PARTNERSHIP)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application for up to $50,000 for one year from the CHOICES project at the Harvard Prevention Research Center on Nutrition and Physical Activity; and if awarded, recognize, receive and appropriate awarded funds for the grant period.

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

17-4031  GRANT APPLICATION – MACARTHUR FOUNDATION’S SAFETY AND JUSTICE CHALLENGE IMPLEMENTATION FUNDING (CRIMINAL JUSTICE SERVICES DEPARTMENT)

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application to the MacArthur Foundation for a total of up to $2,000,000 over two years under the Safety and Justice Challenge Implementation Funding solicitation; and if awarded, recognize, receive, and appropriate such fund.

Commissioner Fuller removed this item from Consent for more public awareness and for clarity on where things stood with other involved parties.

Criminal Justice Services Director Sonya Harper addressed the matter.

17-4032  GRANT APPLICATION – FY2017-2018 JCPC ALTERNATIVES TO COMMITMENT PROGRAMS

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of a grant application for funding in the amount of $100,000 from the N.C. Department of Public Safety, Division of Adult Correction and Juvenile Justice, FY2017-2018 JCPC Alternatives to Commitment Programs; and if awarded, recognize, receive, and appropriate such funds.
Commissioner Leake removed this item from Consent for more public awareness.

Criminal Justice Services Director Sonya Harper addressed the matter.

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:05 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
The Board of Commissioners of Mecklenburg County, North Carolina, met in Special Session in the Meeting Chamber of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, NC at 11:30 a.m. on Tuesday, May 30, 2017.

**ATTENDANCE**

**Present:**
Chair Ella B. Scarborough and Commissioners
Dumont Clarke, Patricia “Pat” Cotham,
George Dunlap, Trevor M. Fuller, Vilma D. Leake,
Jim Puckett, and Matthew Ridenhour
County Manager Dena R. Diorio
Clerk to the Board Janice S. Paige

**Absent:**
Commissioner Bill James

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**-FORMAL SESSION-**

*Commissioners Dunlap and Leake were absent when the meeting was called to order and until noted in the minutes.*

Chair Scarborough called the meeting to order which was followed by invocation by Commissioner Puckett, the Pledge of Allegiance to the Flag, and then introductions; after which, the matter below was addressed.

**17-4062 PRESENTATION OF COUNTY MANAGER'S RECOMMENDED BUDGET FOR FY 2017-2018**

Chair Scarborough called on County Manager Diorio to present the County Manager's Recommended Budget for FY 2017-2018.

County Manager Diorio presented her Recommended Budget for FY 2017-2018.

*Commissioner Leake entered the meeting during County Manager’s Diorio’s remarks.*

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

After her remarks, County Manager Diorio called on Budget/Management Director Michael Bryant to provide the Board with more details of her recommended budget.

*Note: Commissioner Dunlap entered the meeting during Director Bryant’s remarks, however, he did not sit at the dais.*

**Highlights**

**Major Funding Recommendations**

- FY2019—FY2023 Capital Improvement Plan = $1.6 Billion
  - 10 New Schools & 12 High-Priority School Renovations
MAY 30, 2017

- A New Main Public Library
- American Legion Memorial Stadium Renovations
- Department of Community Resources (4 locations)

- Maintains the current general fund property tax rate = 81.57¢
- Adjust the Law Enforcement Service District to account for growth and the CMPD staffing increase
- Adjust the fire protection district tax rates to ensure stable funding that will support 24/7 operations
- A One-time fund balance appropriation = $44.7 million
- $5 million in efficiency savings and repurposed funds to support strategic investments
- Funding for year 2 of 3-year department strategic business plans
- Continued funding for a new foreclosure strategy that will increase tax collections
- 54% of the County budget funds education and literacy
- Expansion of the childcare subsidy program to promote early childhood education
- Funding investments in the Economic Opportunity Task Force Report
- Funding for employee merit increases

Next Steps

June 5, 2017  6:00 pm  Budget Public Hearing
June 8, 2017  3:00 pm  Budget Workshop –Detailed Overview of Manager’s Recommended Budget
June 12, 2017  9:00 am  Budget Straw Vote Workshop
June 13, 2017  3:00 pm  Budget Straw Vote Workshop
June 20, 2017  6:00  Budget Adoption on Agenda

Register to speak at budget public hearing:
http://boccspeakerbph.mecklenburgcounty  or Dial: 980-314-2870

Note: No action was taken or required of the Board at this time.

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Ridenhour and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 12:34 p.m.

Janice S. Paige, Clerk  Ella B. Scarborough, Chair
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, June 6, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioners Dunlap, Fuller, Puckett, and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4039, 17-4040, 17-4043, 17-4044, 17-4052, & 17-4077 to be removed from Consent and voted upon separately.

CLOSED SESSION

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

17-4051 CONSULT WITH ATTORNEY
17-4085 PERSONNEL MATTER

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 5-0 with Commissioners Clarke, Cotham, James, Leake, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Personnel Matter.

The Board went into Closed Session at 5:16 p.m. and came back into Open Session at 5:23 p.m.

Commissioner Puckett entered the meeting.

STAFF BRIEFINGS
The Board received a briefing from Internal Audit Director Joanne Prakapas on the most recent Department of Social Services (DSS) Intake and Assessment Audit Report. She was assisted by staff member Felecia Stokes.

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

Comments

Commissioner Clarke questioned Internal Audit staff’s ability to determine best practices for those in the social services field, which was addressed.

Commissioner Fuller entered the meeting.

Commissioner James asked when was the last audit of DSS. Director Prakapas said this was the first audit of this type but that other routine audits were being done.

Commissioner Leake asked about the process for bringing children back in the home, which was addressed.

Commissioner Puckett asked about the timeliness of cases being handled, which was addressed.

Commissioner Ridenhour entered the meeting.

Commissioner James said there appeared to be a lack of procedures. He commented on the completion of cases within state guidelines.

Commissioner James asked was a state review needed of County policies and procedures or would that be “overkill.” County Manager Diorio said a new practice model was being developed, so she didn’t know if bringing in the state would be beneficial.

Commissioner Cotham asked about children who didn’t have a place to go and had to remain with Youth and Family Services. Director Prakapas said that was not a part of the audit.

Commissioner Cotham said she hoped children weren’t having to stay in staff offices anymore. County Manager Diorio said that was no longer occurring. She said the County had emergency beds available with certain providers.

Commissioner Leake asked about staffing. Director Prakapas said Internal Audit did not evaluate the staffing model. County Manager Diorio said positions had been added over the last three years. She said there were also positions added in the FY18 budget.

It was noted that retention was still an issue for the Department because this was a difficult line of work.

Commissioner Leake asked about parent accountability, which was addressed by Division Director Youth and Family Services Charles Bradley.

Commissioner Clarke questioned how Internal Audit could conduct an independent audit, which was addressed.

Commissioner Clarke said there was no reference to documenting in the report. Director Prakapas said they would clarify that before publishing the final report.
Note: The above was not inclusive of every comment but was a summary.

**Commissioner Dunlap entered the meeting.**

**REMOVAL OF ITEMS FROM CONSENT**

Motion was made by Commissioner Fuller, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to move Consent Item 17-4077 Proclamation-Month of Ramadan from the Consent section of the agenda to the Awards/Recognition section.

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

**-FORMAL SESSION-**

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

**AWARDS/RECOGNITION**

**17-4077 PROCLAMATION – MONTH OF RAMADAN**

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, and Commissioners James, Puckett, and Ridenhour voting no, to adopt a Proclamation declaring May 26 - June 24, 2017 as the Month of Ramadan. The proclamation was read by Commissioner Fuller.

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**Mecklenburg County**

North Carolina

**Proclamation**

**WHEREAS**, Ramadan is the 9th month of the Islamic calendar where Muslims fast from dawn to dusk to become closer to God; and,

**WHEREAS**, Ramadan is a sacred time that commemorates the revelation of the Quran to the Prophet Mohammad and encourages fasting, prayer, reflection, God consciousness and gratitude; and,

**WHEREAS**, each day of fasting teaches the soul to struggle with the self, persevere, be patient and to forgive and love; and,

**WHEREAS**, Ramadan is a time to remember those who are less fortunate and engage in generous acts of charity for those afflicted by hunger, poverty, disease, natural disasters, and conflict; and,

**WHEREAS**, Ramadan reminds us that Islam has always been a part of America and Muslims have made extraordinary contributions to our country including those made by the famous Muslim scholar Omar Ibn Said who was enslaved and brought to the Carolinas in 1807.

NOW, THEREFORE, BE IT RESOLVED, that the County of Mecklenburg recognizes May 26th to June 24th as

“The Month of Ramadan”

This 6th day of June 2017

[Signature]

Ella B. Scarborough, Chair
Mecklenburg Board of County Commissioners
Prior to the adoption of the proclamation, several representatives from the Muslim community spoke in support of the proclamation and thanked the Board considering the matter.

Also, prior to the above vote, Commissioner Puckett said he did not disagree with the supportive remarks that were made, however, he did not support adoption of the proclamation. He said as an elected official, he felt it was not appropriate to support proclamations that were religious in nature.

Commissioner Ridenhour said he respected the matter being brought forth and what it was trying to accomplish, but would have liked to have had the opportunity to see it sooner. Commissioner Ridenhour said he did not support the adoption of the proclamation, because he felt it was not appropriate to recognize, locally, one religious holiday over another. He said his was not a path the Board should go down.

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

PUBLIC APPEARANCE

17-4049 PUBLIC APPEARANCE

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

Jana Savory and Shelby LaRusso appeared to bring awareness to a rare condition that their sons have, Eosinophilic Esophagitis (EOE), which is an allergy of the esophagus. Ms. Savory said often persons with this condition were misdiagnosed with having acid reflux. She explained how difficult it was for persons with this condition to eat because food can get enlarged in the throat. She said swallowing can be very difficult and persons suffer with chronic pain. Ms. Savory’s son is two years old and Ms. LaRusso’s is three years old. Ms. Savory said there was not a cure for this condition. Ms. LaRusso said her son had a feeding tube and could only eat coconut, broccoli, cauliflower, and rice.

Ms. Savory said they would like to have a fundraiser walk to bring awareness to this condition and to provide funds for research for a cure. Ms. Savory said they’ve been working with the Cure Foundation.

*Note: Rich Robles, Rodger Nolden, and Deronda Metz signed up to speak, however, the matters they wished to address were addressed at the Board’s Budget Public Hearing. They did not appear to speak. They were encouraged to provide any written remarks to the Clerk for distribution to the Board and/or email Commissioners directly.*

APPOINTMENTS

17-4054 APPOINTMENTS – STORM WATER ADVISORY COMMITTEE

The vote was taken on the following nominees for appointment consideration to the Storm Water Advisory Committee:

**Round 1**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Collins</td>
<td>Dunlap, James, Leake,</td>
</tr>
<tr>
<td></td>
<td>and Puckett</td>
</tr>
<tr>
<td>Brian Pace</td>
<td>Clarke, Cotham,</td>
</tr>
<tr>
<td></td>
<td>Ridenhour, and</td>
</tr>
<tr>
<td></td>
<td>Scarborough</td>
</tr>
<tr>
<td>Eric Seckinger</td>
<td>None</td>
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</tbody>
</table>

**Round 2**

<table>
<thead>
<tr>
<th>Name</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Collins</td>
<td>Dunlap, James, Leake,</td>
</tr>
<tr>
<td></td>
<td>and Puckett</td>
</tr>
</tbody>
</table>
Brian Pace  Commissioners Clarke, Cotham, Ridenhour, and Scarborough
Eric Seckinger  None

*Commissioner Fuller returned to the Dais.*

**Round 3**

David Collins  Commissioners Dunlap, Fuller, James, Leake, and Puckett

Voting Ceased

Brian Pace
Eric Seckinger

Chair Scarborough announced the appointment of David Collins to the Storm Water Advisory Committee as the Developer, Design Professionals representative for a three-year term expiring June 30, 2020, effective July 1, 2017.

*Note: He replaces James Baysinger.*

**PUBLIC HEARINGS**

**17-4038  NAMING OF RENAISSANCE GOLF COURSE TO “HARRY L. JONES, SR. GOLF COURSE” (COMMISSIONER LEAKE)**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on the request to name the Renaissance Golf Course the “Harry L. Jones, Sr. Golf Course.”

*Note: Harry L. Jones, Sr. served as the Mecklenburg County Manager from 2000 to 2013, Assistant County Manager from 1991 to 2000 and was the Community Development Director for the City of Charlotte from 1981 - 1984. Mr. Jones lost his brave battle with Pancreatic cancer in February of 2017. This naming is fitting and an appropriate way to remember Mr. Jones, who was an avid golfer.*

The following persons spoke in support of naming Renaissance Golf Course to the “Harry L. Jones, Sr. Golf Course”: Carlinia Ivory, Darrell Williams (a former County Commissioner), Becky Jones, the wife of Mr. Jones, and their daughter Lahari Jones. Mrs. Jones read a letter from Bob Morgan, who was unable to be present but was in support of the naming proposal.

Commissioner Leake, who initiated the request, addressed why she put forth the request and thanked the Jones family.

Commissioners Dunlap, Fuller, Puckett, and Ridenhour also spoke in support of the naming.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and approve the request to name the Renaissance Golf Course the “Harry L. Jones, Sr. Golf Course” located at 1200 West Tyvola Road, Charlotte, NC.

**17-4057  BUSINESS INVESTMENT GRANT: AXA EQUITABLE LIFE INSURANCE COMPANY**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive...
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comments on a proposed Business Investment Program grant to AXA Equitable Life Insurance Company (AXA).

No one from the public appeared to speak to this matter.

The matter was presented by Economic Development Director Peter Zeiler.

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

Note: AXA Equitable Life Insurance Company is a subsidiary of AXA, an international insurance, investment management and financial services firm, headquartered in Paris, France and has total assets of more than $533 billion. AXA Equitable has an existing operation with 580 employees in the University City area. Functions include sales, customer support, financial services, human resources and information technology.

AXA Equitable is seeking to create a regional headquarters by consolidating several operations centers across the US into one large facility. The proposed investment in Mecklenburg County includes $14.2 million in construction and improvements and $3 million in machinery and equipment.

AXA’s proposed investment meets all the following grant guidelines for a Business Investment Program Grant, specifically:

- A taxable investment of $17,200,000 to be completed in the next three years
- Creation of 550 new jobs with an average wage of $95,000 (which is equal to 191% of the average for the Charlotte-Gaston-Rock Hill M.S.A.)
- There is competition for this project from York County, South Carolina; Syracuse, New York and Phoenix, Arizona
- The existing 580 positions in the University District are at risk of being relocated to another city if Mecklenburg is not the chosen regional headquarters site

The Business Investment Program grant is a 90% grant over 7 years, with an estimated total amount of up to $460,218.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Ridenhour, and Scarborough voting yes, and Commissioners James and Puckett voting no, to close the public hearing and adopt a resolution approving a Business Investment Program grant for AXA Equitable Life Insurance Company (AXA) for a total estimated amount of $460,218 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR AXA EQUITABLE LIFE INSURANCE COMPANY

WHEREAS, AXA Equitable Life Insurance Company will create a Regional Headquarters in Charlotte, NC; and

WHEREAS, the company evaluated sites in York County, SC; Syracuse, New York; Phoenix, Arizona; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on May 02, 2017 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of
approximately $17.2 million and will create 550 new jobs within five years at an average annual salary of $95,000. The Business Investment Program grant is a 90% grant over 7 years, with an estimated total amount of up to $460,218. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #145.

ADVISORY COMMITTEE REPORTS

17-4033  2017 MECKLENBURG COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM ANNUAL REPORT

The Board received the annual report of the Mecklenburg County Child Fatality Prevention and Protection Team, which was presented by the chair, Bob Simmons.

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

Note: 7B-1406. Community Child Protection Teams; Child Fatality Prevention Teams; creation and duties.

(a) Community Child Protection Teams are established in every county of the State. Each Community Child Protection Team shall:

(1) Review, in accordance with the procedures established by the director of the county department of social services under G.S. 7B-1409:

- Selected active cases in which children are being served by child protective services; and

- Cases in which a child died as a result of suspected abuse or neglect, and
  1. A report of abuse or neglect has been made about the child or the child’s family to the county department of social services within the previous 12 months, or
  2. The child or the child’s family was a recipient of child protective services within the previous 12 months.

(2) Submit annually to the board of county commissioners recommendations, if any, and advocate for system improvements and needed resources where gaps and deficiencies may exist. In addition, each Community Child Protection Team may review the records of all additional child fatalities and report findings in connection with these reviews to the Team Coordinator.

Recommendations

- Support the recommendations for Early Care and Education and Child Family Stability strategies as outlined in the "Leading on Opportunity Report" by the Opportunity Task Force
- Support evidence-based programs focusing on improving parenting skills and parent/child relationships and birth outcomes (i.e. Triple P and Nurse Family Partnership)
- Support funding for Public Health initiatives and community strategies aimed at improving family structure, health & birth outcomes, and economic mobility (i.e.
• Continue to fund and expand School-Based Mental Health Services (SBMH) to create greater access and early intervention for at-risk children within CMS
• Increase funding to CMS for a social worker in every school, especially those with a higher utilization/need of SBMH services
• Support funding for increasing the ratio of school counselors to students in each school and support to teachers for children to reach/exceed the third-grade reading level
• Continue to support funding to DSS as one of the largest components of our child safety network

Comments

Commissioner Ridenhour asked about the Team’s collaboration with other agencies in the community, not just for data gathering but other things, which was addressed.

Commissioner Dunlap said it was difficult for him to determine what the trends were for the various areas of review because of the timeframe used in the graphics, for example, 2004-2015. He suggested for future reports the timeframe be shorten and displayed on an annual basis.

Commissioner Dunlap asked about prevention efforts, starting as early as Lamaze classes and/or while the mother was still in the hospital. Mr. Simmons responded. He said this was being worked on because inconsistencies existed in how information on safe sleep practices was being communicated and to whom and when.

Commissioner Dunlap said going forward he wanted to hear more about what was being done with respect to prevention efforts.

Commissioner Cotham said more prevention efforts were needed in the schools, such as more mental health resources. She addressed the issue of depression amongst youth. She said it was important to ask a young person what could be done to help them rather than asking in a negative way why they behaved in a certain manner.

Commissioner Leake said violence was a major issue of concern. She said something needed to be done to change the mindset of individuals, so that they don’t choose to react violently. She said it would take work on everyone’s part.

Commissioner Leake commented on the role that school counselors should play versus what they’re currently doing.

Commissioner Puckett thanked Mr. Simmons for his work in this area.

Commissioner Fuller asked what could be done to prevent these tragedies addressed in the report, especially suicide.

Chair Scarborough thanked Mr. Simmons for the report.

Note: The above was not inclusive of every comment but was a summary.
Note: Committee Policy Recommendation: “When an architect is engaged to master-plan or design a new or renovation CIP project, the architect shall meet with a firm designated by the County Manager to see if there is any non-essential land that could be carved off and donated to a non-profit for mixed income housing. If so, that land will be donated for that purpose in perpetuity.”

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

Comments

Commissioner Dunlap asked which agency/organization would the policy recommendation apply to. The response was all, i.e. CMS, the Library, Park & Recreation, and Government Facilities.

Commissioner Dunlap said he liked the concept but would want to hear more about it.

Commissioner James asked about Major League Soccer and if the committee addressed having a soccer stadium over other facilities. Mr. Tibbals said it was addressed and it was noted that monies targeted for the soccer stadium would be paid back in full with interest and fully capitalized as a resource for the County.

Commissioner James said, with respect to the policy recommendation, he doubted if excess land that was within town borders would be allocated for low-income or affordable housing.

Commissioner Fuller said he liked the idea of having a policy in place, but more thought needed to be given to it to address concerns that might be raised.

Commissioner Puckett asked Mr. Tibbals to elaborate on his statement that the Major-League Soccer (MLS) stadium would be fully capitalized. Mr. Tibbals said he would have to defer to Assistant County Manager/Interim Finance Officer Mark Foster for an adequate response.

Commissioner Puckett asked with respect to Major League Soccer and capitalization, were the two renovation costs factored in the original proposal presented to the Board. County Manager Diorio said Mr. Tibbals could not answer the question because it was outside the scope of the committee’s charge.

County Manager Diorio said the matter could be discussed by the Board at a future meeting.

Commissioner Puckett questioned the matter being outside the scope of the Committee, yet they made a recommendation regarding it.

Mr. Tibbals said the charge of the current Citizens Capital Budget Advisory Committee (CCBAC) was different from previous committees. He said they were more of a “cooperative element” to departments to make sure departments followed the standards that were set by the Committee to look at best practices, budgetary considerations for operational or capital investment, and was it on the necessary/needs list.

Commissioner Puckett asked was there an interest payment associated with the Major-League Soccer proposal. County Attorney Bethune said the transaction was not structured as a loan.

Commissioner Puckett said he wanted to clarify that the Major-League Soccer proposal was not an investment with a return in interest. He said the assumption was that the County would end up receiving more money than what it put in.

Commissioner Puckett asked if the CCBAC discussed maintenance costs associated with the American Legion Stadium. Mr. Tibbals response was no.
Commissioner Puckett asked was it fair to say that the capitalization piece assumed that if the investment was made there would be a 25-year use by the tenant and that the recapture of the investment would be fully capitalized; however, if the tenant did not remain for the 25 years, then this would not be a fully capitalized project. Mr. Tibbals said that would be a fair statement.

Commissioner Ridenhour said per the letter the Board received from the CCBAC there were things the committee expressed concerns about, such as the two new projects added by CMS and the MLS stadium project. He questioned why the Committee supported those projects remaining in the Capital Improvement Plan (CIP), in light of the concerns. Mr. Tibbals said the Committee’s charge was not so much a recommendation but to review and share their findings. He said previous committees were more engaged in making specifics decisions. He said their charge was different. He said they were to ensure the spending plans brought forth by departments met the criteria for standards the Committee helped to formulate. He said since there was some recapture of the investment associated with the MLS project, the Committee felt comfortable with supporting staff with respect to this project.

Commissioner Ridenhour asked who crafted the new charge. County Manager Diorio said staff crafted the charge and it was approved by the Board.

Commissioner Ridenhour said it seemed odd that the Committee’s findings did not match up with the recommendation.

Commissioner Ridenhour said he was not supportive of the Committee’s Policy Recommendation. He said there were a lot of red flags associated with it. He said it was a “good initiative but bad judgement.”

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

MANAGER’S REPORT

17-4058 CODE ENFORCEMENT – MEGA PLAN REVIEW & MEGA/MULTI-FAMILY INSPECTION UPDATE

The Board received an update on the efforts of the Mega Plan Review & Mega/Multi-Family Inspection team from Patrick Granson, Division Director for Code Enforcement.

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

Comments

Commissioner Leake asked why were out of state construction companies, who end up hiring Mecklenburg County residents to do the work, allowed to bid on County projects. County Attorney Bethune said state laws governs that process and that it was allowable.

Commissioner Cotham thanked Mr. Granson for the work that they were doing in this area. She said the complaints were not coming in like they use too.

County Manager Diorio thanked the department as well for the progress that had been made.

Commissioner Fuller said he thought there was something in the legislature being considered around the issue of permitting in local areas. Division Director Patrick Granson said he was only familiar with HB 255 and SB 131. He said HB 255 dealt with design professionals performing inspections and tracking those inspections. He said SB 131 had passed and dealt with working through energy requirements, well permit requirements, and other things.
Division Director Granson said Commissioner Fuller might be referring to the energy requirements for storage factory buildings. He said there had been efforts to get those buildings exempt. He said the bill had to go to the Department of Insurance for approval, for the enforcement to occur.

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

17-4064 ANNIE E. CASEY FOUNDATION ENGAGEMENT

The Board received a report from Peggy Eagan, Director of Social Services and Charles Bradley, Division Director of Youth & Family Services, regarding the status of the Annie E. Casey Foundation Engagement.

Note: The Department of Social Services Youth and Family Services Division receives technical assistant from the Annie E. Casey Foundation to improve the Child Welfare outcomes for children and families in Mecklenburg County. The engagement is designed to improve child welfare service delivery by safely reducing the number of youth in foster care. The engagement also focuses on strengthening families and the systems that provides supportive services to vulnerable children and their families.

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

Comments

Commissioner Dunlap asked what had been done to reduce the caseload, which was addressed.

Commissioner Dunlap asked what would it take to improve the retention rate of staff, which was addressed.

Commissioner Dunlap said years ago he was certified to become a foster care parent. He said at that time there were only two agencies in Mecklenburg County that provided the certification. He asked was that still the case. Division Director Bradley said no, there were more now.

Commissioner Dunlap suggested an awareness effort be put forth informing residents of how the certification/licensing process worked and where they could go to get certified.

Commissioner Dunlap said he recalled from his days as a police officer that there were issues in some instances where there was a conflict or point of tension in cases where someone other than the biological parent was raising the child; and the money involved and who should be receiving it. He asked what had been done to address those types of issues, which often delayed the placement process. Division Director Bradley said a strategy currently being used was to bring all involved parties together to discuss and resolve issues, which seemed to work.

Commissioner Leake said if caseload was the problem, then more employees should be hired.

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

17-4071 MECKLENBURG COUNTY POOLS PROGRAM OVERVIEW

The Board received an overview of the Mecklenburg County Pools Program from Assistant Health Director Dr. Cardra E. Burns and Lisa Corbitt with the Environmental Health Division of the Health Department.
Comments

**Commissioner Dunlap** asked about mosquito control, which was addressed.

Commissioner Dunlap asked for clarity with respect to a recent issue raised by a Commissioner regarding pools opening without being inspected by the County. It was noted that the pools were allowed to open in accordance with state regulations.

Commissioner Dunlap asked had every pool now been inspected. *The response was no, but that the required timeframe for inspecting pools had not expired. Inspections were continuing to occur every week.*

Commissioner Dunlap asked was the County still in compliance with state law, even though all inspections had not been completed. *The response was yes.*

Commissioner Dunlap said perhaps it would be recommended by a Commissioner that the County exceed the state requirements, which would then require hiring more employees, seasonal perhaps.

Ms. Corbitt said it would be difficult to bring in seasonal employee because they must be a registered Environmental Health Specialist authorized by the state. Ms. Corbitt said it would have be a full-time position and that the individual would be assigned to work in other areas when it was not pool season.

**Commissioner Ridenhour** acknowledged that he was the Commissioner that Commissioner Dunlap was referring to. Commissioner Ridenhour said what disturbed him was an article about pools that were on suspended status but allowed to open without being inspected.

Commissioner Ridenhour said he had already informed the County Manager that in his opinion the County should exceed state law when it came to the inspection of pools.

Commissioner Ridenhour asked about the number of staff assigned to inspect pools and the schedule for getting pools inspected based on the number of pools to be inspected. *Ms. Corbitt said there were 44 inspectors. She elaborated on how the inspection process worked. It was noted that inspections can’t occur until the County was contacted by the pool operator that the pool was ready for inspection.*

Commissioner Ridenhour asked what type of system was staff using to track pool inspections, which was addressed.

Commissioner Ridenhour said he would support investing in more staff and better technology.

**Commissioner Leake** addressed staffing needs. She said if more staff was needed, it should be brought to the County Manager’s and/or Assistant County Manager’s attention.

Commissioner Leake said there was a mosquito issue in the Brook Hill community that needed to be addressed. She said there was concern also for the number of oil tanks in that area.

Commissioner Leake requested information on the number of grants the Health Department had received.

**Commissioner Clarke** asked about the effectiveness of inspecting pools once a year. *Ms. Corbitt said the state only required one inspection per year for seasonal pools. She said the Health Department was not doing that.*
Department did hire up to three summer staff to perform safety checks. She said this staff was not authorized to do a full inspection and weren’t able to close a pool. If they discover a problem, it’s communicated to the appropriate Health Department permanent staff.

Ms. Corbitt said even with the additional summer staff, only one additional visit, sometimes two, could be made to pools. She said although the Health Department was limited in the number of times it could visit a pool, each facility must have a pool operator by state law and the operator was responsible for their respective pool on a daily basis. She said Health Department staff was in communication with pool operators, at the beginning of the season and at the end of the season.

Ms. Corbitt said pool owners and operators were “ultimately” responsible for the safety of the pool.

Commissioner Clarke asked if pool operators were owners of the pool or was a third party providing that service. Ms. Corbitt said it varied depending on the pool but both were applicable.

Commissioner Clarke asked if more problems occurred with the owners being the operator or with third-party operators. Ms. Corbitt said she was not in a position to answer that question.

Commissioner Clarke said less problems would probably occur using a third-party service provider. He said they would had the needed expertise and reputation to uphold.

Commissioner Clarke said the Board needed to consider this issue carefully before rushing to add staff. He asked how long had the County been operating under the current state system. Ms. Corbitt said the state law went into effect late 2010. She said prior to that the County did all post inspections, no pre-permit inspections were done. She said Mecklenburg County pre-permit inspections began in 2012 to meet the demand.

Commissioner Clarke said improvements were needed, but they should be done in a “thoughtful way.”

Commissioner Puckett said he was recently contacted by one of the largest third party pool maintenance companies in NC, that said the County had “missed the mark for years,” with respect to the issue of pool inspections.

Commissioner Puckett gave examples of negative experiences that were shared with him. He said he would give the County Manager the name and contact information of the person that contacted him, Brian Sheehan, owner of Swim Club Management Group.

Commissioner Puckett said he wasn’t sure if the problem was just a lack of staffing.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS - NONE

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

17-4029   BUDGET AMENDMENT – LUESA AUCTION REVENUE

   Recognize, receive and appropriate revenue of $63,268.78 from the County vehicle auction held on April 1, 2017, once funds are received from the City of Charlotte.

17-4030   HISTORIC COURTHOUSE – LIMESTONE REPAIR PROJECT

   Award a Contract to Midwest Maintenance, Inc. in the amount of $672,003 for the limestone repairs at the Historic Courthouse (700 E. Trade St.)

17-4034   FLOOD MITIGATION ENGINEERING SERVICES

   Authorize the County Manager to negotiate and execute a Flood Mitigation Engineering Services Contract between Mecklenburg County and Armstrong Glen, P.C.

17-4036   STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

   1. Accept the Offer of Sale of Real Estate from ZCM Real Estate, LLC, owner of property located at 848 Seldon Drive, Charlotte, NC (tax parcel 069-051-05), for $90,000,

   2. Accept the Offer of Sale of Real Estate from Brian & Starr Haigler, owners of property located at 2636 Commonwealth Avenue, Charlotte, NC (tax parcel 129-034-10), for $185,000; and

   3. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises.

   Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested actions will consist of acquiring and demolishing the existing residences using County Storm Water Services capital funds.

17-4041   DUKE ENERGY LIGHTING SERVICE CONTRACTS – PARK AND RECREATION

   Approve three (3) 10-year lighting service contracts with Duke Energy for new lighting and underground service for new indoor shelters and park sidewalk lighting as follows: Hornet’s Nest Indoor Shelter $25,852.80, Veterans Park Indoor Shelter $58,423.20 and sidewalk lighting at Five Points Park $55,821.60.

17-4046   CONSTRUCTION CONTRACT – LITTLE SUGAR CREEK GREENWAY AND STREAM REHABILITATION (ARCHDALE ROAD TO I-485)

   Award a construction contract to Blythe Development Company in the amount of $13,077,298.25 for the Little Sugar Creek Greenway and Stream Rehabilitation (Archdale Road to I-485).
TAX REFUNDS

Approve refunds in the amount of $3,479.19 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $0.

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

FORMER INTAKE CENTER – ROOF REPLACEMENT PROJECT

Award a contract to Western Specialty Contractors in the amount of $2,096,617 for the Former Intake Center - Roof Replacement Project.

MINUTES

1) Approve Minutes of Regular meeting held May 16, 2017, Special Meeting held May 30, 2017 and Closed Session held May 16, 2017; and

2) Authorize the Clerk to the Board to amend the May 2, 2016 Closed Session minutes, Item 17-3998 Business Location and Expansion to show the arrival of Commissioner Dunlap into the meeting.

EASEMENT ACQUISITION – MICALPINE CREEK GREENWAY

Authorize the County Manager to negotiate all documents necessary for acquisition of a Permanent Greenway and Storm Drainage Easement (±0.37 acres) on Tax Parcels 213-091-11, 213-091-12 and 213-091-13 owned by Robert Bradford and Patricia Moran Lee (Property Owners) for the construction of the McAlpine Creek Greenway project for $4,100.

BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate $7,300 in revenue received for Forensic Screening Evaluations.

Note: Criminal Justice Services’ Forensic Evaluations Unit has a Memorandum of Agreement (MOA) with Cardinal Innovations that allows the Forensic Evaluations Unit to receive and execute the court orders from Mecklenburg County District and Superior Courts for Forensic Screening Evaluations to assess a defendant’s capacity to proceed to trial. As a function of this MOA, the Forensic Evaluations Unit receives a payment of $100 from Cardinal Innovations for each forensic screening evaluation completed by either a County employee or a contract evaluator.

GRANT APPLICATION – FUNDING FOR GRANTS TO REPLACE AGING DIESEL ENGINES (GRADE)

1. Approve submission of an application to the U.S. Environmental Protection Agency for up to $400,000 in Diesel Emission Reduction Act grant funds to fund local GRADE program,
June 06, 2017

2. Upon award of grant, recognize, receive and appropriate the grant money; and

3. Authorize the carry forward of unspent grant funds to subsequent years until completion of the project.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT**

*Commissioner James left the meeting.*

17-4039 GRANT APPLICATION – OLDER REFUGEE ASSISTANCE PROGRAM (PARK AND RECREATION)

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

1. Approve an application for up to $50,000 for a Refugee Assistance - Services to Older Refugees Program grant from the Division of Social Services of the NC Department of Health and Human Services; and

2. If awarded, recognize, receive and appropriate such funds for the grant period.

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

17-4040 GRANT APPLICATION – HEALTH PROMOTION/DISEASE PREVENTION (PARK AND RECREATION)

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

1. Approve an application for up to $5,500 for a Health Promotion/Disease Prevention (HPDP) grant from The Area Agency on Aging; and

2. If awarded, recognize, receive and appropriate such funds for the grant period.

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

17-4043 DONATION OF PLAYGROUND EQUIPMENT FROM THE CAROLINA PANTHERS

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the donation of playground equipment from the Carolina Panthers valued at $215,000 to be installed at Reedy Creek Park.

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

*Commissioner Cotham left the dais until noted in the minutes.*

17-4044 BUDGET AMENDMENT – DSS (REVENUE DECREASE)
June 06, 2017

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Reduce state and federal Medicaid revenue in the amount of $1,157,011; and

   Note: In February 2017, the North Carolina Medicaid program changed how Medicaid transportation services are billed and collected. Contracted transportation providers now bill the state directly rather than billing the counties as pass through. The Medicaid transportation budget is being reduced by $1,157,011 due to this change. Service delivery to clients is not affected.

2. Reduce Low Income Energy Assistance Program (LIEAP) federal revenue in the amount of $1,700,000.

   Note: The North Carolina Division of Social Services (NCDSS) allocates federal revenue to assist eligible low income households with one lump sum payment to apply toward heating expenses. Department of Social Services (DSS) spent approximately $1,587,800 of the budget. The adopted budget of $3,620,052 will be reduced by $1,700,000.

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

Commissioner Cotham returned to the Dais.

17-4052 CHARLOTTE-MECKLENBURG SCHOOLS LEASE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution titled "Mecklenburg County Board of Commissioners Resolution Authorizing Charlotte-Mecklenburg Board of Education to Negotiate and Execute a Lease with 5401 Hovis Road II, LLC" for warehouse space at 5401 Hovis Road for an additional five (5) year lease term.

   Note: North Carolina G.S. 115C-530 stipulates that operational leases of real or personal property for use as school buildings or facilities for three (3) years or greater must be approved by a resolution adopted by the local board of county commissioners.

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

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION AUTHORIZING CHARLOTTE-MECKLENBURG BOARD OF EDUCATION TO NEGOTIATE AND EXECUTE A LEASE WITH 5401 HOVIS ROAD II, LLC, OWNER OF 5401 HOVIS ROAD

WHEREAS, Charlotte-Mecklenburg Board of Education has submitted a request to the Mecklenburg County Board of County Commissioners to authorize Charlotte-Mecklenburg Schools to negotiate and execute a lease extension for warehouse space for the storage of operational equipment; and

WHEREAS, Charlotte-Mecklenburg Schools finds that the proposed lease space at 5401 Hovis Road will adequately meet its needs; and

WHEREAS, Charlotte-Mecklenburg Schools has agreed to the following proposed business terms:

   Location: 5401 Hovis Road
               Charlotte, NC 28206
Total Square Footage  Approximately 100,000 Rentable SF

Lease Term  Five (5) Years

Rent (Years 1-5)  $3.25/SF for a total of $1,725,469

Annual Escalations  3%

Operating Expenses  CMS will be responsible for its proportionate share of common area maintenance charges, real estate taxes, and property insurance.

Maintenance  Tenant is responsible for maintaining the interior of the Premise, including all windows, doors, dock levelers, truck doors, dock bumpers, electrical (including all interior and exterior lighting), mechanical, utility, HVAC, sprinkler service and plumbing systems and janitorial service.

Utilities  Tenant is responsible for paying all utilities, including but not limited to, gas electricity, water, and telephone.

Parking  Tenant is also granted the exclusive right to use the parking located on the Property adjacent to the Building; and

WHEREAS, pursuant to G.S. 115C-530 the Board of County Commissioners has determined that it would be in the public interest for it to authorize Charlotte-Mecklenburg Schools to negotiate and execute a lease for warehouse space at 5401 Hovis Road; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize the Charlotte-Mecklenburg Board of Education, or its designee, to negotiate and execute a formal lease extension agreement with 5401 Hovis Road II, LLC consistent with the business terms outlined above.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #146.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 10:38 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
MINUTES OF MECKLENBURG COUNTY, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS

The Board of Commissioners of Mecklenburg County, North Carolina, met in a Special Budget Workshop Session in Conference Center Room 267 of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, NC at 9:00 a.m. on Monday, June 12, 2017.

ATTENDANCE

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

Absent: None

FY2017 - 2018 BUDGET DELIBERATION

The meeting was called to order by Chair Scarborough.

Commissioners Dunlap and Puckett were absent when the meeting was called to order and until noted in the minutes.

Note: The purpose of the meeting was for the Board to begin its deliberation on the County Manager’s FY17-18 Recommended Budget and to take straw votes.

Chair Scarborough turned the meeting over to County Manager Diorio, who turned it over to Budget Director Michael Bryant.

Commissioner Dunlap entered the meeting.

Budget Director Bryant outlined the format for proceeding and the agenda topics to be discussed.

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

Commissioner Puckett entered the meeting.

Board Response to County Manager’s Response to Board Follow Up Questions

A copy of the County Manager’s Response to the Board is on file with the Clerk to the Board.

Commissioner Fuller asked would there be additional costs if the Board decided to go with 12 weeks of Paid Family Leave instead of 6 weeks. County Manager Diorio said there would not be any additional costs unless the department needed to bring in a temporary employee during that period of absence.

Commissioner Leake requested information on the following matters: Charlotte-Mecklenburg Schools Test Scores, READ Charlotte’s budget, and the Health Department’s Village Heartbeat program budget. She also commented on the need for adequate funding of HIV efforts.
Response: READ Charlotte Salaries – Executive Director $156,000, Project Manager $65,000, Communications Manager $60,000, Data Manager $70,000, Community Impact Manager $80,000, and Administrative Assistant $40,000.

Village Heartbeat Budget $573,000 (There are three positions included.)

Commissioner James said he concurred with the County Manager’s statement in her response to the Board that “the decision-making phase of the budget process should not be utilized to address a new policy question that has not been fully vetted.” Secondly, that if the Board adds funding, those funds should be placed in restricted contingency until the matter had been fully vetted.

Commissioner Puckett asked about the Major-League Soccer proposal. County Manager Diorio said no additional changes had occurred to the terms since January.

Commissioner Cotham asked was there a need for additional staff in the Internal Audit Department, in light of recent incidences at the Health Department. County Manager Diorio said additional staff had been added since she became County Manager.

Commissioner Dunlap said he accepted the County Manager’s response to the question regarding funding options for short term housing and that at the appropriate time he would make a motion to add additional funding for this purpose.

Commissioner Clarke asked what amount was allocated for consultants to come in and review the Health Department, which was addressed.

Commissioner Fuller said he was okay with placing funds in restricted contingency.

Commissioner Dunlap asked what was it the Health Department did not do, to pay for obtaining consultants out of its current budget. County Manager Diorio said the funding came from lapse salaries.

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

STRAW VOTES
Motion was made by Commissioner James, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt the rules of engagement for Straw Voting as outlined by Director Bryant.

Note: Straw Vote motions do not require a second and can be made by any Commissioner, including the Chairman.

A copy of the FY2018 BOCC Straw-Vote Spreadsheet is on file with the Clerk to the Board.

EDUCATION
There were no changes to the County Manager’s FY 2017-2018 Recommended Budget with respect to Education funding.

DEBT SERVICE
There were no changes to the County Manager’s FY 2017-2018 Recommended Budget with respect to Debt Service funding.

COMMUNITY SERVICE GRANTS
There were no changes to the County Manager’s FY 2017-2018 Recommended Budget with
COUNTY SERVICES:

Community Support Services
Motion was made by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager’s FY17-18 Recommended Budget to add an additional allocation of $322,000 to the Community Support Services Department’s budget and place it in Restricted Contingency for Supportive Housing, to fund services tied to rapid rehousing, which primarily houses families; with the funds coming from a corresponding increase in sales tax revenue of $322,000 to offset the additional expense. Further, that consideration for the release of the funding would occur after the matter has been discussed in more detail at a future Budget/Public Policy Workshop.

Health Department
Motion was made by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to amend the County Manager’s FY17-18 Recommended Budget to add an additional allocation of $248,000 to the Health Department’s budget and place it in Restricted Contingency for HIV Prevention as outlined in the County Manager’s response to Board Follow-up Questions; with the funds coming from a corresponding increase in sales tax revenue of $248,000 to offset the additional expense. Further, that consideration for the release of the funding would occur after the matter has been discussed in more detail at a future Budget/Public Policy Workshop.

The Board recessed at 10:55 a.m. for a break and returned at 11:09 a.m.

Health Department
Motion was made by Commissioner Fuller and carried 5-4 with Commissioners Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioners Clarke, Cotham, Puckett, and Ridenhour voting no, to amend the County Manager’s FY17-18 Recommended Budget to add an additional allocation of $258,000 to the Health Department’s budget and place it in Restricted Contingency for Smoking Cessation as outlined in the County Manager’s response to Board Follow-up Questions; with the funds coming from a corresponding increase in sales tax revenue of $258,000 to offset the additional expense. Further, that consideration for the release of the funding would occur after the matter has been discussed in more detail at a future Budget/Public Policy Workshop.

Manager’s Office
Motion was made by Commissioner Fuller and failed 7-2 with Commissioners Clarke, Cotham, Dunlap, James, Puckett, Ridenhour, and Scarborough voting no and Commissioners Fuller and Leake voting yes, to amend the County Manager’s FY17-18 Recommended Budget to add an additional allocation of $195,000 to the County Manager’s Office Administrative Support line item for the addition of another Board support staff person; with the funds coming from a corresponding increase in sales tax revenue of $195,000 to offset the additional expense.

Sherriff’s Office
Commissioner Cotham asked that staff report back on the feasibility of providing the Sherriff’s Office with a part-time mental health professional to provide services to youth in solitary confinement. County Manager Diorio said staff would report back at the Board’s June 20, 2017 meeting.

BUDGET ORDINANCE DIRECTIVE

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
Puckett, Ridenhour, and Scarborough voting yes, to direct staff to prepare a FY 2017-2018 Budget Ordinance based on the County Manager’s FY 2017-2018 Recommended Budget as amended by actions taken by the Board at today’s meeting on June 13, 2017, with the County tax rate remaining at 81.57 cents.

CAPITAL IMPROVEMENT PLAN RECOMMENDED BUDGET

Budget Director Bryant reviewed the rules of engagement for deliberation of the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to adopt the rules of engagement for Straw Voting as outlined by Director Bryant for the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan.

Assistant County Manager/Interim Finance Officer Mark Foster presented the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan.

STRAW VOTES

LIBRARY PROJECT
There were no changes to the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan with respect to the New Main Library project.

GOVERNMENT FACILITIES
There were no changes to the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan with respect to Government Facilities projects.

CENTRAL PIEDMONT COMMUNITY COLLEGE
There were no changes to the County Manager’s FY 2019-2023 Recommended Capital Improvement Plan with respect to Central Piedmont Community College projects.

CHARLOTTE-MECKLENBURG SCHOOLS

Commissioner James expressed concern for the process used by the Board of Education in its priority setting of capital projects. He said the process was flawed.

Commissioner James said he would vote for the Capital Improvement Plan as recommended by the County Manager, but he would not support a bond referendum in the fall for Charlotte-Mecklenburg Schools (CMS).

Commissioner Ridenhour expressed concern over the way the Board of Education added Bruns Academy and West Charlotte High School to its capital improvement plan list of projects. Commissioner Ridenhour acknowledged that the needs were real, but said the way the projects were added was not fair.

Commissioner Puckett said he was not supportive of the Board of Education’s capital improvement request and expressed concern for the Board of Education’s decision regarding magnet schools. He said he was concerned about the students who wouldn’t be able to go to a magnet school and the quality of education they would receive as a result of others leaving their home school to go to a magnet. Commissioner Puckett said the Board of Education’s process was flawed.

Commissioner Cotham said Bruns Academy and West Charlotte should be on the list, however, she was not pleased that the Board of Education did not follow its own process in placing them on the list. She expressed concern that other projects were deferred to place Bruns and West Charlotte on the list of projects.
Motion was made by Commissioner Ridenhour and failed 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting no and Commissioners James and Ridenhour voting yes, to approve the Charlotte-Mecklenburg Schools Capital Improvement Plan as recommended by the County Manager with the exception of two projects: Bruns Academy Replacement and West Charlotte High School Replacement.

Motion was made by Commissioner Dunlap and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to approve the Charlotte-Mecklenburg Schools Capital Improvement Plan as recommended by the County Manager.

PARK AND RECREATION

Memorial Stadium
Motion was made by Commissioner Clarke to approve the Capital Improvement Plan as recommended by the County Manager for Park and Recreation except for the Memorial Stadium project, the Board’s vote upon which shall be deferred until the August 2017 meeting to allow the Charlotte City Council time to consider and vote either to approve or disapprove the proposed term sheet for the Memorial Stadium project in the form previously adopted by a majority of this Board of County Commissioners.

Commissioner Puckett spoke in opposition of the motion by Commissioner Clarke. He said even though he was not supportive of the project, it was not fair to the Smith family for the Board to defer, having previously voted to move forward without the City of Charlotte’s participation.

Commissioner Dunlap spoke in support of the motion by Commissioner Clarke. He said the project was good for the community and the County.

Commissioner James said he would support the motion by Commissioner Clarke because it removed the Memorial Stadium project from the list and would give the Board another opportunity to look at the matter from a fresher perspective. He said prior discussion of the matter was rushed.

Commissioner Ridenhour asked about the $18 million difference in the Park and Recreation CIP provided today versus what was provided previously, which was addressed.

Commissioner Ridenhour said he would prefer funds be used for greenway build out.

Commissioner Dunlap asked if the total Capital Improvement Plan still totaled $1.6 billion. The response was yes.

Commissioner Fuller spoke in support of Commissioner Clarke’s motion. He said this was not about the Smith’s but about renovating Memorial Stadium. He said it was a great deal all around.

Commissioner Cotham spoke in support of Commissioner Clarke’s motion. She said she looked forward to the Board discussing this matter again and encouraged more and better communication amongst Board members.

Commissioner Puckett said his comment would be applicable to anyone the County entered into an agreement with.

After further discussion, the vote was taken on Commissioner Clarke’s motion as noted below.
Motion was made by Commissioner Clarke and **unanimously carried** with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to approve the FY 2019-2023 Capital Improvement Plan as recommended by the County Manager for Park and Recreation except for the Memorial Stadium project, the Board’s vote upon which shall be deferred until the August 2017 meeting to allow the Charlotte City Council time to consider and vote either to approve or disapprove the proposed term sheet for the Memorial Stadium project in the form previously adopted by a majority of this Board of County Commissioners.

**Land Acquisition**
Motion was made by Commissioner Puckett but was withdrawn to specify that Land Acquisition in the Capital Improvement Plan only be used for parks and not other services.

**FUND BALANCE FOR ONE-TIME EXPENSES**

**Renaissance West Community Initiative**

Motion was made by Commissioner Dunlap and **failed 6-3** with Commissioners Clarke, Cotham, James, Puckett, Ridenhour, and Scarborough voting no and Commissioners Dunlap, Fuller, and Leake voting yes, to amend the County Manager’s FY17-18 Recommended Budget to add an allocation of $500,000 for the Renaissance West Community Initiative for a Child Development Center; with the funds coming from Fund Balance One-Time Expenses and a corresponding increase in sales tax revenue of $500,000 to offset the additional expense.

**HUMAN RESOURCES**

Motion was made by Commissioner Dunlap to amend the County Manager’s FY17-18 Recommended Budget to add Paid Family Leave rather than Parental Leave.

Substitute motion was made by Commissioner Ridenhour and **failed 6-3** with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting no and Commissioners James, Puckett, and Ridenhour voting yes, to amend the County Manager’s FY17-18 Recommended Budget to add Paid Parental Leave of eight weeks rather than Paid Family Leave.

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

Motion was made by Commissioner Dunlap and **carried 6-3** with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to amend the County Manager’s FY17-18 Recommended Budget to add Paid Family Leave (six weeks) rather than Paid Parental Leave.

**ADJOURNMENT**

Motion was made by Commissioner Clarke, seconded by Commissioner James and **unanimously carried** Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 1:12 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair

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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, June 20, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4065 & 17-4078 to be removed from Consent and voted upon
separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

17-4075 CONSULT WITH ATTORNEY
17-4088 TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT
TO G.S. 105-259. (G.S. 143-318.11(a)(1)
17-4091 BUSINESS LOCATION AND EXPANSION
17-4101 PERSONNEL MATTER

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult
with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously
carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour
and Scarborough voting yes, to go into Closed Session for the following purposes: 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 5:24 p.m. and came back into Open Session at 6:05 p.m.
June 20, 2017

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

-FORMAL SESSION-

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

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4073 PUBLIC APPEARANCE

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

Leon Threatt, Cindy Decker, and James Logan spoke in opposition of the Board’s adoption of a proclamation on June 6, 2017 recognizing the month of Ramadan. Note: Ramadan is the 9th month of the Islamic calendar where Muslims fast from dawn to dusk to become closer to God.

The speakers questioned the fairness of recognizing one religion over another and whether the action taken by the Board would open a Pandora’s box. Reference was also made to the separation of church and state.

Rick Winiker, a member of the Park and Recreation Commission, expressed thanks to the Board and to Park and Recreation Department for County’s Parks System.

APPOINTMENTS

17-4076 NOMINATIONS/APPOINTMENTS/REAPPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Building Development Commission for three-year terms expiring July 31, 2020: Thomas Brasse as the Home Builders Association representative, Melanie Coyne as the General Public representative, and Benjamin Simpson as the American Society of Landscape Architects representative.

CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and failed 7-2 with Commissioners Clarke, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioners Cotham and Leake voting no, to reappoint the following persons to the Central Piedmont Community College (CPCC) Board of Trustees for a four-year term expiring June 30, 2021 effective July 1, 2017.

Note: Per Board policy, it takes a unanimous vote for someone to be reappointed. If the vote was not unanimous, then that individual is then brought back to the next meeting as a nominee. When the matter is reconsidered, a unanimous vote is not required, only a majority vote.
Prior to the above vote, Commissioner Cotham said she was appreciative of Ms. Caple’s past service but would like to see more diversity on the CPCC Board of Trustees in line with its student population.

Commissioner Leake echoed Commissioner Cotham’s sentiments regarding the need for diversity.

Note: This matter will be on the Board’s July 11, 2017 agenda for reconsideration.

**CHARLOTTE WATER ADVISORY COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Board’s term limit policy and reappoint Frank McMahan to the Charlotte Water Advisory Committee as the Civil Engineer representative for a three-year term expiring June 30, 2020.

Note: Mr. McMahan was willing to continue to serve since there were no applicants to fill his slot.

**CITIZEN’S TRANSIT ADVISORY GROUP**

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Board’s term limit policy and reappoint Matt Covington to the Citizen’s Transit Advisory Group for a two-year term expiring June 30, 2019 effective July 1, 2017.

Note: Mr. Covington was willing to continue to serve since there were no applicants to fill his slot.

**HOUSING ADVISORY BOARD OF CHARLOTTE MECKLENBURG**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Housing Advisory Board of Charlotte Mecklenburg for three-year terms expiring June 30, 2020 effective July 1, 2017: Blake Bourne as the Veteran representative, and Josef Penner as the Public Safety representative.

**HUMAN RESOURCES ADVISORY COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Carol Isom-Barnes to the Human Resources Advisory Committee for a three-year term expiring June 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Latrice Haywood and Michelle McNulty to the Human Resources Advisory Committee for three-year terms expiring June 30, 2020.
June 20, 2017

Note: They replaced Lee Robertson and Gale Staff.

JURY COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Carla Brafford to the Jury Commission for a two-year term expiring June 30, 2019.

JUVENILE CRIME PREVENTION COUNCIL

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Juvenile Crime Prevention Council for two-year terms expiring June 30, 2019: Aundrea Dean as the Business Community representative, Wanda Douglas as a General Public representative, and Darrell Gregory as the Non-Profit representative.

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Kevin Poirier to the Juvenile Crime Prevention Council as a General Public representative for a two-year term expiring June 30, 2019.

Note: He replaced Ryon Smalls.

The following persons were nominated by Commissioner Puckett for appointment consideration to the Juvenile Crime Prevention Council for other General Public slots: Phyllis Barnette, Brittney Bogues, Michael Capobianco, Beverly Dorn-Steele, Janae Gray Crossman, Eric Johnson, Andrea Kemble, Katelyn Lee, Shawn Luckey, Jeffrey Manchester, David McIntyre, Shannon Myers, Torian Parker, Brian Peay, Jana Savory, Don Thomas, Patrina Tyler, and Jasmine Watts.

Note: Appointments will occur on July 11, 2017.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Ashleigh Fields and Anna Marsicano to the Juvenile Crime Prevention Council as Youth representatives to fill unexpired terms expiring June 30, 2018.

Note: They replaced Akera Carey and Lauren Marshall.

The following persons were nominated by Commissioner Puckett for appointment consideration to the Juvenile Crime Prevention Council for the Substance Abuse Professional slot: Scott Littlejohn and Delynn Turner.

Note: An appointment will occur on July 11, 2017.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Mitchell Feld to the

*Note: He replaced Ken Harris.*

**NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Frederick Benson to the Nursing Home Community Advisory Committee for a one-year term expiring June 30, 2018.

*Note: He replaced Barbara Blakeney.*

**PLANNING COMMISSION**

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Nancy Wiggins to the Planning Commission for a three-year term expiring June 30, 2020, effective July 1, 2017.

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

- Darryl Broome by Commissioner Leake
- Omar Carter by Commissioner Fuller
- Zanthia Hastings by Commissioner Dunlap
- Anna Maria Medvid by Commissioner Ridenhour
- Arun Nair by Commissioner Puckett
- Keba Samuel by Commissioner Dunlap

*Note: An appointment will occur following the receipt of a recommendation from the Board’s Ad Hoc Committee.*

The Planning Commission is one of several boards that require an interview of those nominated, conducted by an Ad Hoc Committee of the Board appointed by the Chairman. This does not apply to persons reappointed.

**PUBLIC ARTS COMMISSION**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Lia Newman to the Public Arts Commission as the Education representative for a three-year term expiring June 30, 2020.

*Note: She replaced Manoj Kesavan.*

Commissioner Leake requested information on the cost of the artwork recently placed at Romare Bearden Park.

**REGION F AGING ADVISORY COMMITTEE**
June 20, 2017

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Irene Phillips to the Region F Aging Advisory Committee as an Alternative representative for a one-year term expiring June 30, 2018, effective July 1, 2017.

SMALL BUSINESS AND ENTREPRENEURSHIP ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Chris Clark, Nikita Devereaux, Nick Koutsoupias, Will Peters, and Sasha Tomaszycki to the Small Business and Entrepreneurship Advisory Board for two-year terms expiring June 30, 2019, effective July 1, 2017.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Anjali Dighe to the Women’s Advisory Board to fill an unexpired term expiring November 30, 2019.

She replaced Victoria Pollard.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Barbara Thomas to the Women’s Advisory Board to fill an unexpired term expiring November 30, 2019.

She replaced NouaChi Vang.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Arlean Love to the Women’s Advisory Board to fill an unexpired term expiring April 30, 2018.

She replaced Linda Webb.

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

17-4092  APPOINTMENT – TOWN OF MINT HILL PLANNING BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Roger Hendrix to the Mint Hill Planning Board as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners for a term expiring June 30, 2019.

Note: By order of G.S. 160A-362, the Board of County Commissioners shall appoint a Town Planning Board extraterritorial jurisdiction representative. The Mint Hill Board of Commissioners voted unanimously on June 8, 2017 to request that Roger Hendrix be reappointed to the Mint
June 20, 2017

Hill Planning Board as an Extraterritorial Jurisdiction (ETJ) representative, for a term expiring June 30, 2018.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4095 FEES AND CHARGES – PARK AND RECREATION DEPARTMENT

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the elimination of the Jetton Park entrance fees effective on July 1, 2017.

17-4098 FISCAL YEAR 2017-2018 MECKLENBURG COUNTY BUDGET ORDINANCE

Motion was made by Commissioner James, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt the Fiscal Year 2017-2018 Mecklenburg County Budget Ordinance.

Note: Approval of the Budget Ordinance adopts a balanced operating budget of expenditures and revenues for the period of July 1, 2017 through June 30, 2018 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of $1,705,729,365 billion and maintains the current property tax rate of 81.57 cents. It reflects the tax rate for the law enforcement service district at 21.46 cents; also, the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 8 cents; Cornelius = 5.7 cents; Davidson = 8.5 cents; Huntersville = 5 cents; and, Mint Hill = 8 cents. The Budget Ordinance also includes the termination of fourteen individual park capital reserve & special revenue funds and the transfer of any unobligated balances to the recreation facilities capital reserve fund. The deferred maintenance fund established in FY2017 is now utilized to repair and maintain all park & recreation facilities. Separate reserves would continue to be maintained for golf courses, synthetic fields, and lumber sales.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #147.

Note: Commissioner Clarke returned to the dais just as the vote was being taken and indicated that he voted in favor of the motion.

Prior to the above vote, Commissioner Leake asked about the supplement for teachers, which was addressed by Budget Director Michael Bryant.

Commissioner Leake asked Superintendent Ann Clark and Board of Education Chair Mary McCray, who were in the audience, if teachers would receive supplement pay.

Chair Scarborough said it was not the appropriate time for the Superintendent and Board of Education Chair to speak. She asked that they respond to Commissioner Leake’s question in writing.

17-4096 PROPOSED CAPITAL PLAN FY2019-FY2023
Assistant County Manager/Interim Finance Officer Mark Foster presented the proposed Capital Improvement Plan (CIP) FY 2019 - FY 2023.

**CIP recorded in full in Ordinance/Minute Book 47-A, Document #148.**

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes and Commissioner Puckett voting no, to approve the five-year Capital Improvement Plan (CIP) for FY2019 through FY2023.

Prior to the above vote, Commissioners James and Fuller made comments regarding the removal of the Major-League Soccer (MLS)/Memorial Stadium project from the original CIP and whether the removal would provide additional capacity to do other projects. It was noted the Board would discuss at its August 2, 2017 meeting whether to place the MLS/Memorial Stadium project in the CIP.

Commissioner Ridenhour said if the MLS/Memorial Stadium project was not placed back in the CIP, then he would support those funds being set aside for the completion of as many 2008 Park Bonds projects as possible.

Commissioner Leake requested information on the number and location of greenways on the West side of Charlotte/Mecklenburg County and the amount of money that had been set aside for the West side going forward.

Park and Recreation Director Jim Garges responded and said he would provide a written response to Commissioner Leake’s question.

Commissioner Cotham said she was disappointed the 2008 bonds for greenway projects had been placed to the side to accommodate the proposed MLS/Memorial Stadium project.

Commissioner Puckett said his preference was to pull the MLS/Memorial Stadium project from the FY2019 through FY2023 CIP altogether and addressed why. He expressed opposition towards CMS’ request as well.

Commissioners Dunlap and Clarke said from their perspective this was not about MLS but rather what could be done to improve Memorial Stadium.

Commissioner Ridenhour asked where would the funding come from for the MLS/Memorial Stadium project. County Manager Diorio said the project would be funded through pay-go funds, which were general property tax dollars.

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

Also, prior to the above vote, Commissioner James asked that the following information be included in the minutes with respect to this issue:
June 20, 2017

Dear [Name],

Thank you for the detailed info.

The concern of some Mecklenburg County Commissioners (including me) is the consistent low level of school construction bond dollars in suburban locations that have the highest growth rate. Year after year, suburban locations are being shortchanged in processes that cause anger and distrust.

For example, if you add up by County Commissioners’ school board district the 2007, 2013 and the planned 2017 school bonds, you get a very lopsided and unfair allocation of money. Essentially, this is the picture of Mecklenburg County CMS capital dollars for about a 10-year period from 2007 to 2022 (past 10 and future 5 years) and it is very unfair to citizens in certain areas of Mecklenburg County. In particular, District 6. Since I represent that area, I am focused on that.

In order of bond $ spent (assuming the 2017 bonds are placed on the ballot and passed), this is what has happened with bond $ for the period from 2007 to 2022 (approx. 15 years):

<table>
<thead>
<tr>
<th>District</th>
<th>Bond Dollars</th>
<th>% of Bond Dollars</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>District 1 $986 million (received extra $43.25 mill)</td>
<td>16.12% of bonds since 2007</td>
<td>16.67%</td>
<td>9.40%</td>
</tr>
<tr>
<td>District 5 $316 million (received extra $95.5 million)</td>
<td>20.80% of bonds since 2007</td>
<td>16.67%</td>
<td>4.13%</td>
</tr>
<tr>
<td>District 3 $266 million (received $7.26 mill less)</td>
<td>14.21% of bonds since 2007</td>
<td>16.67%</td>
<td>-2.48%</td>
</tr>
<tr>
<td>District 9 $250 million (received $43.29 million less)</td>
<td>13.82% of bonds since 2007</td>
<td>16.67%</td>
<td>-2.85%</td>
</tr>
<tr>
<td>District 4 $205 million (received $50.95 million less)</td>
<td>13.25% of bonds since 2007</td>
<td>16.67%</td>
<td>-2.42%</td>
</tr>
<tr>
<td>District 4 $180 million (received $73.27 million less)</td>
<td>11.84% of bonds since 2007</td>
<td>16.67%</td>
<td>-4.83%</td>
</tr>
<tr>
<td>Total</td>
<td>$1.319 billion</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

In terms of raw numbers, District 2 received 9.454 more of that $1.519 billion than they should (equating to an ‘extra’ $54.55 million over that approx. 10-year period). The same case can be made for District 5 but at a lower scale.

Generally, what I am seeing now are that two politically active groups in the School Board are making the decisions regarding how to divvy up bond money. It seems more like patronage than a fair and impartial allocation of resources across Mecklenburg County. This was exacerbated by CMS’ late-night decision to move West Charlotte and Bluemont schools in other districts against the wishes of school board management.

For the proposed 2017 bonds, District 1 and 5 are at the bottom of the funding allocation again. For the 2013 bonds, District 6 was at the bottom of the funding allocation.

For the County and Chamber to convince voters that these bonds are good for ALL of Mecklenburg, the bond $ have to be allocated in a fair and proportional manner — and this current proposal compounds the problems that occurred in the 2013 package.

So, I would ask you all to consider this before decisions are made about placing a bond package on the ballot. It is unfair for District 5 (or any district) to receive less proportional bond dollars significantly than other areas of Mecklenburg. I know that from time to time a bond may not be exactly proportional but looking at a 15-year period of time what might be a small difference is clearly a pattern that damages suburban children and their parents/parties.

Not sure what the solution is but the current package is neither for nor balance.

Regards,

Bill James
17-4093   CAPITAL PROJECT ORDINANCES

Note: The projects for authorizations are $47.5 million for School facilities; the Park and Recreation amendment includes the addition of the 2018 projects - $600,000 Mayerling Drive Neighborhood Park - $1.1 million Walker Branch Greenway (Tryon to Smith Road) - $1.2 million Marion Diehl Recreation Center Improvements - $5.2 million Sugaw Creek Recreation Center Improvements and $3.4 million Long Creek Greenway II (Dixon Branch to Primm) for a total of $11.6 million; $152.9 million for Government facilities; $63.1 million for Community College facilities; $6.6 million for land acquisition; $99.8 million for Park facilities; $151.1 for Community College facilities; $11.1 million for Library facilities and $65 million for New Main Library.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Ridenhour and Scarborough voting yes and Commissioner Puckett voting no, to:

1) Approve FY 18 Authorization School Facilities Approved November 5, 2013 Referendum Capital Project Ordinance;

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION SCHOOL FACILITIES
APPROVED NOVEMBER 5, 2013 REFERENDUM
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF JUNE 2017:

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

Career and Technology Education Phase I
(Garinger/W.Meck/N.Meck/Independence) ($8,640,000)
Davidson K-8 Conversion ($9,500,000)
New STEAM K-8 (Pot. Ballantyne, Elon, Hawk Ridge Polo, Comm. House, JMR Relief) $29,376,000

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, in order to provide additional school facilities in said County to maintain the nine months' school term as required by Section 2 of Article IX of the North Carolina Constitution, $47,516,000 is hereby appropriated.

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

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$2,866,422</td>
</tr>
<tr>
<td>2018-2019</td>
<td>17,416,667</td>
</tr>
<tr>
<td>2019-2020</td>
<td>17,413,191</td>
</tr>
<tr>
<td>2020-2021</td>
<td>6,579,720</td>
</tr>
<tr>
<td>2021-2022</td>
<td>3,240,000</td>
</tr>
</tbody>
</table>

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.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #149.
2) Amend the FY 16 Park and Recreation Approved November 4, 2008 Referendum Capital Project Ordinance;

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
PARK AND RECREATION
APPROVED IN NOVEMBER 4, 2008 REFERENDUM
CAPITAL PROJECT ORDINANCE

The following ordinance was offered as an amendment to and restatement of FY2016 Authorization Park and Recreation Approved in November 4, 2008 Referendum Capital Project Ordinance as adopted May 16, 2017

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF JUNE 2017:

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

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, $165,395,156 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-2016 fiscal years</td>
<td>$50,500,000</td>
</tr>
<tr>
<td>2017 fiscal year</td>
<td>$67,292,790</td>
</tr>
<tr>
<td>2018 fiscal year</td>
<td>$28,520,110</td>
</tr>
<tr>
<td>2019 fiscal year</td>
<td>$6,361,160</td>
</tr>
<tr>
<td>2020 fiscal year</td>
<td>$5,274,324</td>
</tr>
<tr>
<td>2021 fiscal year</td>
<td>$810,816</td>
</tr>
<tr>
<td>NCDOT Funding</td>
<td>$4,154,000</td>
</tr>
<tr>
<td>NC grant</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>$1,081,956</td>
</tr>
<tr>
<td>Town of Matthews</td>
<td>$400,000</td>
</tr>
</tbody>
</table>

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.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #150.

3) Approve FY 18 Authorization Government Facilities Capital Project Ordinance;

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
GOVERNMENT FACILITIES
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF JUNE 2017.

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

BMC2U Community Resource Center-East
BMC2U Government District Phase II
BMC2U Community Resource Center-Southwest
Expansion
Medical Examiners Office Clinical

1000
Community Resource Center-West     Motorola Radios and Repeaters
Community Resource Center-Northeast
County Share of Library Support Services Center

Including the acquisition and construction of new facilities, the improvement and expansion of existing facilities, project management, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefore, $152,908,455 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:

Proceeds from Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$30,016,473</td>
</tr>
<tr>
<td>2018-2019</td>
<td>2,563,056</td>
</tr>
<tr>
<td>2019-2020</td>
<td>4,324,032</td>
</tr>
<tr>
<td>2020-2021</td>
<td>12,951,923</td>
</tr>
<tr>
<td>2021-2022</td>
<td>53,656,739</td>
</tr>
<tr>
<td>2022-2023</td>
<td>49,396,232</td>
</tr>
</tbody>
</table>

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #151.

4) Approve FY 18 Authorization Central Piedmont Community College Approved November 5, 2013 Referendum Capital Project Ordinance;

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION
CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES
APPROVED IN NOVEMBER 5, 2013 REFERENDUM CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th Day of JUNE, 2017

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

<table>
<thead>
<tr>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hendrick Automotive Expansion</td>
<td>$3,315,000</td>
</tr>
<tr>
<td>Advanced Technology Center Renovation</td>
<td>$33,363,000</td>
</tr>
<tr>
<td>Merancas Campus Phase 4</td>
<td>$26,500,000</td>
</tr>
</tbody>
</table>

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 therefore, $63,178,000 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$12,123,000</td>
</tr>
<tr>
<td>2018-2019</td>
<td>23,655,000</td>
</tr>
<tr>
<td>2019-2020</td>
<td>27,400,000</td>
</tr>
</tbody>
</table>

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #152.

5) Approve FY 18 Authorization Land Acquisition Capital Project Ordinance;
BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY,

Section I. That for the purpose of providing funds, together with any other available funds, for providing land for present and future county corporate, open space and community college purposes and the acquisition of improvements thereon and interests in such real property, $6,600,000 is hereby appropriated.

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

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds
$6,600,000

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.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #153.

6) Approve FY 18 Authorization Park and Recreation Capital Project Ordinance;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY,
NORTH CAROLINA, THIS THE 20th DAY OF JUNE 2017:

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

- Little Sugar Creek Gwy Polk Site to SC State Line
- Northern Towns Regional Recreation Center
- Pearle Street Neighborhood Park Improvements
- Eastway Regional Recreation Center
- David B. Waymer Recreation Center Renovations

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 therefore, $ 99,827,481 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$ 9,120,834</td>
</tr>
<tr>
<td>2018-2019</td>
<td>$29,327,736</td>
</tr>
<tr>
<td>2019-2020</td>
<td>$26,120,038</td>
</tr>
<tr>
<td>2020-2021</td>
<td>$23,258,168</td>
</tr>
<tr>
<td>2021-2022</td>
<td>$12,000,705</td>
</tr>
</tbody>
</table>

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.
7) Approve FY 18 Authorization Central Piedmont Community College Capital Project Ordinance;

**MECKLENBURG COUNTY, NORTH CAROLINA**

**FY 2018 AUTHORIZATION**

**CENTRAL PIEDMONT COMMUNITY COLLEGE FACILITIES**

**CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY OF JUNE, 2017

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

- Harris Campus-Phase III $ 64,203,658
- Central Campus Phase IV $86,912,884

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 therefore, $151,116,542 is hereby appropriated.

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

Proceeds from Sale of Bonds, Pay-As-You-Go/Other County Funds

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>$ 10,000,000</td>
</tr>
<tr>
<td>2018-2019</td>
<td>9,807,898</td>
</tr>
<tr>
<td>2019-2020</td>
<td>26,218,893</td>
</tr>
<tr>
<td>2020-2021</td>
<td>25,887,137</td>
</tr>
<tr>
<td>2021-2022</td>
<td>34,317,239</td>
</tr>
<tr>
<td>2022-2023</td>
<td>30,096,503</td>
</tr>
<tr>
<td>2023-2024</td>
<td>14,788,872</td>
</tr>
</tbody>
</table>

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 financing is arranged, at which time repayment 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.

**Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #155.**

8) Approve FY 18 Authorization of Library Facilities Capital Project Ordinance - South

**MECKLENBURG COUNTY, NORTH CAROLINA**

**FY 2018 AUTHORIZATION**

**LIBRARY FACILITIES**

**CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY of JUNE, 2017.

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

- South County Library Renovation ($11,145,000)

Including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefore, $11,145,000 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:

Proceeds from Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018 fiscal</td>
<td>$ 2,326,600</td>
</tr>
</tbody>
</table>
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.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #156.

9) Approve FY 18 Authorization of Library Facilities Capital Project Ordinance – Main

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION LIBRARY FACILITIES MAIN CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 20th DAY of JUNE, 2017.

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

New Main Library ($65,000,000)

Including the acquisition and construction, the improvement and the acquisition and installation of necessary furnishings and equipment and the acquisition of interests in real property required therefore, $65,000,000 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:

Proceeds from Pay-As-You-Go/Other County Funds:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018 fiscal year</td>
<td>$ 550,000</td>
</tr>
<tr>
<td>2018-2019 fiscal year</td>
<td>3,307,557</td>
</tr>
<tr>
<td>2019-2020 fiscal year</td>
<td>11,198,570</td>
</tr>
<tr>
<td>2020-2021 fiscal year</td>
<td>27,028,031</td>
</tr>
<tr>
<td>2021-2022 fiscal year</td>
<td>22,915,842</td>
</tr>
</tbody>
</table>

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.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #157.

17-4101 PERSONNEL MATTER

Commissioner Puckett noted the following:

The Performance Review Committee, chaired by Commissioner Leake, convened June 20, 2017 to review the FY17 performance of the County Manager and made a recommendation to the full Board in Closed Session on June 20, 2017 for approval of a 4.5% increase in the County Manager’s base salary, which was in keeping with the highest amount available to employees.

Commissioner Puckett said there was no performance based cash award included. He said the County Manager’s total compensation for next fiscal year would be $368,243.00. He said this
was not significantly higher than the current year’s salary and was percentage the County Manager requested and not more.

Commissioner Puckett said the details and the breakdown of the County Manager’s compensation was available to the public. See below.

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a 4.5% increase in the County Manager’s base salary, which comes to $368,243.00.

<table>
<thead>
<tr>
<th>Manager’s Compensation</th>
<th>Current Year Effective July 1, 2016</th>
<th>FY18 Proposed Effective July 1, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Salary</td>
<td>$298,870</td>
<td>$312,319</td>
</tr>
<tr>
<td>Deferred Compensation*</td>
<td>$19,663</td>
<td>$20,548</td>
</tr>
<tr>
<td>5% 401k Match**</td>
<td>$14,944</td>
<td>$15,616</td>
</tr>
<tr>
<td>Expense Allowance***</td>
<td>$19,392</td>
<td>$19,760</td>
</tr>
<tr>
<td>Performance Based Cash Award</td>
<td>$14,300</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Total Compensation</strong></td>
<td>$367,169</td>
<td>$368,243</td>
</tr>
</tbody>
</table>

*Deferred compensation amount is increased by the same percentage equal to base  
**All employees are eligible for a 5% 401k/457 match  
*** Expense allowance increased annually based on the CPI-U (1.9% for past 12 months)

Commissioner Leake, as chair of the Board’s Compensation Committee, thanked the County Manager for the work that she’d done and continued to do for the County.

17-4100 PUBLIC HEALTH DEPARTMENT UPDATE

County Manager Diorio announced the hiring of Gibbie Harris, who will serve as interim director of the Health Department, in light of Dr. Plescia’s pending departure. She commented on Ms. Harris’ credentials. Ms. Harris will start on June 26 and will serve for at least six months or until a permanent Health Director is hired.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4086 FEATURE DEPARTMENT PRESENTATION: CRIMINAL JUSTICE SERVICES

The Board received a presentation from Criminal Justice Services Director, Sonya Harper, regarding departmental activities.

Note: Each month the County Manager requests a department director to do a feature department presentation to keep the Board and the public informed of important information.

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

Comments
June 20, 2017

Commissioner Fuller asked about the following: the SOAR-CJ (SSI/SSDI, Outreach, Access & Recovery) program, Pre-Trial Release, and the PSA (Public Safety Assessment), which was addressed.

Commissioner Dunlap asked about the PSA and was it the same as the rubric used in the past, which was addressed.

Commissioner Leake asked what was in place to change the behavior of youth and commented on the need for more parental involvement.

Commissioner Leake said she had advocated for years for a facility to house youth in a dormitory setting, grades 6-12 and with wrap around services. She said she’d even mentioned using Barber Scotia College.

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

Commissioner Ridenhour requested data on the success of the various initiatives; the number of participants; how many participants had successfully completed various programs and how many had to return.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-4087 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for June, 2017.

Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.

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

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4097 SELECTION OF NACO VOTING DELEGATE AND ALTERNATE

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to select Chair Scarborough to serve as the County's voting delegate at the 2017 National Association of Counties (NACo) Annual Conference to be held July 21-24, 2017 in Franklin County, Columbus, Ohio. In the event the Board’s representatives do not pick up the County’s ballot, the president of the NC Association of County Commissioners (or his/her designee) is authorized to pick up the County’s ballot and cast the County’s votes.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to select Commissioner Fuller to serve as the County’s alternate voting delegate at the 2017 National Association of Counties (NACo) Annual Conference.

CONSENT ITEMS
June 20, 2017

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

17-4061 DESTRUCTION OF DOCUMENTS – TAX OFFICE

Approve the disposal/destruction of tax assessment documents in accordance with North Carolina records retention and disposition policies, destruction to occur in compliance with statutes.

A list of the records disposed of is on file with the Clerk to the Board.

17-4068 APPOINTMENT OF REVIEW OFFICERS

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 add Lindsay Laird as a Review Officer and to delete the following persons as Review Officers: Charles S. Anzalone, Robert W. Drayton, Cary C. Rodriguez, and Eric Sanburg.

AMENDMENT TO 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

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled “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”; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Lindsay Laird is hereby designated as a Review Officer in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus, the Resolution is accordingly amended to add this name.

2. Charles S. Anzalone shall be deleted from the Resolution adopted on July 7, 2009; Robert W. Drayton shall be deleted from the Resolution adopted on August 20, 2002; Cary C. Rodriguez shall be deleted from the Resolution adopted on February 16, 2016; and Eric Sanburg shall be deleted from the Resolution adopted on October 21, 2008.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #158.

17-4070 INTERLOCAL AGREEMENT WITH THE TOWN OF HUNTERSVILLE

Adopt Resolution authorizing Interlocal Agreement for funding of Torrence Creek Stream Restoration Project.

MECKLENBURG COUNTY RESOLUTION AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT FOR FUNDING OF THE TORRENCE CREEK STREAM RESTORATION PROJECT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE

WHEREAS, N.C. Gen. Stat.§ 160A-461, "Interlocal Cooperation Authorized," authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the construction of storm water projects by one unit of local government on behalf of another unit of local government; and
WHEREAS, Mecklenburg County and the Town of Huntersville (the “Town”) have negotiated the Interlocal Agreement for Funding of the Torrence Creek Stream Restoration Project; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement “... shall be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Interlocal Agreement for Funding of the Torrence Creek Stream Restoration Project between Mecklenburg County and the Town in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #159.

17-4072 BUDGET AMENDMENT – COUNTY MANAGER’S OFFICE (CARRY FORWARD OF UNSPENT FUNDS)

Carry forward unspent funds of $75,000 related to Daptiv License funding for Enterprise Project Management Office (EPMO) and Business Process Management (BPM).

Note: Funding of $75,000 was included in the FY2017 Operating budget to replace Daptiv, but EPMO and BPM are currently in the RFP process and contract negotiations will not occur until FY2018.

17-4074 MINUTES

Approve Minutes of Regular meeting held June 6, 2017, Special Meeting (Straw Vote Session) held June 12, 2017 and Closed Session held June 6, 2017.

17-4079 LAND ACQUISITION – STEWART CREEK STREAM STABILIZATION & GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcel 069-076-23 (±0.049 acres) located in west Charlotte for the construction of Stewart Creek Stream Stabilization and future Greenway for $6,500.

17-4080 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $26,745 for Asset and Facility Management.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the department identified. This Board action provides authority to use the funds for replacement of these items.

17-4081 TAX REFUNDS

1) Approve refunds in the amount of $10,843.50 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor, and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.
June 20, 2017

2) Approve refunds in the amount of $316.60 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $0.

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

17-4082 DONATION OF OUTDOOR PLAYGROUND EQUIPMENT FROM SOUTHMINSTER, INC.

Approve the donation of outdoor playground equipment from Southminster, Inc. valued at $101,306.35 to be installed in First Ward Park.

17-4083 BUDGET AMENDMENT – FOOD SERVICE EQUIPMENT (CARRY FORWARD) SHERIFF’S OFFICE

Approve the carry forward and appropriation to FY 2018, $180,500 from lapsed salaries at June 30, 2017 for the Sheriff’s Office to purchase food service replacement equipment.

Note: The following equipment is needed:

Alto-Shaam Ovens (2) Jail Central
Alto-Shaam Ovens (3) Jail North
Buffalo Chopper Jail North
Condensers Jails Jail North and Central
Sandwich Cooler Jail North Officer Dining Room
Pallet Jack Jail North
Ice Maker Jail Central

17-4084 GRANT APPLICATION – PLAY SPACE (PARK AND RECREATION)

Approve an application for up to $50,000 for a Play Space Grant from National Park and Recreation Association (NRPA)/Disney.

Note: The funds from this grant will be utilized to build, equip and implement a new series of programs that will be delivered to the community through a mobile setting. This setting will be a “tiny play house” that is equipped to provide programs for pre-school and school aged children who reside in underserved areas and will focus on developmental skills for therapeutic recreation including: gross motor, fine motor, sensory, proprioceptive, communication and socialization.

17-4089 CONSTRUCTION CONTRACT – BRADFORD PARK – PHASE 2

Award a construction contract to Sports Construction Management, Inc. in the amount of $2,337,643 for Bradford Park-Phase 2, which includes the construction and installation of two synthetic turf fields, sports lighting for three fields, and other various site and storm water improvements.

17-4099 BUDGET AMENDMENT – COUNTY MANAGER’S OFFICE (CARRY FORWARD OF UNSPENT FUNDS)
June 20, 2017

Carry forward unspent funds of $327,777 that have been transferred to Enterprise Project Management Office (EPMO) to purchase equipment for the Community Resource Center (CRC).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4065 DSS HOME AND COMMUNITY CARE BLOCK GRANT (HCCBG)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Home and Community Care Block Grant (HCCBG) funding plan for FY 2018.

Note: Annually, the Department of Social Services (DSS) submits for Board approval the Home and Community Care Block Grant (HCCBG) funding plan (also referred to as the County Aging Plan). Board approval is required prior to submission to Centralina Council of Governments (COG), the local grant authority. The following services are provided with this grant: In-Home Aide Services, Transportation Services, Congregate Meals, Home Delivered Meals, Senior Center Operations, Adult Day Care/Day Health and Consumer Directed Services. The total funding plan request is $3,332,055 with a required match of $370,230 which includes two senior centers not affiliated with Mecklenburg County. The funding plan portion within the Mecklenburg County budget is $3,258,318 with a county match of $362,035. The match is included in the DSS Fiscal Year 2018 budget.

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

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

17-4078 LEASE – CITY OF CHARLOTTE AT SUTTLE AVENUE BUILDING

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute a lease with the City of Charlotte to allow the City to lease portions of the County owned building at 2145 Suttle Avenue in Charlotte to house staff from the City’s Engineering & Property Management, Charlotte Water and Planning Departments.

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

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:07 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
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, July 11, 2017.

ATTENDANCE

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

Absent: None

- INFORMAL SESSION -

Commissioners Cotham and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4090, 17-4103, 17-4120, & 17-4128 to be removed from Consent and voted upon separately.

STAFF BRIEFINGS - NONE

CLOSED SESSION

17-4106 CONSULT WITH ATTORNEY
17-4141 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett and Scarborough voting yes, to go into Closed Session for the following purpose: Land Acquisition.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 5:30 p.m.

Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.
Commissioner Cotham entered the meeting.

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

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order which was followed by invocation by Commissioner Puckett, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

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

17-4104 PUBLIC APPEARANCE

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

Arthur Griffin expressed appreciation to the Board and the County Manager for moving forward with a 2017 Bond Referendum and 2nd Ward Gym renovations.

Leslie Dwyer suggested the Board revisit the proposed agreement regarding Major League Soccer (MLS) coming to Charlotte/Mecklenburg County. She said the January deal points memo lacked what was considered “reasonable taxpayer controls.” Ms. Dwyer, who lives in the Chantilly neighborhood, expressed concern that greenways planned for the surrounding area were cut because of the MLS proposal. She said residents prefer having access to public spaces, such as, greenways, rather than having a MLS stadium. She said the people that brought the MLS proposal forward were capable of funding it on their own.

Commissioner Dunlap returned to the dais.

Rev. Dr. Rodney Sadler, Rev. Dr. Peter Wherry, and Joel Segal, expressed concern for the future of healthcare options for all Americans. They asked the Board to consider adoption of a resolution opposing the U.S. Senate Healthcare Bill, the Better Care Reconciliation Act because it was not designed to benefit all people. They noted the impact of such a bill on the residents of Mecklenburg County, NC and the nation, were it to pass. They said access to affordable healthcare was not and should not be a political issue, but that it was a moral issue and a matter of life or death for many.

Latif Abdul-Majeid talked about his arrest experience at the Charlotte Area Transit Center. Mr. Majeid said he was profiled and targeted because of being a Black male, a Muslim, and homeless. He said everyone was human and should be treated as such.

Mark Frazier, with “Positive One,” talked about the condition of the Sugaw Creek Recreation Center, where his organization conducts a mentoring program. He said currently the air conditioning was not working and that other repairs and up-fits were needed. He said he believed funds were to be allocated in the past for renovations, such as a new gym and new multi-purpose room. He addressed how recreation centers serve as a positive outlet for youth and others in a community. He asked the Board to look into these matters.

David Broadie, Shawn Greeson, Anthony Abraham Sr. and Jr., signed up but did not appear to speak.

This concluded the public appearance speakers.
Commissioner Fuller in response to the speakers that addressed the U.S. Senate, Better Care Reconciliation Act, said the Board should go on record opposing the Act as recommended.

Commissioner Fuller said the National Association of Counties had gone on record opposing the Act. He elaborated on why it was being opposed.

Motion was made by Commissioner Fuller but died because of the lack of a second, to hold a special meeting to address this issue.

County Attorney Bethune addressed the process for calling a special meeting.

Chair Scarborough said she would not call a special meeting but that the matter could be placed on a subsequent agenda.

APPOINTMENTS

APPOINTMENTS

17-4117 CENTRAL PIEDMONT COMMUNITY COLLEGE BOARD OF TRUSTEES

Commissioner Cotham commented on the need for diversity on the Central Piedmont Community College Board of Trustees that was more reflective of the student population. She said her non-support of Ms. Caple was for that reason only.

Commissioner Cotham said she asked Commissioner Leake to consider being a trustee but that she declined.

Commissioner Cotham asked Commissioner Leake to share with the Board, the idea she expressed to her regarding the CPCC Board of Trustees.

Commissioner Leake nominated Arthur Griffin for consideration to serve on the CPCC Board of Trustees and addressed why.

Chair Scarborough asked about the procedure for accepting additional nominations at this point in the process.

County Attorney Bethune said the Board had two options, 1) move forward with voting on the nominee currently before the Board, who was nominated at the last meeting or 2) allow Mr. Griffin to be nominated at tonight’s meeting and schedule an interview with him by an ad hoc committee of the Board; which is required of persons nominated for consideration to the CPCC Board of Trustees.

Commissioner James asked whether Mr. Griffin submitted an application. The response was no.

Motion was made by Commissioner Leake, seconded by Commissioner Puckett, to keep the nomination process open, to allow Mr. Griffin to be considered.

Commissioner James questioned the Board not following the normal process.

Commissioner James said it would be different, if there wasn’t anyone eligible for reappointment. He said Mr. Griffin could apply for future openings.
Commissioner Dunlap said Mr. Griffin expressed interest in serving on the CPCC Board of Trustees but for a later appointment and not the one currently before the Board. He said at the appropriate time Mr. Griffin would complete the proper paperwork.

Commissioner Dunlap said the Board should follow the process it had in place. He said if the Board desired to change the process, then it should go through the required steps to make that change. He noted that, normally, persons eligible for reappointment were reappointed, unless there had been concerns expressed regarding their service. He said this was not the case with the CPCC Board of Trustees.

Commissioner Puckett withdrew his second to Commissioner Leake's motion; thus, the motion died for lack of a second.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, and Commissioners Cotham and Leake voting no, to reappoint Madelyn Caple to the Central Piedmont Community College Board of Trustees for a four-year term expiring June 30, 2021 effective July 1, 2017.

Note: Commissioner Leake said her vote in opposition had nothing to do with Ms. Caple personally. She said it was about diversity.

**JUVENILE CRIME PREVENTION COUNCIL**

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council as the Substance Abuse Professional representative:

Round 1:

Scott Littlejohn Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Delynn Turner

Voting Ceased

Chair Scarborough announced the appointment of Scott Littlejohn to the Juvenile Crime Prevention Council to fill an unexpired term expiring June 30, 2018 as the Substance Abuse Professional representative.

Note: He replaces Michelle Newton.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Delynn Turner to the Juvenile Crime Prevention Council as a General Public representative to fill an unexpired term expiring June 30, 2018.

Note: He replaces Lawrence Brinson.

The vote was taken on the following nominees for appointment to the Juvenile Crime Prevention Council as General Public representatives:

Round 1

Phyllis Barnette None
Chair Scarborough announced the appointment of the following persons to the Juvenile Crime Prevention Council: Eric Johnson and Beverly Dorn-Steele as General Public representatives for two-year terms expiring June 30, 2019, and Brittney Bogues to fill an unexpired term expiring June 30, 2018.

Note: They replace Gregory McDowell, Paul Strickland, and LaTonya Summers.

17-4123 REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Pat Swaby Davis to the Adult Care Home Advisory Committee for a one-year term expiring July 31, 2018.

BOARD OF MOTOR VEHICLE REVIEW

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Matt McNeill and Chris Price to the Board of Motor Vehicle Review for one-year terms expiring July 18, 2018.

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Boards term limit policy and reappoint Charles Roberts to the Board of Motor Vehicle Review and as the Chair of the Board of Motor Vehicle Review for a one-year term expiring July 18, 2018.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE
July 11, 2017

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Jasmine Sims to the Citizen’s Capital Budget Advisory Committee for a two-year term expiring July 31, 2019.

Note: She replaces Anu Prakash.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring July 31, 2020: Alicia Benjamin, Vanessa Clarke, Larry Edwards, Bonnie Foster, Angela Lindsay, Charleon Macon, David McIntyre, Jason Michel, Vivian Mitchell, Colin Pinkney, Joseph Raines, Dana Sidberry, and Jennifer Styczen.

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint the following persons to the Charlotte-Mecklenburg Community Relations Committee: Kelvin Brim to fill an unexpired term expiring September 30, 2017 and Samuel Smith to fill an unexpired term expiring August 31, 2018.

Note: They replace Joshua Arnold and Valarie Reed.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Boards term limit policy and reappoint the following persons to the Groundwater Advisory Committee for three-year terms expiring July 31, 2020: Michael Armour as the Environmental Consultant and Stephen Taylor as the Well Contractor or Pump Installer representative.

HISTORIC LANDMARKS COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Nathan Clark to the Historic Landmarks Commission for a three-year term expiring July 31, 2020.

The following persons were nominated by Commissioner Fuller for appointment consideration to the Historic Landmarks Commission: Diane Althouse, Jennifer Coots, Don Duffy, Thomas Egan, Victor Jones, Thomas Kaufmann, Brittany Lins, and Phillips Pope.

Note: An appointment will occur August 2, 2017.

INFORMATION SERVICES AND TECHNOLOGY
The following persons were nominated by Commissioner Puckett for appointment consideration to the Information Services and Technology Committee: Frank Benson and Vivek Dighe.

*Note: An appointment will occur August 2, 2017.*

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

**JUVENILE CRIME PREVENTION COUNCIL**

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Darryl Johnson to the Juvenile Crime Prevention Council as the Faith Community representative to fill an unexpired term expiring May 30, 2018.

*Note: He replaces Laura Wilson.*

**NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Orlando Spence to the Nursing Home Community Advisory Committee for a one-year term expiring July 31, 2018.

*Note: He replaces Denise Williams.*

**WOMEN’S ADVISORY BOARD**

The following persons were nominated by Commissioner Puckett for appointment consideration to the Women’s Advisory Board: Shantia Coley, Lahari Jones, Chakira Massey, and Patrina Tyler.

*Note: An appointment will occur August 2, 2017.*

**17-4133 APPOINTMENT – TOWN OF MINT HILL BOARD OF ADJUSTMENT & PLANNING BOARD**

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to reappoint David Tirey to the Mint Hill Board of Adjustment as an ETJ member for a term expiring December 31, 2019 as recommended by the Town of Mint Hill Board of Commissioners.

*Note: Mr. Tirey was recommended for reappointment by the Town of Mint Hill Board of Commissioners on January 12, 2017. The delay in taking this action does not impact the work of the Town of Mint Hill Board of Adjustment.*

Motion was made by Commissioner James, seconded by Commissioner Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to change Roger Hendrix’s reappointment term to the Town of Mint Hill Planning Board as an Extraterritorial Jurisdiction Member (ETJ) as recommended by the Town of Mint Hill Board of Commissioners, approved on June 20, 2017, to a term expiring June 30, 2019, rather than June 30,
PUBLIC HEARINGS

17-4109 AUTHORIZING ISSUANCE OF LIMITED OBLIGATION REFUNDING BONDS AND GENERAL OBLIGATION SCHOOL AND COMMUNITY COLLEGE BONDS

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing on the issuance of limited obligation refunding bonds.

Note: Commissioner Leake was away from dais at the time of the above vote.

The Chair announced that this was the hour, day and place fixed for a public hearing held pursuant to Sections 160A-20(g) and 153A-158.1 of the North Carolina General Statutes, as amended, for the purpose of considering (1) whether the Board of Commissioners for the County (the “Board”) should approve an installment financing contract under which (a) the County would obtain financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended, in an amount not to exceed $140,000,000 for the purpose of refunding the Variable Rate Certificates of Participation (2006 Mecklenburg County), the Variable Rate Certificates of Participation (2008A Mecklenburg County), and the Certificates of Participation (2008B Mecklenburg County) maturing on or after February 1, 2019 (collectively, the “Refunded Certificates”) and (b) the County would secure the repayment by it of moneys advanced pursuant to such documents by granting a lien on a portion of the property originally financed with proceeds of the Refunded Certificates and (2) whether the County may acquire any interest in school property financed with proceeds of the Refunded Certificates from the Charlotte-Mecklenburg Board of Education (the “Board of Education). Any property acquired by the County would be subjected to the lien described above and leased back to the Board of Education.

The Chair announced that the notice of the public hearing was published in The Mecklenburg Times on June 30, 2017.

It was requested that the Clerk to the Board inquire to determine whether there were any persons who wished to speak at the public hearing. The names, addresses and testimony of the persons who were present and who offered comments on the proposed installment financing contract and the County’s acquisition of school property, pursuant to or who responded in writing to the notice of public hearing, are as follows: None

Note: Commissioner Leake returned to the dais.

After the Board had heard all persons who had requested to be heard, Commissioner James moved that the public hearing be closed. The motion was seconded by Commissioner Fuller and was unanimously adopted.

* * *

Commissioner James introduced the following Resolution which was read by title, and moved it be adopted:
July 11, 2017

RESOLUTION AUTHORIZING AND APPROVING AN INSTALLMENT FINANCING

WHEREAS, financing pursuant to Section 160A-20 of the North Carolina General Statutes must be approved by the Local Government Commission of North Carolina and will only be approved if the findings of Section 159-151(b) of the North Carolina General Statutes are met;

WHEREAS, the Board of Commissioners of the County duly conducted a public hearing today regarding an installment financing contract to finance the refunding of Variable Rate Certificates of Participation (2006 Mecklenburg County), the Variable Rate Certificates of Participation (2008A Mecklenburg County), and the Certificates of Participation (2008B Mecklenburg County) maturing on or after February 1, 2019;

WHEREAS, there have been available at this meeting drafts of the forms of the following:

1. Installment Financing Agreement to be dated as of September 1, 2017 (the “Contract”) between the County and Mecklenburg County Public Facilities Corporation (the “Corporation”);
2. Deed of Trust and Security Agreement to be dated as of September 1, 2017 (the “Deed of Trust”) from the County to a trustee for the benefit of the Corporation;
3. Trust Agreement to be dated as of September 1, 2017 (the “Trust Agreement”) between the Corporation and a trustee (the “Trustee”);
4. A Preliminary Official Statement (the “Preliminary Official Statement”) relating to Refunding Limited Obligation Bonds evidencing proportionate undivided interests in revenues to be received by the Corporation under the Contract (the “Bonds”);
5. Bond Purchase Agreement (the “Purchase Contract”) between Citigroup Global Markets Inc., J.P. Morgan Securities LLC and U.S. Bancorp Investments, Inc. (collectively, the “Underwriters”) and the Corporation, including the Letter of Representation attached thereto (the “Letter of Representation”); and
6. Escrow Agreement to be dated as of September 1, 2017 (the “Escrow Agreement”) between the County and the Escrow Agent.

WHEREAS, the Board of Commissioners of the County wants to approve the Contract and the sale of the Bonds and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County as follows:

1. The Board hereby finds and determines in connection with the proposed installment financing contract that (a) such proposed installment financing contract is necessary or expedient to the County, (b) such proposed installment financing contract, under current circumstances, is preferable to a general obligation bond issue of the County for the same purpose, (c) the sums estimated to fall due under such proposed installment financing contract are adequate and not excessive for their proposed purpose, (d) the County’s debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed installment financing contract will not be excessive and (f) the County is not in default regarding any of its debt service obligations.

2. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed installment financing contract under Article 8 of Chapter 159 of the General Statutes of North Carolina.
July 11, 2017

3. The County Manager, the Finance Director and any Deputy Finance Director are hereby designated as representatives of the County to file an application for approval of such proposed installment financing contract with the Local Government Commission of North Carolina and are authorized to take such other action as may be advisable in connection with the negotiation of such proposed installment financing contract and the development of the related financing; and all actions heretofore taken by the employees of the County relating to such matters are hereby approved, ratified and confirmed.

4. Each of the Contract, the Deed of Trust, the Escrow Agreement and the Letter of Representation, in the form submitted to this meeting, is hereby approved, and the Chair of the Board, the County Manager, the Finance Director, any Deputy Finance Director, and the Clerk to the Board are each hereby authorized and directed to execute and deliver each of those documents, on behalf of the County, with such changes, insertions or omissions as each may approve, the execution thereof by any of them to constitute conclusive evidence of such approval.

5. Each of the Trust Agreement and the Purchase Contract, in the form submitted to this meeting, is hereby approved in substantially such form, with such changes, insertions or omissions as appropriate.

6. Each of the Preliminary Official Statement and the final Official Statement, in the form of the Preliminary Official Statement submitted to this meeting, is hereby approved, in substantially such form, with such changes, insertions and omissions as appropriate, and the use thereof in connection with the public offering and sale of the Bonds is hereby authorized.

7. The Chair of the Board, the County Manager, the Finance Director, or any Deputy Finance Director the Clerk to the Board and the County Attorney are each hereby authorized to take any and all such further action and to execute and deliver such other documents as may be necessary or advisable to carry out the intent of this Resolution and to effect the installment financing pursuant to the Contract. Without limiting the generality of the foregoing, the Finance Director or any Deputy Finance Director is authorized to approve all details of the financing, including without limitation, the amount advanced under the Contract (which shall not exceed $140,000,000, the annual principal payments under the Contract, the interest rates for the Bonds, the terms of the Contract, and the discount below the principal amount of the Bonds at which the Bonds are sold to the Underwriters or the fee paid to the Underwriters. Execution of the Contract by the Chair of the Board, the County Manager, the Finance Director or any Deputy Director of Finance, shall conclusively evidence approval of all such details of the financing.

8. All actions of the County effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transaction contemplated by the documents referred to above.

9. This Resolution shall become effective immediately upon its adoption.

Commissioner Fuller seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None
RESOLUTION AUTHORIZING ISSUANCE OF BONDS

Commissioner Bill James moved adoption of the following resolution and the motion was seconded by Commissioner Trevor M. Fuller.

WHEREAS, the bond orders hereinafter described have taken effect, and it is desirable to make provision for the issuance of bonds authorized thereby;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Mecklenburg, North Carolina (the “Issuer”), as follows:

1. Pursuant to and in accordance with the school facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of $125,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from September 12, 2017.

2. Pursuant to and in accordance with the community college facilities bond order adopted by the Board of Commissioners on September 3, 2013, the Issuer shall issue its bonds in the aggregate principal amount of $100,000,000. The period of usefulness of the capital projects to be financed by the issuance of the bonds is a period of 40 years, computed from September 12, 2017.

3. The bonds to be issued pursuant to the bond orders described in the preceding paragraphs 1 and 2 shall be issued as one consolidated bond issue in the principal amount of $225,000,000 and designated “General Obligation Public Improvement Bonds, Series 2017A” (the “Bonds”). The Board of Commissioners has ascertained and hereby determines that the average period of usefulness declared in the preceding paragraphs 1 and 2 is not less than 40 years computed from the date of the Bonds. The Bonds shall be dated September 12, 2017, and shall bear interest from their date at a rate or rates that shall be determined upon the public sale of the Bonds, and interest shall be payable on April 1, 2018, and semi-annually thereafter on October 1 and April 1. The Bonds shall mature annually on April 1, as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount</th>
<th>Year</th>
<th>Principal Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>$6,000,000</td>
<td>2029</td>
<td>$16,000,000</td>
</tr>
<tr>
<td>2021</td>
<td>6,000,000</td>
<td>2030</td>
<td>16,000,000</td>
</tr>
<tr>
<td>2022</td>
<td>6,000,000</td>
<td>2031</td>
<td>17,000,000</td>
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<tr>
<td>2023</td>
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<td>17,000,000</td>
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<td>2024</td>
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<td>2025</td>
<td>11,000,000</td>
<td>2034</td>
<td>17,000,000</td>
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<td>2026</td>
<td>11,000,000</td>
<td>2035</td>
<td>17,000,000</td>
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<td>2027</td>
<td>11,000,000</td>
<td>2036</td>
<td>17,000,000</td>
</tr>
<tr>
<td>2028</td>
<td>11,000,000</td>
<td>2037</td>
<td>17,000,000</td>
</tr>
</tbody>
</table>

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated on an interest payment date, in which event it shall bear interest from that interest payment date, or (b) authenticated prior to the first interest payment date, in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.
The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. Debt service will be payable to the owners of Bonds shown on the records of the hereinafter designated Bond Registrar of the Issuer on the record date, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding a debt service payment date.

4. The Bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC") or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the Bonds in the principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in the preceding paragraph, and principal of the Bonds will be paid annually on April 1, as set forth in the above maturity schedule, in clearinghouse funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of those participants and other nominees of beneficial owners. The Issuer will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the Issuer determines that continuation of the book entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book entry system with DTC in a manner consistent with DTC's rules and procedures. If the Issuer fails to arrange for another qualified securities depository to replace DTC, the Issuer will authenticate and deliver replacement Bonds in the form of fully registered certificates in denominations of $5,000 or integral multiples thereof.

5. The Bonds shall bear the manual or facsimile signatures of the Chairman of the Board of Commissioners and the Clerk to the Board of Commissioners of the Issuer, and the official seal or a facsimile of the official seal of the Issuer shall be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of that Commission or of a representative designated by that Secretary, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided below.

In case any officer of the Issuer or the Local Government Commission of North Carolina whose manual or facsimile signature appears on any Bonds shall cease to be that officer before the delivery of those Bonds, that manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of the Bond shall be the proper officers to sign the Bond although at the date of the Bond those persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

6. The Bonds and the endorsements thereon shall be in substantially the following form:
Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to issuer or its agent for registration of transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

United States of America
State of North Carolina
COUNTY OF MECKLENBURG
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND, SERIES 2017A

INTEREST RATE

MATURITY DATE

DATE OF BOND

CUSIP

April 1, ___
September 12, 2017

584002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: ______________________________ DOLLARS

The County of Mecklenburg (the "County"), a county of the State of North Carolina, acknowledges itself indebted and for value received hereby promises to pay to the registered owner named above, on the date specified above, upon surrender hereof, at the office of the Finance Director of the County, 600 East Fourth Street, Charlotte, NC 28202 (the "Bond Registrar"), the principal sum shown above and to pay to the registered owner hereof, by check mailed to the registered owner at its address as it appears on the bond registration books of the County, interest on that principal sum from the date of this bond or from the October 1 or April 1 next preceding the date of authentication to which interest shall have been paid, unless the date of authentication is a October 1 or April 1to which interest shall have been paid, in which case from that date, interest to the maturity hereof being payable on April 1, 2018, and semi-annually thereafter on October 1 and April 1of each year, at the rate per annum specified above, until payment of the principal sum. The interest so payable on any interest payment date will be paid to the person in whose name this bond is registered at the close of business on the record date for that interest, which shall be the fifteenth day of the calendar month (whether or not a business day) next preceding that interest payment date. Both the principal of and the interest on this bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act of the State of North Carolina, as amended, bond orders adopted by the Board of Commissioners of the County on September 3, 2013 (the "Bond Orders") and a resolution adopted by that Board (the "Resolution") providing for the issuance of this bond. The issuance of this bond and the contracting of the indebtedness evidenced hereby have been approved by a majority of the qualified voters of the County, voting at elections held in the County.

The bonds maturing on and after April 1, 2028, shall be subject to redemption prior to their stated maturities at the option of the County on or after April 1, 2027, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the bonds are called for redemption, the County shall determine the maturities and the amounts thereof of the bonds to be redeemed. If less than all the bonds of any one maturity are called for redemption, the bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof and that, in selecting bonds for redemption, the Bond Registrar shall treat each bond as representing that number of bonds which is obtained by dividing the principal amount of such bond by $5,000. For so long as a book-entry system is used for determining beneficial ownership of the bonds, if less than all of the bonds within a maturity are to be redeemed, The Depository Trust Company ("DTC") shall determine by lot the amount of interest of each Direct Participant in the bonds to be redeemed.

Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any bonds to be redeemed, whether such redemption be in whole or in part, the County shall cause a notice of redemption to be
mailed, postage prepaid, to DTC or its nominee. On the date fixed for redemption, that notice having been given, the bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of those bonds or portions thereof on that date and, if moneys for payment of the redemption price and the accrued interest are held by the Bond Registrar as provided in the Resolution, interest on the bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this bond shall be called for redemption, a new bond or bonds in principal amount equal to the unredeemed portion hereof will be issued to DTC or its nominee upon the surrender hereof.

The notice of redemption may state that the County retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the County gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any bonds as to which redemption has been rescinded shall remain outstanding.

The bonds will be issued in fully registered form by means of a book entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to and registered in the name of DTC or its nominee and immobilized in its custody. The book entry system will evidence beneficial ownership of the bonds in principal amounts of $5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants of DTC will be the responsibility of participants and other nominees of beneficial owners. The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through participants.

The Bond Registrar shall keep at its office the books of the County for the registration of transfer of bonds. The transfer of this bond may be registered only upon those books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall deliver in exchange for this bond a new bond or bonds, registered in the name of the transferee, in authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this bond, of the same maturity and bearing interest at the same rate.

The Bond Registrar shall not be required to exchange or register the transfer of any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds or any portion thereof and ending at the close of business on the day of such mailing or of any bond called for redemption in whole or in part pursuant to the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this bond, exist, have been performed and have happened, and that the amount of this bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the County are hereby pledged to the punctual payment of the principal of and interest on this bond in accordance with its terms.

This bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Orders or the Resolution until this bond shall have been endorsed by the authorized representative of the Local Government Commission of North Carolina and authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the County has caused this bond [to be manually signed by] [to bear the facsimile signatures of] the Chair of the Board of Commissioners and the Clerk to the Board of Commissioners and [a facsimile of] its official seal to be [imprinted] [impressed] hereon, and this bond to be dated September 12, 2017.

Chair of the Board of Commissioners

(SEAL)

Clerk to the Board of Commissioners

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of 1024
CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Bond Orders and Resolution.

COUNTY OF MECKLENBURG
FINANCE DIRECTOR, as Bond Registrar

By: ____________________________
Authorized Signature

Date of Authentication: September 12, 2017

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

the within Bond and irrevocably appoints ____________________________
attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: ____________________________

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed: ____________________________

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

7. The Bonds maturing on and after April 1, 2028 shall be subject to redemption prior to their stated maturities at the option of the Issuer on or after April 1, 2027, in whole or in part at any time at a redemption price equal to 100% of the principal amount of each Bond to be redeemed, together with accrued interest thereon to the redemption date. If less than all the Bonds are called for redemption, the Issuer shall determine the maturities and the amounts thereof of the Bonds to be redeemed. If less than all the Bonds of any one maturity are called for redemption, the Bonds of such maturity to be redeemed shall be selected by lot; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of $5,000 or an integral multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar shall treat each Bond as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. For so long as a book-entry system is used for determining beneficial ownership of the Bonds, if less than all of the Bonds within a maturity are to be redeemed, The Depository Trust Company (“DTC”) shall determine by lot the amount of interest of each Direct Participant in the Bonds to be redeemed.
Not more than forty-five (45) days nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether the redemption be in whole or in part, the Issuer shall cause a notice of redemption to be mailed, postage prepaid, to DTC or its nominee. Each notice shall identify the Bonds or portions thereof to be redeemed by reference to their numbers and shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall also state that on or after the redemption date, upon surrender of the Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of the Bond will be issued.

The notice of redemption may state that the Issuer retains the right to rescind such notice on or prior to the scheduled redemption date, and such notice and redemption shall be of no effect if such notice is rescinded. Any redemption may be rescinded in whole or in part at any time prior to the scheduled redemption date if the Issuer gives notice thereof on or prior to the scheduled redemption date in the manner provided above for redemptions. Any Bonds as to which redemption has been rescinded shall remain outstanding.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of the Bonds or portions thereof called for redemption, as well as the interest accruing thereon to the redemption date.

On the date fixed for redemption, notice having been given in the manner and under the conditions provided above, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to the redemption date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, are held by the Bond Registrar in trust for the registered owners of Bonds or portions thereof called for redemption, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender that Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

8. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution, and bearing interest at the same rate.

The transfer of any Bond may be registered only on the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in form satisfactory to the Bond Registrar. Upon any registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for the Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of the Bond so surrendered, of the same maturity, and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered
hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to the exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution. The Bond Registrar shall not be required to exchange or register the transfer of any Bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of that mailing or of any Bond called for redemption in whole or in part pursuant to this Section.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any Bond and the interest on any Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon that Bond including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to commercial standards then applicable and for the timely payment of principal and interest with respect to the Bonds. The Finance Director of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively, the “Bond Registrar”), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office as Finance Director, 600 East Fourth Street, Charlotte, NC 28202, the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

9. The actions of the Finance Director of the Issuer and others in applying to the Local Government Commission of North Carolina to advertise and sell the Bonds and the action of the Local Government Commission of North Carolina in asking for sealed and electronic bids for the Bonds by publishing notices and printing and distributing the Preliminary Official Statement and the Official Statement relating to the Bonds are hereby ratified and approved. That Preliminary Official Statement is hereby approved, and the Chair of the Board of Commissioners, the County Manager and the Finance Director of the Issuer are each hereby authorized to approve changes in the Preliminary Official Statement, to approve the Official Statement, and to execute the Official Statement for and on behalf of the Issuer. The Preliminary Official Statement is deemed to be a final official statement within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, except for the omission of certain pricing and other information to be specified in the Official Statement.

10. The Chair of the Board of Commissioners and the Clerk to the Board of Commissioners and the Finance Director of the Issuer are hereby authorized and directed to cause the Bonds to be prepared and, when they shall have been duly sold by the Local Government Commission, to execute the Bonds and have the Bonds endorsed and authenticated as provided herein and to deliver the Bonds to the purchaser or purchasers to whom they may be sold by the Local Government Commission.

11. The Issuer covenants to comply with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), to the extent required to preserve the exclusion from gross income of interest on the Bonds for federal income tax purposes.

12. The Chair of the Board of Commissioners and the Clerk to the Board of Commissioners, the Finance Director and other officers of the Issuer are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any and all financing statements,
certificates, documents or other papers and to perform any and all acts they may deem necessary or appropriate in order to carry out the intent of this resolution and the matters herein authorized.

13. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide to the Municipal Securities Rulemaking Board (“MSRB”):

(a) by not later than seven months from the end of each fiscal year of the Issuer, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution.

(b) by not later than seven months from the end of each fiscal year of the Issuer, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under heading “The County - Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping or underlying units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the Bonds:

1. principal and interest payment delinquencies;
2. non-payment related default, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on any credit enhancements reflecting financial difficulties;
5. substitution of any credit or liquidity providers, or their failure to perform;
6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
7. modification to the rights of the beneficial owners of the Bonds, if material;
8. bond calls, if material, and tender offers;
9. defeasances;
10. release, substitution or sale of any property securing repayment of the Bonds, if material;
11. rating changes;
12. bankruptcy, insolvency, receivership or similar event of the Issuer.
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(13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material; and

(d) in a timely manner, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

The Issuer shall provide the documents referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The Issuer may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 (“Rule 15c2-12”) as of the date of the Official Statement relating to the Bonds, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interest of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of this bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information shall explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

The motion was adopted by the following vote:

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

Extracts/Resolution recorded in full in Minute/Ordinance Book 47-A, Document #161.

17-4110 QUEEN CITY STEM SCHOOL TEFRA HEARING

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to open the public hearing on the proposed financing by Queen City STEM School.

At 7:16 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 Charter School Revenue Bonds (Queen City STEM School Project) Series 2017 (the “Series 2017 Bonds”), in an aggregate principal amount not to exceed $12,000,000, the proceeds of which will be loaned to Charlotte Education Services, LLC, a North Carolina limited liability company (the “Borrower”), the sole member of which is Charlotte Education Foundation, d/b/a Queen City STEM School, a North Carolina nonprofit corporation (the “Foundation”), for the following purposes:

(a) to finance, refinance or reimburse the costs of the acquisition of an approximately 6-acre site, the approximately 52,000 square foot, two-story building thereon, located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) where the Foundation operates the Queen City STEM School (the “School”), and related furniture, fixtures and equipment located at the School (the “Project”);

(b) to fund capitalized interest on all or a portion of the Bonds during all or a portion of the construction of the Project;

(c) to fund certain reserve funds; and

(d) to pay all or a portion of the costs of issuance of the Bonds.

The Project will be owned by the Borrower and leased to the Foundation for the operation of the School.

On June 26, 2017, 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 financed or refinanced, the maximum principal amount of the Series 2017 Bonds, the initial owner and operator 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 Series 2017 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, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was unanimously adopted.

Commissioner George Dunlap 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 CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $12,000,000

WHEREAS the Borrower has requested that the Authority, issue its Charter School Revenue Bonds (Queen City STEM School Project) Series 2017 (the “Series 2017 Bonds”), in an aggregate principal amount not to exceed $12,000,000 for the following purposes:

(a) to finance, refinance or reimburse the costs of the acquisition of an approximately 6-acre site, the approximately 52,000 square foot, two-story building thereon, located at 8701 Mallard Creek Road, Charlotte, Mecklenburg County, North Carolina (which site will be owned by the Borrower and leased to the Foundation) where the Foundation operates the Queen City STEM School (the “School”), and related furniture, fixtures and equipment located at the School (the “Project”);

(b) to fund capitalized interest on all or a portion of the Bonds during all or a portion of the construction of the Project;

(c) to fund certain reserve funds; and

(d) to pay all or a portion of the costs of issuance of the Bonds.

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Series 2017 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 located, after a public hearing held following reasonable public notice;

WHEREAS, pursuant to Section 66.0304(11) (a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the project is to be located;

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 located within the County;

WHEREAS, the Borrower is using the Public Finance Authority, a Wisconsin authority with nationwide issuing authority, as the issuer of the Series 2017 Bonds, because of its desire to have a 30 year maturity on the debt; the North Carolina Capital Facilities Finance Agency, which would be the North Carolina issuer, has a policy which prohibits a bond maturity greater than 20 years;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Series 2017 Bonds and the financing of the acquisition of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the Board approve the financing of the Project and the issuance of the Series 2017 Bonds in order to satisfy the requirements of Section
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 Series 2017 Bonds and the financing and refinancing of the Project and now desires to approve the Authority's issuance of the Series 2017 Bonds and the financing and refinancing of the Project in accordance with the Code;

BE IT RESOLVED by the Board as follows:

Section 1. Pursuant to and in accordance with the requirements of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement, the Board hereby approves (a) the Authority's issuance of the Series 2017 Bonds in an aggregate principal amount not to exceed $12,000,000, and (b) the use of the proceeds thereof to finance and refinance the Project located in the County.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Series 2017 Bonds or for any costs incurred by the Borrower or the Foundation with respect to the Series 2017 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 CHARTER SCHOOL REVENUE BONDS (QUEEN CITY STEM SCHOOL PROJECT) SERIES 2017 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $12,000,000" 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, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Minute/Ordinance Book 47-A, Document #162.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4138 LEGISLATIVE UPDATE: REVIEW OF THE 2017 REGULAR SESSION

The Board received as information a presentation reviewing the 2017 Regular Session of the North Carolina General Assembly from Assistant to the County Manager, Jonathan Sink.

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

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4140 FEATURE DEPARTMENT PRESENTATION: OFFICE OF ECONOMIC DEVELOPMENT
The Board received a presentation from the Office of Economic Development Director, Peter Zeiler, regarding department activities.

*Note: Each month the County Manager requests a department director to do a feature department presentation to keep the Board and the public informed of information.*

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

**STAFF REPORTS & REQUESTS – NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

**17-4122 SELECTION OF NCACC ANNUAL CONFERENCE VOTING DELEGATE**

Motion was made by Commissioner Cotham, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Commissioner Dunlap as the voting delegate for 2017 Annual North Carolina Association of County Commissioners (NCACC) Conference to be held August 10-13, 2017 in Durham, N.C., Durham County.

**17-4143 ORDINANCE – SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON SUNDAY MORNING (COMMISSIONER RIDENHOUR)**

Motion was made by Commissioner Ridenhour, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt an ordinance allowing for the sale or consumption of alcoholic beverages before noon on Sunday morning within any unincorporated area of Mecklenburg County.

MECKLENBURG COUNTY
ORDINANCE ALLOWING FOR THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAY MORNING

WHEREAS, The North Carolina General Assembly AMENDED N.C.G.S. §18B-1004 entitled, “Hours for sale and consumption,” which sets forth the allowed times for sale and consumption of alcoholic beverages; and

WHEREAS, section (c) of N.C.G.S. §18B-1004 provides it shall be unlawful to sell or consume alcoholic beverages on any licensed premises from the time at which sale or consumption must cease on Sunday morning until 12:00 Noon on that day; and

WHEREAS, as amended section (c) of G.S. §18B-1004, now reads, “Except as authorized pursuant to G.S. §18B-112(h1), G.S. §153A-145.7 or G.S. §160A-205.3, it shall be unlawful to sell or consume alcoholic beverages on any licensed premises from the time at which sale or consumption must cease on Sunday morning until 12:00 noon on that day;” and

WHEREAS, Article 6 of Chapter 153A of the General Statutes was amended to add a new section, N.C.G.S. §153A-145.7, entitled “Hours of certain alcohol sales,” which now reads “In accordance with G.S. 18B-1004(c), a county may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises’ permit issued under G.S. 18B-1001;” and

WHEREAS, G.S. §153A-122, authorizes the board of commissioners to make any ordinance adopted pursuant to this Article applicable to any part of the county not within a city.

Now, therefore be it

**ORDAINED** by the Board of Commissioners of Mecklenburg County, under the authority of N.C.G.S. §153A-122 and N.C.G.S. §153A-145.7 that it shall be lawful to sell or consume alcoholic beverages beginning at 10:00 A.M. on Sunday morning in any unincorporated area within the County pursuant to N.C.G.S.§18B-1004(c) as authorized by the licensed premises’ permit issued under N.C.G.S. §18B-1001.

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Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #163.

17-4141 CLOSED SESSION - LAND ACQUISITION

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute all documents necessary to acquire a Permanent Greenway and Storm Drainage Easement (±6.563 acres) and a Temporary Construction Easement (±0.886 acres) on Tax Parcel 221-131-16 (owned by Carolina Place Joint Venture) for the construction of the Little Sugar Creek Greenway & Stream Enhancement project for a purchase price of $100,000.

CONSENT ITEMS

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

17-4105 MINUTES

Approve Minutes of Regular meeting held June 20, 2017 and Closed Session held June 20, 2017 and March 21, 2017.

17-4108 FLEET AUCTION REVENUE

Recognize vehicle auction revenue of $105,927.27 and appropriate $105,927.27 to Fleet Reserve Fund.

17-4115 ENGINEER SELECTION – CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate fees and execute a contract with Terracon Consulting Inc., for Construction Engineering and Inspection (CEI) services for the Little Sugar Creek Greenway from Huntingtowne Farms Park to the South Carolina State Line and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm, Kleinfelder Inc.

17-4116 LAND TRANSACTION – REIMBURSEMENT TO FIBER MILLS, LLC

Appropriate funds for repayment to Fiber Mills, LLC, in the amount of $396,035.16.

Note: Fiber Mills, LLC (“Fiber Mills”) owns property known as the North Carolina Music Factory, which is located adjacent to the County’s fleet maintenance facility at 900 W. 12th Street. Fiber Mills had leased a ±17,683 square foot portion of County Property (Amphitheater Area) since 2008 which was being used as a portion of the North Carolina Music Factory amphitheater located on the Fiber Mills property. In 2012, Fiber Mills asked to purchase the leased Amphitheater Area from the County to meet requirements to complete a refinancing of its loan for the Music Factory. The County agreed to the sale and on July 3, 2012 the Board adopted a resolution authorizing the sale. The terms of the sale also required Fiber Mills to purchase the remaining part of the County’s fleet facility property at the County’s option. At that time, the County was interested in selling the remaining property which would have been impacted by a proposed railroad grade separation project that was later abandoned.
The terms of the sale for the Amphitheater Area required Fiber Mills to pay the County $594,052.74, which was three (3) times the appraised value of the +/- 17,683 square feet area. Fiber Mills was also provided a credit toward the future purchase price of the remaining part of the County Property in the amount of two (2) times the appraised value of the Amphitheater Area (i.e., two-thirds of the price paid for the Amphitheater Area).

The contract of sale provided that if the County failed to give Fiber Mills a Notice of Closing Date within five (5) years of the execution of the Sales Agreement, the County would pay Fiber Mills back $396,035.16, the extra amount paid for the Amphitheater Area, within thirty (30) days after the expiration of the five (5) year period.

The five-year period expired July 2, 2017, and the County has declined to give Fiber Mills a Notice of Closing Date (i.e., the County has decided not to sell the remaining part of the County property), so the County must now pay back Fiber Mills $396,035.16 by August 1, 2017. This Board Action is to approve appropriation of funds for this payment.

17-4118 STORM WATER PROGRAM – FY18 VACANT FLOODPLAIN LAND ACQUISITION

Accept the Offer of Sale of Real Estate from Lynda P. Outen, owner of property located at 826 Seldon Drive, Charlotte, NC (tax parcel 069-051-09), for $21,000.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk.

17-4119 RIGHT-OF-WAY CLOSURE – SAMPLE ROAD

Authorize the County Manager to execute all documents necessary to file to have a portion of Sample Road closed by the Town of Huntersville along Tax Parcel 023-201-02 (±1.011 acres).

Note: The County is planning to construct a new visitors center at Latta Plantation Nature Preserve that is expected to be completed by fall of 2018. To accommodate this function, the visitors center is proposed to be located forward of the existing gate closer to the edge of the property the County currently owns. Because this places the facility outside the existing gate, a new gate is planned along Sample Road to signify the entrance of the nature preserve and to allow the new Visitors Center to be located within a gated portion of the nature preserve at times when the park is closed to the public. The Board previously approved to have NCDOT abandon maintenance of a portion of Sample Road at their December 20, 2016 meeting. After maintenance is abandoned by NCDOT, the road must be closed by the governing jurisdiction. A portion of Sample Road (±1.011 acres) is located within Huntersville’s jurisdiction and, therefore, requires their approval. The remaining portion of Sample Road for which NCDOT will abandon maintenance is located within unincorporated Mecklenburg County. Staff will request closure of that portion of Sample Road at a future date from the Board.

17-4121 GRANT APPLICATION – FEMA LETTER OF MAP CHANGE – LUESA

1) Approve submittal of application for $10,000 grant with Department of Homeland Security - Federal Emergency Management Agency;

2) If awarded, recognize, receive and appropriate grant funds and authorize the County Manager to execute a contract to implement grant scope of work as specified in Mapping Activity Statement; and

3) Authorize the carry-forward of unspent funds for the duration of the grant.

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Note: On July 1, 2006 Charlotte-Mecklenburg became the first local entity in the country to be given the authority to process Letters of Map Change (LOMCs) as part of a FEMA pilot program. These LOMCs make conditional and permanent changes to our Flood Insurance Rate Maps, which are used for floodplain management activities such as rating flood insurance, regulating development, assessing existing flood risk, etc. The requested actions are necessary to continue the program and associated funding into the twelfth year so that Charlotte-Mecklenburg Storm Water Services will be reimbursed by FEMA for the actual cost of processing LOMCs within Mecklenburg County, the City of Charlotte and all six towns.

17-4124  LEASE TO LANCASTER COUNTY, SC FOR COMMUNICATIONS TOWER

Authorize the County Manager to negotiate and execute an Agreement with Lancaster County, SC to allow for the construction and operation of two-way emergency communications tower and equipment, and recognize and appropriate $5,000 from Lancaster County, SC to the Solid Waste Enterprise Fund.

*Agreement recorded in full in Minute/Ordinance Book 47-A, Document #164.*

17-4125  INSURANCE REIMBURSEMENTS

Recognize, receive, and appropriate insurance reimbursement funds of $21,281 for Asset and Facility Management, $220 for Sheriff's Office and $950 for Park and Recreation.

*Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.*

17-4126  EASEMENT DONATION – LITTLE SUGAR CREEK GREENWAY

Authorize the County Manager to negotiate and execute all documents necessary to accept the donation of a permanent greenway easement on a portion of Tax Parcel 221-091-03 (±0.273 acres) from Clifton B. Vann IV and Gale Vann for the future construction of Little Sugar Creek Greenway in Pineville.

17-4129  TAX REFUNDS

Approve refunds in the amount of $119,418.62 and interest as statutorily required to be paid as requested by the County Assessor.

*Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $30,068.93.*

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

17-4134  BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Recognize, receive, and appropriate additional State revenue in the amount of $30,300 for Re-Entry Services from the North Carolina Department of Public Safety.
17-4135 COUNTY MANAGEMENT RECORDS RETENTION SCHEDULE AMENDMENT

Approve the proposed amendment to the County Management Records Retention Schedule to allow for the Land Use and Environmental Services (LUESA) Department to proceed with the disposition of 18-record series identified within the amendment.

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

17-4137 LEASE AGREEMENT AMENDMENT – MEDIC

Approve the fourth amendment to the lease agreement for the current Medic headquarters at 4525 Statesville Road, Charlotte.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4090 TEMPORARY POSITIONS – SHERIFF’S OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to change the status of 2 positions from Temporary to Limited Part Time (LPT).

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

Note: In fiscal year 2015, temporary positions in the County were changed to Limited Part Time (LPT) status. Two temporary positions from the Sheriff’s Office which should have been changed at that time were omitted inadvertently. The positions are currently filled and their status needed to be changed from Temporary to LPT to conform with the County’s current classification.

17-4103 DSS ENERGY PROGRAMS OUTREACH PLAN

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the DSS Energy Programs Outreach Plan for FY2018.

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

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

17-4120 CONSTRUCTION CONTRACT – MECKLENBURG COUNTY & QUEENS UNIVERSITY TENNIS CENTER AT MARION DIEHL PARK

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Holden Building Company, Inc. in the amount of $1,676,850 for work at the Mecklenburg County and Queens University Tennis Center at Marion Diehl Park.
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Note: This contract is for Phase Four of the project.

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

17-4128 CAPITAL RESERVE EXPENDITURE REQUEST – DR. CHARLES L. SIFFORD GOLF COURSE (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve an expenditure of $25,000 from the consolidated golf capital reserve account to upgrade utilities and construct a structure on the driving range at the Dr. Charles L. Sifford Golf Course.

Note: The structure to be placed on the driving range is a ball rental and wash services structure.

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

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:39 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
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 Wednesday, August 2, 2017.

**ATTENDANCE**

Present: Chair Ella B. Scarborough and Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Jim Puckett, and Matthew Ridenhour
County Manager Dena R. Diorio
County Attorney Marvin A. Bethune
Clerk to the Board Janice S. Paige

Absent: Commissioner Vilma D. Leake

____________________

-**INFORMAL SESSION**-

Commissioner Puckett was absent when the meeting was called to order and until noted in the minutes.

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) to be removed from Consent and voted upon separately: Items 17-4145, 17-4148, 17-4151, 17-4156, 17-4158, 17-4171, and 17-4172.

Note: Commissioner Leake pulled the above items, however, since she was not present to address them, the items remained under Consent.

**STAFF BRIEFINGS**

17-4162 **RIGHT-OF-WAY CONVEYANCE – EASTWAY RECREATION CENTER**

Jacqueline McNeil and Alicia Rocco with Asset and Facility Management addressed a right-of-way conveyance involving the future Eastway Recreation Center.

Commissioner Puckett entered the meeting.

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

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to execute all
documents necessary to convey portions of Tax Parcels 097-131-11 and 097-131-12 (+/- 7.4 acres) to the City of Charlotte as public right-of-way associated with the rezoning and construction of the future recreation center at Eastway Community Park.

CLOSED SESSION

17-4114 BUSINESS LOCATION AND EXPANSION
17-4157 CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose: Business Location and Expansion.

The Board went into Closed Session at 5:33 p.m. and came back into Open Session at 5:47 p.m.

MANAGER’S REPORT

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to appointment Assistant County Manager Leslie Johnson as Acting County Manager for the purpose of signing documents during the absence of County Manager Diorio from August 10, 2017 through August 28, 2017.

Note: County Manager Diorio will be traveling outside the country during this timeframe.

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

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order which was followed by invocation by Commissioner Puckett, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

It was the consensus of the Board to move the proclamations below up on the agenda.

17-4145 PROCLAMATION – CHILD SUPPORT AWARENESS MONTH

Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring August 2017 as Child Support Awareness Month in Mecklenburg County.

The proclamation was read by Commissioner Cotham and received by Child Support Enforcement Director Joan Kennedy.
Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation declaring August 26, 2017 as Women’s Equality Day in Mecklenburg County.

The proclamation was read by Commissioner Fuller, in the absence of Commissioner Leake, and received by the Chair of the Women’s Advisory Board Zhiviaga Williams and other members of the Women’s Advisory Board that accompanied her at the podium.

Note: Ms. Williams apologized to the Board for an email that went out regarding funds to support the 2017 Women’s Equality Day event. Ms. Williams said the email was sent in error.
17-4171 JOINT PROCLAMATION – PGA CHAMPIONSHIP WEEK AUGUST 7-13, 2017

Motion was made by Commissioner Fuller, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to adopt a Joint Proclamation declaring August 7 - 13, 2017 as PGA Championship Week in Mecklenburg County and the City of Charlotte.

The proclamation was read by Commissioner Ridenhour and received by Jason Mengel with the Professional Golfers’ Association.
The following person appeared to speak during the Public Appearance portion of the agenda:

Blanche Penn addressed the upcoming Million Father March-Men Taking Kids to School on the First Day. She said this was an initiative that began in 2006, aimed at getting fathers more involved in their child’s education. Fathers are encouraged to take their children to school on the first day of school, attend PTA meetings, and other school activities, have lunch with their child throughout the year, and to read to their children. Ms. Penn, a retiree of the County and the Park and Recreation Department, closed by noting her support of parks and greenways.

Note: Anthony Abraham Jr., Anthony Abraham Sr., and Clayton Porter, signed up to speak but did not appear.
Diane Althouse  Commissioners Clarke, Cotham, Fuller, Puckett, and Ridenhour
Jennifer Coots  None
Don Duffy   None
Thomas Egan  Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough

Voting Ceased

Chair Scarborough announced the appointment of Diane Althouse and Thomas Eagan to the Historic Landmarks Commission for two-year terms expiring July 31, 2020.

Note: They replace Ken Pursley and John Shurley who served two full consecutive terms.

INFORMATION SERVICES AND TECHNOLOGY COMMITTEE

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

Frank Benson   None
Vivek Dighe  Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough

Chair Scarborough announced the appointment of Vivek Dighe to the Information Services and Technology Committee to fill an unexpired term expiring February 28, 2018.

Note: He replaces Bryan West.

PLANNING COMMISSION

Commissioner Dunlap, on behalf of Commissioner Leake, who chaired the Board’s Ad Hoc Appointment Committee for an appointment to the Planning Commission, gave the Committee’s recommendation. The Committee was comprised of Commissioner Leake, Chair Scarborough, and Commissioner Dunlap. The committee voted unanimously to recommend the appointment of Keba Samuel.

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

Darryl Broome  Commissioner James
Omar Carter   None
Zanthia Hastings  None
Arun Nair  None
Keba Samuel  Commissioners Clarke, Cotham, Dunlap, Fuller, Puckett, Ridenhour, and Scarborough

Chair Scarborough announced the appointment of Keba Samuel to the Planning Commission as recommended by the Board’s Ad Hoc Committee for a three-year term expiring June 30, 2020.

Note: She replaces Raymond Eschert.
WOMEN’S ADVISORY BOARD

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

Shantia Coley   None
Lahari Jones   Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour, and Scarborough  
Voting Ceased  
Chakira Massey
Patrina Tyler

Chair Scarborough announced the appointment of Laharie Jones to the Women’s Advisory Board to fill an unexpired term expiring November 30, 2019.

Note: She replaces Anjali Dighe.

17-4161   REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

AIR QUALITY COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to reappoint Marcus Hackler to the Air Quality Commission as the Industrial representative for a three-year term expiring August 31, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to waive the Board’s term limit policy and reappoint the following persons to the Air Quality Commission for three-year terms expiring August 31, 2020: Terry Lansdell as the Transportation representative and Peter McGrath as the Attorney representative.

Note: Mr. Lansdell and Mr. McGrath were willing to serve again since there were no applicants on file to consider.

NURSING HOME COMMUNITY ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to reappoint Robert Bruton to the Nursing Home Community Advisory Committee for a three-year term expiring August 31, 2020.

WASTE MANAGEMENT ADVISORY BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to reappoint Ismael Sanchez to the Waste Management Advisory Board for a three-year term expiring August 31, 2020.

PUBLIC HEARINGS – NONE
ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4131 MODRIA PRESENTATION (ON-ONLINE CUSTOMER MODULE) TAX OFFICE

The Board received a presentation from Tax Assessor Ken Joyner on a new on-line customer module called Modria.

Note: Modria is an online dispute resolution system that allows citizens to view their property record card, communicate with appraisers, appeal their property value, and watch the whole process unfold—all the way to the decision phase. Citizens may look up comparable sales in their area, upload documentation, and ask questions at any time. Modria has been referred to as a “fairness engine.” This platform will allow Mecklenburg county residents and the Assessor’s office to communicate efficiently and process appeals while providing full transparency.

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

Comments

Commissioner Puckett asked if Modria would work parallel with the County’s GIS or would it replace it, particularly as it related to the Real Estate Look-up feature. Director Joyner said they were two separate sites and both would be maintained for now.

Commissioner Ridenhour asked about the system’s configuration and security, which was addressed.

Commissioner Cotham expressed concern about public access to information regarding judges and victims of domestic violence. Director Joyner said currently the only way individuals were removed from the system was at the direction of the Attorney General. He said discussion had taken place in the past regarding removing law enforcement personnel, judicial officials, and others, but to date, no legislation had been approved to allow that.

Commissioner Clarke asked about recent sales, which was addressed.

Commissioner Clarke asked was it possible to sort by sale date. Director Joyner said he would check to see if that was possible.

Chair Scarborough encouraged residents, who may not have a computer at home, to visit a local library, where computers were available for public use, in order to take advantage of this resource. Director Joyner said a terminal was also available at the Tax Office.

17-4144 NACO ACHIEVEMENT AWARDS

County Manager Diorio and Public Information Director Danny Diehl presented and addressed the 2017 National Association of Counties’ Achievement Award winners.

Note: The National Association of Counties’ Achievement Awards program recognizes innovative county government programs in more than 15 categories, including children and youth, criminal justice, county administration, information technology, health and many more.

The winning programs were:

- Earned Media: “Putting the ‘Storm’ in Storm Water” 2015-2017
- Hybrid Collaborative Delivery Team (HCDT)
August 2, 2017

- retroFIT Floodproofing Program
- Ambulance Redesign
- MyTotalHealth: Enriching the Whole Employee
- Building With our Veterans *Best in Category and 100 Brilliant Ideas at Work.

*A description of the winning programs is on file with the Clerk to the Board.*

17-4152 FY 2018 – FY 2023 CAPITAL IMPROVEMENT PROGRAM FUNDING FOR CONSTRUCTION OF A NEW MAJOR LEAGUE SOCCER (MLS) STADIUM, PARKS & GREENWAY PROJECTS

County Manager Diorio shared the following information from a recent City of Charlotte Economic Development Committee meeting:

- Marcus Smith and his team made a presentation to the committee regarding a Major-League Soccer (MLS) Franchise.
- They addressed the community benefits they were committed to providing as part of an MLS Franchise, such as:
  - Infrastructure Commitments
    - MLS for Charlotte is committed to doing infrastructure improvements to several County parks, including Tuckaseegee Park, Clanton Park, Camp Greene Park, Double Oaks Park, and Revolution Park to provide soccer multipurpose fields.
    - MLS for Charlotte is in discussion with the City of Charlotte about opportunities to use a portion of Eastland Mall as a possible training facility for the Franchise.
  - Soccer Related Commitments
    - MLS for Charlotte would underwrite the cost and serve as the sponsor of a soccer program for the homeless (Street Soccer).
    - MLS for Charlotte would develop and sponsor a special Olympics team with MLS coaching support.
    - MLS for Charlotte would underwrite the Urban Eagles participation in the Charlotte Eagles Youth Club Program.
    - MLS for Charlotte would create a soccer scholarship fund to provide need based assistance to youth to participate in soccer camps in the community.
    - MLS for Charlotte would partner with the Police Athletic League (PAL) to provide support for training, coaching, and game tickets for PAL soccer teams.
    - MLS for Charlotte would partner with the US Soccer Foundation’s Soccer for Success Program, which was an After-School program.
    - MLS for Charlotte would partner with local organizations to provide training, internships, apprenticeships, or employment opportunities for area youth and job seekers.

Motion was made by Commissioner Clarke, seconded by Commissioner Dunlap that the Board:

(1) approve including in its next CIP $49 million or such greater amount as shall be necessary to fully fund completing all of the parks, greenways and other park & recreation projects approved by the voters in the 2008 bond referendum;

(2) defer a vote on including in its next CIP any funding relating to the proposal to rebuild Memorial Stadium until such time as the City Council of the City of Charlotte has approved at least $30 million as its share of direct funding of the cost of rebuilding the stadium; and

(3) to authorize the County Manager to discuss with the City Manager the feasibility of a path
that would potentially allow the City to control any new Memorial Stadium.

The following persons spoke in support of including more funding in the County’s FY19-23 Capital Improvement Plan for parks and greenways: Beth Poovey (Partners for Parks), Elaine Powell (Chair of the Park and Recreation Commission), Megan Fencil (Sustain Charlotte), Diana Cook (American Heart Association), Michael Lindler (Cyclist), and Rickey Hall (West Blvd Neighborhood Coalition).

Note: A petition was presented to the Board urging the Board to “immediately honor the will of Mecklenburg voters and [fully] fund the remaining 2008 bond projects that were not included in the Capital Improvement Program (CIP) for Fiscal Years 2019 – 2023.” Secondly, “to commit to dedicating an additional $6.6 million per year to the Park and Recreation budget to acquire the land needed to expand our parks and greenways.”

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

Dave Dowell (on behalf of veterans) said local and national veteran leaders were watching the issue of what would become of Memorial Stadium very closely. He said a statement was forthcoming from veteran leaders regarding Memorial Stadium. He urged the Board to remember the commitment that was made to veterans years ago.

Leslie Dwyer spoke in opposition to funding being provided for an MLS Stadium. Ms. Dwyer said Charlotte was 50th out of similar cities when it came to Upward Mobility.

Jesse Newsome encouraged the Board to continue dialogue with the City of Charlotte and Mr. Smith regarding an MLS stadium.

Mr. Newsome said a memorial was needed for veterans and that it should somewhere that was accessible to the public and not “locked behind a gate.” He said it should be a focal point for “patriotic expression.”

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Cotham, to authorize the deeding of the Memorial Stadium and Grady Cole property to the City of Charlotte, contingent upon their acceptance, for uses only related to Major League Soccer. Further, that the County’s participation in any Major-League Soccer (MLS) Stadium in Mecklenburg County would be limited to the County’s donation of the Memorial Stadium and Grady Cole property to the City of Charlotte for that purpose. Finally, to authorize and include in the FY2019-FY2023 Capital Improvement Plan, $49 million for the completion of all remaining projects included in the Parks 2008 Bond.

Comments

Commissioner Puckett said he was supportive of fully funding all the 2008 bond projects. He said there were still a lot of unknowns as it related to the MLS proposal, such as the renovation cost.

Commissioner Puckett said the County was not in the pro sports business. He said the City of Charlotte was, so placing the stadium back into the hands of the City of Charlotte made sense.

Commissioner James said there was a lack of clarity with respect to the issue of MLS and the use of Memorial Stadium. He said the County should not be in the business of pro sports or for profit sports.

Commissioner James said he was supportive of funding all the 2008 Parks Bond projects in the FY19-23 Capital Improvement Plan (CIP).
Commissioner Dunlap said the issue was about getting Memorial Stadium up fitted and not about MLS. He said the County was responsible for parks and that Memorial Stadium and Grady Cole were park and recreation facilities.

Commissioner Ridenhour spoke in opposition of public dollars being used to pay for an MLS stadium or for any type of major league sport.

Commissioner Cotham said she would have preferred the County Manager remained more neutral with respect to the MLS issue.

Commissioner Cotham said the County’s priorities were human services and parks and recreation and that building stadiums was more of a City function.

Commissioner Cotham said the Smith family was wealthy enough to build the stadium on their own.

Commissioner Fuller said it was about refurbishing Memorial Stadium in honor of the community’s veterans. He said the MLS Stadium proposal would help achieve that goal, as well as, promote economic development in the area.

Commissioner Clarke acknowledged his awareness that the community’s veterans were interested in what happens to Memorial Stadium and that he looked forward to receiving their input.

Commissioner Clarke said no action should be taken with respect to MLS and Memorial Stadium until Charlotte City Council votes.

Chair Scarborough spoke in support of MLS coming to Charlotte and the benefits of having major league sports in the community.

Commissioner Puckett said the better deal was the minor-league soccer proposal that was presented to the County.

Commissioner Puckett said this was a financial issue and that public dollars should not be used for this type of project.

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

Substitute motion was made by Commissioner Puckett, seconded by Commissioner Cotham and carried 5-3 with Commissioners Cotham, James, Puckett, Ridenhour and Scarborough voting yes and Commissioners Clarke, Dunlap, and Fuller voting no, to authorize the deeding of the Memorial Stadium and Grady Cole property to the City of Charlotte, contingent upon their acceptance, for uses only related to Major League Soccer. Further, that the County’s participation in any Major-League Soccer (MLS) Stadium in Mecklenburg County would be limited to the County’s donation of the Memorial Stadium and Grady Cole property to the City of Charlotte for that purpose. Finally, to authorize and include in the FY2019-FY2023 Capital Improvement Plan, $49 million for the completion of all remaining projects included in the Parks 2008 Bond.

Chair Scarborough asked for clarity with respect to the substitute motion and the original motion, after being questioned by fellow democrats about the result of the vote.

Commissioner Clarke readdressed his original motion and Commissioner Puckett his substitute motion.

The vote, as noted below, was retaken on the substitute motion, at the Chair’s request.
Substitute motion was made by Commissioner Puckett, seconded by Commissioner Cotham and carried 5-3 with Commissioners Cotham, James, Puckett, Ridenhour and Scarborough voting yes and Commissioners Clarke, Dunlap, and Fuller voting no, to authorize the deeding of the Memorial Stadium and Grady Cole property to the City of Charlotte, contingent upon their acceptance, for uses only related to Major League Soccer. Further, that the County's participation in any Major-League Soccer (MLS) Stadium in Mecklenburg County would be limited to the County's donation of the Memorial Stadium and Grady Cole property to the City of Charlotte for that purpose. Finally, to authorize and include in the FY2019-FY2023 Capital Improvement Plan, $49 million for the completion of all remaining projects included in the Parks 2008 Bond.

17-4168 NOVEMBER 7, 2017 BOND REFERENDUM PROCESS ($922,085,000 IN GENERAL OBLIGATION SCHOOL BONDS)

RESOLUTION MAKING REQUIRED FINDINGS

Commissioner Jim Puckett introduced the following resolution and moved that it be adopted, Commissioner Dumont Clarke seconded that motion, and the resolution was read by the above title.

RESOLVED that the Board of Commissioners of the County of Mecklenburg hereby makes the following factual findings:

1. **Description of the projects:** Bonds in the maximum principal amount of $922,085,000 are proposed to be issued for school facilities.
2. **Facts regarding necessity of proposed projects:** The proposed projects are necessary and expedient because present facilities are inadequate to meet the needs in the community.
3. **Facts supporting the amount of bonds proposed:** The amount of bonds proposed is adequate and not excessive for the proposed purposes based on present estimates.
4. **Past debt management policies:** The County has in the past always appropriated funds in accordance with North Carolina law during each fiscal year in an amount sufficient to retire all principal and interest on indebtedness.
5. **Past budgetary and fiscal management policies:** The County has always adopted its budget in a timely manner in accordance with North Carolina statutory requirements and has obtained an unqualified opinion from a certified public accountant in connection with each annual audit.
6. **Retirement of Debt:** Any increase in the County's property tax rate resulting from issuance of the proposed bonds is not excessive.

The motion was adopted by the following vote:

**AYES:** Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

**NAYS:** None

RESOLUTION TO INTRODUCE BOND ORDER

Commissioner Jim Puckett moved adoption of a resolution to introduce the following bond order, that motion was seconded by Commissioner Trevor M. Fuller, and the resolution was read by the above title.
BOND ORDER AUTHORIZING THE ISSUANCE OF $922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG

WHEREAS, the Board of Commissioners of the County of Mecklenburg deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Board has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Commission has notified the Board that the application has been filed and accepted for submission to the Commission;

NOW, THEREFORE, BE IT ORDERED by the Board as follows:

The Board determines that it is necessary to provide school facilities, including the acquisition and construction of new school facilities, the improvements 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 to pay capital costs of such improvements.

To raise the money required to pay capital costs of providing the improvements described above, in addition to any funds which may be made available for that purpose from any other sources, bonds of the County are hereby authorized and shall be issued pursuant to The Local Government Finance Act. The maximum aggregate principal amount of bonds authorized by this bond order shall be $922,085,000.

Taxes sufficient to pay the principal of and interest on those bonds when due shall be annually levied and collected.

A sworn statement of the County’s debt has been filed with the Clerk to the Board of Commissioners and is open to public inspection.

This bond order shall take effect when approved by the voters of the County at a referendum.

The motion to introduce the above bond order was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

RESOLUTION AUTHORIZING PUBLIC HEARING ON BOND ORDER

Commissioner Jim Puckett moved the adoption of the following resolution, the motion was seconded by Commissioner Trevor M. Fuller and the resolution was read by the above title.

WHEREAS, the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG” has been introduced at the meeting of the Board of Commissioners of the County of Mecklenburg held on August 2, 2017, and the Board desires to provide for a public hearing thereon and the submission of a statement of
NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

The public hearing upon that bond order shall be held at the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, Charlotte, North Carolina, North Carolina, at a meeting that begins at 6:00 P.M., September 5, 2017.

The Clerk to the Board of Commissioners is hereby directed to cause a copy of the bond order to be published with the notice of public hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to the public hearing.

The Assistant County Manager and Finance Director is hereby directed to file with the Clerk to the Board of Commissioners prior to publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the appraised value of property subject to taxation by the County and the net debt of the County.

The County’s Assistant County Manager and Finance Director is hereby further directed to file with the Clerk to the Board at this meeting an estimate of the total amount of interest that will be paid on the proposed bonds over the expected term of the bonds, if issued.

The motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Extracts/Resolution recorded in full in Ordinance/Minute Book 47-A, Document #165.
• The County received several NACo Achievement Awards as highlighted earlier in the meeting under the Manager’s Report.
• Cheryl Emanuel, with the Health Department, gave a presentation on Village Heartbeat and did “an outstanding job”
• “Village Heartbeat” is a finalist for a $50,000 contribution to be awarded later in the year.
• There were various speakers, including USDA Secretary Sonny Perdue, Lou Dobbs, and Piper Kerman, the author of “Orange is the New Black.”
• Commissioner Fuller gave a presentation on Early Childhood Education.
• County Manager Diorio was reappointed to the Large Urban Caucus Committee.
• Commissioner Dunlap will also serve on the Large Urban Caucus Committee.
• Commissioner Dunlap was appointed Vice-President of the Juvenile Justice Committee.
• Commissioner Dunlap was appointed by the new National Director to serve on the NACo National Board of Directors. He also served as an appointee of the previous National Director.

Commissioner Fuller congratulated Commissioner Dunlap on his reappointment to the National Board of Directors and appointment as Vice-chairman of the Juvenile Justice Committee. He also complimented Cheryl Emanuel on her presentation.

Commissioner Fuller said N.C. had the highest number of attendees at the conference.

17-4165 FACILITY NAMING APPLICATION – HOSKINS PARK TO “EVA B. BARBER NEIGHBORHOOD PARK” (COMMISSIONER LEAKE)

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to:

1. Acknowledge receipt of an application submitted by Commissioner Vilma D. Leake to name Hoskins Park, located at 3801 Gossett Avenue, Charlotte, NC 28208, the "Eva B. Barber Neighborhood Park"; and

2. Schedule a public hearing on September 5, 2017 at 6:30 p.m. to receive public comment on the proposed naming of Hoskins Park to "Eva B. Barber Neighborhood Park" and direct the Clerk to the Board to publish the notice of public hearing as required.

17-4173 POLICY AMENDMENT – PROCLAMATIONS AND AWARDS

Motion was made by Commissioner Puckett, but died for lack of a second, to approve an amendment to the Board policy on Proclamations and Awards to allow proclamations to be placed on the Regular meeting agenda under Awards/Recognitions rather than under Consent.

Note: Current Board policy require Proclamations being considered by the Board, to be placed on the Board’s Regular meeting agenda under Consent, unless at least two-thirds of the Board members present and voting at the meeting vote during the Informal Session to place a proclamation under the Awards/Recognitions section of the agenda.

Commissioners Dunlap and James gave the history of why the current policy was put in place.

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

17-4147  GRANT APPLICATIONS – DEPARTMENT OF HOMELAND SECURITY AND NATIONAL FISH AND WILDFIRE FOUNDATION (STORM WATER SERVICES)

1. Authorize the County Manager to submit a grant application to the Department of Homeland Security (DHS) for enhancements to the Flood Information and Notification System (FINS) and the Flood Risk Assessment and Risk Reduction (RARR) Planning tool up to an amount of $900,000,

2. Authorize the County Manager to submit a grant application to the National Fish and Wildlife Foundation (NFWF) towards the Stevens Creek stream restoration project up to an amount of $150,000,

3. Authorize the County Manager to negotiate and enter into grant contracts with DHS and NFWF; and

4. Upon receipt of grant(s), recognize, receive and appropriate up to $900,000 in funds from the DHS and $150,000 in funds from NFWF.

17-4148  GRANT APPLICATION – PREVENTION OF DOMESTIC VIOLENCE AMONG YOUTH (CSS)

Approve submission of a renewal grant application, not to exceed $76,360, to the North Carolina Council for Women and Youth Involvement for prevention of domestic violence and teen dating violence; and if awarded, recognize, receive and appropriate the grant funds for the grant period.

17-4149  TAX COLLECTOR’S ANNUAL SETTLEMENT FOR FISCAL YEAR 2017

Receive and accept the Tax Collector’s Settlement for Fiscal Year 2017.

Note: The Tax Collector’s Settlement is submitted to the Board of County Commissioners in accordance with North Carolina General Statute 105-373(3). The Settlement is to be entered into the records of the Board of County Commissioners as directed by statute.
August 2, 2017

MECKLENBURG COUNTY
Office of the Tax Collector

To: Board of County Commissioners
Dena Diorio, County Manager

From: Neal L. Dixon, Director/Tax Collector

Date: July 14, 2017

Subject: Tax Collector’s Settlement for Fiscal Year 2017

Pursuant to the provisions of N.C.G.S. 105-573, this memorandum is the Tax Collector’s report of settlement to the Mecklenburg County Board of Commissioners for Fiscal Year 2017 (tax year 2016).

The total FY 2017 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was $960,223,776.21.

Net Levy Collected $954,773,800.68
Uncollected $6,926,570.76
Pat. Collected 99.43%

At the end of FY 2017 there were 48 tax bills totaling $788,445.83 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection for these tax bills. In addition, the Tax Collector was barred by the U.S. Bankruptcy Court from collecting 266 real estate, personal property, and registered motor vehicle tax bills totaling $168,041.21. Since the above totals were barred from collection, it is important to note that when these totals are removed from the net levy calculation, the collection percentage increases to 99.53%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

PEOPLE ● PRIDE ● PROGRESS ● PARTNERHIPS
700 East Stonewall Street (28202) ● P.O. Box 53457 ● Charlotte, North Carolina 28221 ● 980-314-8488

Page 2

Tax Collector’s Settlement for Fiscal Year 2017

Prior Year Collections

During FY 2017, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<table>
<thead>
<tr>
<th>Real Estate and Personal Property Tax:</th>
<th>net levy</th>
<th>Collected in FY 2017</th>
<th>uncollected</th>
<th>pct. collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>$744,363,685.58</td>
<td>$246,533.98</td>
<td>$1,474,476.92</td>
<td>99.80%</td>
</tr>
<tr>
<td>2008</td>
<td>$779,106,351.07</td>
<td>$231,745.49</td>
<td>$1,486,164.21</td>
<td>99.81%</td>
</tr>
<tr>
<td>2009</td>
<td>$806,134,129.61</td>
<td>$255,607.13</td>
<td>$1,752,953.96</td>
<td>99.78%</td>
</tr>
<tr>
<td>2010</td>
<td>$812,487,052.79</td>
<td>$343,011.11</td>
<td>$4,374,461.61</td>
<td>99.45%</td>
</tr>
<tr>
<td>2011</td>
<td>$865,709,631.99</td>
<td>$484,046.19</td>
<td>$1,878,774.54</td>
<td>99.78%</td>
</tr>
<tr>
<td>2012</td>
<td>$850,063,105.22</td>
<td>$626,886.22</td>
<td>$1,905,900.40</td>
<td>99.78%</td>
</tr>
<tr>
<td>2013</td>
<td>$895,337,891.21</td>
<td>$748,541.59</td>
<td>$2,183,931.12</td>
<td>99.76%</td>
</tr>
<tr>
<td>2014</td>
<td>$901,205,418.70</td>
<td>$1,000,982.80</td>
<td>$2,291,828.68</td>
<td>99.75%</td>
</tr>
<tr>
<td>2015</td>
<td>$950,268,762.83</td>
<td>$2,799,195.98</td>
<td>$2,842,302.92</td>
<td>99.70%</td>
</tr>
</tbody>
</table>

Registered Motor Vehicle Tax:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$36,992,192.95</td>
<td>$307,901.29</td>
<td>$984,055.61</td>
<td>97.15%</td>
</tr>
<tr>
<td>2014</td>
<td>$36,931,981.81</td>
<td>$1,880.42</td>
<td>$2,645.62</td>
<td>92.73%</td>
</tr>
<tr>
<td>2015</td>
<td>$3,011.15</td>
<td>$0.00</td>
<td>$638.97</td>
<td>56.90%</td>
</tr>
</tbody>
</table>

Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-8488 if you have any questions or comments regarding this settlement report.

North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing body. The settlement shall be entered into the minutes of the governing body.

cc: Julissa Fernandez, Deputy Tax Director
Kimberly Deal, Deputy Tax Director

I, [Signature], Tax Collector, do hereby certify that, to the best of my knowledge, the information contained in this report is true and complete.

[Signature]
Tax Collector

I, [Signature], Deputy, do hereby certify that, to the best of my knowledge, the information contained in this report is true and complete.

[Signature]
Deputy Tax Collector

My commission expires: [Date]

Settlement recorded in full in Ordinance/Minute Book 47-A, Document #166.
Authorize the Tax Collector to collect 2017 ad valorem taxes.

Note: North Carolina General Statute (NCGS) 105-321(b) states: "Before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him, but the failure to do so, shall not affect the tax collector’s rights and duties to employ the means of collecting taxes provided by this subchapter. The order of collection shall have the force and effect of a judgment and execution against the taxpayers' real and personal property."

ORDER OF COLLECTION

NORTH CAROLINA, MECKLEMBURG
TO THE TAX COLLECTOR OF MECKLEMBURG COUNTY
GENERAL STATUTE 105-321(b)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records, filed in the Office of the Tax Assessor and the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be first lien upon all real property of the respective taxpayers in Mecklenburg and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Order recorded in full in Ordinance/Minute Book 47A, Document #167.

CONSTRUCTION MANAGER AT RISK SELECTION – EASTWAY REGIONAL RECREATION CENTER

Authorize the County Manager to negotiate a fee and execute contracts with Edifice Construction for Pre-Construction and Construction Management at Risk services for the Eastway Regional Recreation Center, and in the event negotiations with this firm are unsuccessful, approve negotiations with the second ranked firm of Balfour Beatty/MARAND.

RAY’S SPLASH PLANET-HEATING, VENTILATING, AIR CONDITIONING (HVAC) REPLACEMENT PROJECT

Award a contract to Superior Mechanical Systems, Inc. in the amount of $1,673,400 for the Ray’s Splash Planet-HVAC Replacement Project.

MINUTES

Approve Minutes of Regular meeting held July 11, 2017 and Closed Session held July 11, 2017.

GRANT APPLICATION – SENIOR HEALTH INSURANCE INFORMATION PROGRAM (SHIIP)

Approve a grant application of up to $8,000 for a Senior Health Insurance Information Program.
Grant (SHIIP) and if awarded, recognize, receive and appropriate such funds

Note: The grant awards will be distributed in FY2018 and will be used to continue existing Medicare Education and Counseling Services offered in all three MCPR Senior Centers, Levine Senior Center, some MCPR recreation centers, churches and senior living locations.

17-4160 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $857 for Asset and Facility Management, $19,312 for Sheriff's Office and $17,595 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-4163 CONSTRUCTION CONTRACT – TORRENCE CREEK STREAM RESTORATION

1. Adopt Resolution authorizing an amended Interlocal Agreement for the funding of Torrence Creek Stream Restoration,

2. Recognize, receive and appropriate an additional $74,335.34 from the Town of Huntersville for its share of this joint project; and

3. Authorize the County Manger to execute a construction contract with Baker Grading, Inc. in the amount of $1,938,534.40.

RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED INTERLOCAL AGREEMENT BETWEEN MECKLENBURG COUNTY AND THE TOWN OF HUNTERSVILLE FOR FUNDING OF THE TORRENCE CREEK STREAM RESTORATION PROJECT

WHEREAS, on May 17, 1993 the Mecklenburg County Board of Commissioners adopted the “Mecklenburg County – Storm Water Management Plan” which sets forth guiding principles and a financial plan for the operation of the comprehensive storm water management program in Mecklenburg County, the Plan requires use of a rate structure based on impervious area and a base rate charge for fixed and administrative costs sufficient to cover such costs; and

WHEREAS, N.C. Gen. Stat. § 160A-461, “Interlocal Cooperation Authorized,” authorizes units of local governments to enter into agreement with each other in order to execute an undertaking such as the operation of a storm water management program by one unit of local government on behalf of another unit of local government; and

WHEREAS, on August 4, 2015, Mecklenburg County and the Town of Huntersville (the “Town”) entered into an Interlocal Agreement for Funding of the Torrence Creek Stream Restoration Project; and

WHEREAS, the Town and the County now wish to amend this Interlocal Agreement; and

WHEREAS, N.C. Gen. Stat. § 160A-461 requires that such agreement “…shall be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the County Manager is hereby authorized and directed to execute the Amended Interlocal Agreement for Funding of the Torrence Creek Stream Restoration Project between the County of Mecklenburg and the Town of Huntersville in substantially the form attached to this resolution and that this resolution shall be spread upon the minutes.

Resolution recorded in full in Ordinance/Minute Book 47A, Document #168.
August 2, 2017

1) Approve refunds in the amount of $11,751.17 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2) Approve refunds in the amount of $34,886.27 and interest as statutorily required to be paid as requested by the County Assessor

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $44.85.

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

17-4172 PRIVATE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESIDENTS

Approve amended resolution authorizing Presbyterian Hospital, dba Novant Health Presbyterian Medical Center, dba Novant Health Huntersville Medical Center, dba Novant Health and Presbyterian Medical Care Corp., dba Novant Health Matthews Medical Center (hereafter The Presbyterian Hospital/Novant System) to contract with a private vendor to provide transportation between The Presbyterian Hospital / Novant System for individuals who have been involuntarily committed for inpatient treatment.

AMENDED RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS ADOPTING A PLAN SUPPORTING PRIVATE PROVIDER INVOLUNTARY COMMITMENT TRANSPORT SERVICES

WHEREAS, pursuant to N.C.G.S. §122C-251(a), cities and counties have the duty to provide, through its law enforcement officers, transportation under the involuntary commitment proceedings of Article 5 of Chapter 122C of the North Carolina General Statutes; and

WHEREAS, N.C.G.S. §122C-251(g) provides that the governing body of a city or county may adopt a plan for the transportation of respondents in involuntary commitment proceedings and that private agency personnel may be designated to provide all or parts of the transportation required by said proceedings; and

WHEREAS, the Mecklenburg County Sheriff’s Office, CMPD, local law enforcement officers, and other affected agencies participated jointly in execution of a plan for transportation of respondents in involuntary commitment proceedings; and

WHEREAS, The Presbyterian Hospital d/b/a Novant Health Presbyterian Medical Center and d/b/a Novant Health Huntersville Medical Center, and Presbyterian Medical Care Corp. d/b/a Novant Health Matthews Medical Center (hereafter The Presbyterian Hospital / Novant System) previously signed a contract with a private agency, G4S Secure Solutions (USA) Inc. (private provider) to provide all or parts of the involuntary commitment transportation services between The Presbyterian Hospital / Novant facilities solely within Mecklenburg County, and

WHEREAS, on March 18, 2014, the Mecklenburg Board of Commissioners approved a Resolution authorizing a transportation plan between a private provider and Carolinas HealthCare System; and

WHEREAS, The Presbyterian Hospital / Novant System also receives mental health patients who are respondents in commitment proceedings pursuant to Article 5 of Chapter 122C of the North Carolina General Statutes who require transportation services outside of Mecklenburg County from time to time, and

WHEREAS, there is now a need to expand the transportation service area to include The Presbyterian Hospital/Novant System mental health facilities not only within Mecklenburg County but also in surrounding counties within the state of North Carolina; and

WHEREAS, pursuant to N.C.G.S. §122C-251(g) law enforcement and other affected agencies receive adequate training in the transportation and restraint of mental health patients and are capable of providing transportation in a manner that ensures the safety and protection of both the public and the respondents; and
WHEREAS, N.C.G.S. §122C-251(g) further provides that persons designated in the plan to provide transportation shall be trained and the plan shall assure adequate safety and protection for both the public and the respondent; and

WHEREAS, all interested parties have again met and discussed this need and agree that an amendment to the Resolution is necessary to meet the needs of the community; and

WHEREAS, The Presbyterian Hospital / Novant System and the private provider contracted to provide transportation of involuntary commitment respondents and further warrant and represent that the agreement shall be consistent with the requirements of N.C.G.S. §122C-251(g) and further the Provider will receive Crisis Intervention Training, as well as any other required training, will supply vehicles for the transportation of respondents, and will provide automobile liability insurance in the amount of not less than $2 million dollars combined single limit—bodily injury and property damage covering all owned, non-owned and hired automobiles; commercial general liability coverage in the amount of not less than $1 million per occurrence/$2 million in the aggregate per annum and excess/umbrella coverage in the amount of $2 million per occurrence/$2 million in the aggregate; and any other applicable coverage required; that Provider will comply with applicable laws in the transportation of residents; and that Provider and The Presbyterian Hospital / Novant System agree to indemnify and hold harmless Mecklenburg County and the Mecklenburg County Sheriff’s office, each entity’s respective employees and agents from and against any and all cost, expense, damages, liabilities (including bodily injury or death) and legal costs and expense (including attorneys’ fees and court cost) arising out of, or attributable to, Provider’s provision of transport services for The Presbyterian Hospital / Novant System, which indemnification shall survive termination of the agreement between The Presbyterian Hospital / Novant System and Provider and will be binding upon either party’s successors or assigns, and shall be provided with no cost to Mecklenburg County or the Mecklenburg County Sheriff’s office.

NOW, THEREFORE IT IS RESOLVED, that as permitted by NCGS §122C-251(g), the plan for transportation of involuntary commitment respondents is hereby adopted for The Presbyterian Hospital / Novant System to expand the services of the private provider for the transportation between The Presbyterian Hospital / Novant System facilities, within Mecklenburg County and also for transport outside of Mecklenburg County, in involuntary commitment proceedings, and comply with the requirements of the procedures of Article 5 of Chapter 122C. Neither the adoption of the plan nor the designation of a private provider is, or shall be construed as, creating an agency or other relationship between the County, the Mecklenburg County Sheriff’s Office, The Presbyterian Hospital / Novant System or the Provider. This Amended Resolution is intended to serve only as the designation required by NCGS §122C-251(g).

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #169.

17-4174 FOREST LAND PROTECTION AGREEMENT

Approve “Agreement for the Protection, Development and Improvement of Forest Land in Mecklenburg County, North Carolina.”

Note: This is a renewal of a one-year agreement funding the maintenance of the Mecklenburg County office of the North Carolina Forest Service with duties and responsibilities as specified in the agreement.

Agreement recorded in full in Ordinance/Minute Book 47-A, Document #170.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

ADJOURNMENT

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:35 p.m.
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, September 5, 2017.

ATTENDANCE

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

Absent: None

\-INFORMAL SESSION-\n
The meeting was called to order by Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The following items were identified: 17-4187, 17-4189, 17-4190, 17-4201, 17-4207, and 17-4210.

STAFF BRIEFINGS

17-4214 AFFORDABLE HOUSING POLICY FOR SURPLUS REAL ESTATE

County Manager Diorio and Senior Assistant to the County Manager Dennis LaCaria addressed a proposed policy for surplus real estate.

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

Comments

Commissioner Dunlap commented on the County’s right of first refusal for surplus Charlotte-Mecklenburg School property.

Commissioner Leake asked about low income housing. Sr. Assistant to the County Manager LaCaria said the policy would allow for low income housing.

Commissioner James said historically the County had not been in the housing business.

Commissioner James said he was not supportive of paying Charlotte-Mecklenburg Schools for property that the County had already paid for once.
No opposition was expressed towards staff moving forward with a process for adopting a formal policy around Affordable Housing to guide the disposition of any County-owned real estate declared as surplus or to support community goals around affordable housing.

Sr. Assistant to the County Manager LaCaria said this matter would be on the Board’s September 19, 2017 agenda for further discussion.

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

17-4211 REAL ESTATE DISPOSITION

Senior Assistant to the County Manager Dennis LaCaria addressed a potential real estate disposition opportunity at 4th and South Graham.

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

Comments

Commissioner Leake asked about the location of the property, which was addressed.

Commissioner Cotham asked about the closing of the street, which was addressed.

Commissioner Puckett asked about market value and what if a developer wanted to develop something that did not include affordable housing, which was addressed.

It was noted that the appraisal was based on the highest and best use of the property.

Commissioner Clarke asked what if the buyer didn’t follow through. The response was staff would work through and address that scenario in the development of the agreement.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Cotham and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate sales contract, initiate mandatory referral process, and negotiate partnership agreement for the redevelopment of these parcels should the partners elect to proceed.

CLOSED SESSION

17-4182 CONSULT WITH ATTORNEY
17-4216 PERSONNEL MATTER

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Personnel Matter.

The Board went into Closed Session at 5:45 p.m. and came back into Open Session at 6:05 p.m.

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

-FORMAL SESSION-
Chair Scarborough called this portion of the meeting to order which was followed by invocation by Commissioner Ridenhour, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4180 PUBLIC APPEARANCE

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

Neil Broome addressed the Camp Greene Centennial Gala that was held Saturday, July 15, 2017. Camp Greene was an US Army training camp located in Charlotte in 1917 in preparation of WWI. The camp was named after Revolutionary War hero, General Nathanial Greene. Camp Greene was deactivated in 1919.

Excerpts from a handout from Mr. Broome is on file with the Clerk to the Board.

Fountain Odom, former NC State Senator and County Commissioner, talked about Marshall Park and his support of Murray Whisnant’s ideas for the redevelopment of the park.

Virginia Woolard talked about Brooklyn Village of the past and asked the Board allow for more input on the redevelopment of Second Ward/Brooklyn Village.

Murray Whisnant addressed the redevelopment of Second Ward and through that redevelopment how Charlotte could become known as a major “Energy Hub” and “City of Trees.” He said there could be an “urban solar farm” in the redevelopment of Second Ward.

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

The following persons signed up to speak but did not appear: Michele Harris, Edna Chirico, Gary Crump, and David Broadie.

APPOINTMENTS

17-4205 REAPPOINTMENTS/NOMINATIONS

ADULT CARE HOME ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Dorothy Barnes to the Adult Care Home Advisory Committee for a three-year term expiring June 30, 2020.

ALCOHOLIC BEVERAGE CONTROL BOARD

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Lloyd Scher to the Alcoholic Beverage Control Board for a three-year term expiring June 30, 2020.

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
September 5, 2017

Puckett, Ridenhour and Scarborough voting yes, to reopen nominations for appointment consideration to the Alcoholic Beverage Control Board and to nominate Monifa Drayton.

Note: There were no other nominations. An appointment will occur following interviews by an Ad Hoc Committee of the Board.

LAKE NORMAN MARINE COMMISSION

The following persons were nominated for appointment consideration to the Lake Norman Marine Commission:

Dennis Eddinger by Commissioner Puckett
Paula Martin by Commissioner Fuller

Note: An appointment will occur on September 19, 2017.

PUBLIC HEARINGS

17-4195 PUBLIC HEARING – NAMING OF HOSKINS PARK TO “EVA B. BARBER NEIGHBORHOOD PARK”

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing and receive comments on the request to name Hoskins Park, “Eva B. Barber Neighborhood Park”.

The following persons spoke in support of naming Hoskins Park, “Eva B. Barber Neighborhood Park:” Minnie Gainey, Shamya Haynes, Julius Gatewood, and Eva Barber.

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the renaming of Hoskins Park and approve naming Hoskins Park, the “Eva B. Barber Neighborhood Park”.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4179 2017 NACIO AWARDS

County Manager Diorio and Public Information Director Danny Diehl addressed the County’s 2017 National Association of County Information Officers (NACIO) award winners. The County won the following awards:

- Meck County Does That? A campaign highlighting a variety of County programs. (Video)
- Mecklenburg County Facebook - "Best of Class" recognition for the Electronic Communications category, "Superior" for best Facebook Page
- Mecklenburg County Twitter - "Superior" for best Twitter Feed
- Outlook Magazine, a quarterly County employee-focused magazine - "Best of Class" recognition for the Publications category
- Rescue at County Pool, a story about a heroic rescue at a County pool (Video)
- State of the County Address, annual speech presented by the chair of the Board of
- County Commissioners - "Superior" in the Speeches category
You Can Learn from Your Foster Child, a campaign showing how rewarding it is for parents to foster a child (Video)

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

17-4193 NOVEMBER 7, 2017 BOND REFERENDUM PROCESS ($922,085,000 IN GENERAL OBLIGATION SCHOOL BONDS)

REPORT FROM CLERK

The Clerk to the Board of Commissioners reported to the Board of Commissioners that the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG” which had been introduced on August 2, 2017, had been published in a qualified newspaper on or before August 30, 2017, with notice that the Board would hold a public hearing thereon on September 5, 2017. The Clerk also reported that the County’s Assistant County Manager and Finance Director had filed in the Clerk’s office a statement of debt complying with the provisions of The Local Government Bond Act and that such statement showed the net indebtedness of the County to be 2.19% of the assessed valuation of property in the County subject to taxation.

*       *       *

Motion was made by Commissioner Jim Puckett, seconded by Commissioner Trevor M. Fuller and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes to acknowledge receipt of Report from the Clerk.

PUBLIC HEARING ON BOND ORDER

Commissioner Jim Puckett moved that the Board proceed to hold a public hearing on the bond order. The motion was seconded by Commissioner Trevor M. Fuller and was adopted 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes.

At 7:07 P.M., the Chairman of the Board announced that the Board would hear anyone who wished to be heard on the questions of the validity of the bond order and the advisability of issuing the bonds.

After the Board had heard all persons who requested to be heard, (None) Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes.

*       *       *

ADOPTION OF SCHOOL BOND ORDER AND AUTHORIZATION OF BOND REFERENDUM

Commissioner George Dunlap moved adoption of the following, which was read by title:

(1) The Board adopts without change and directs the Clerk to publish as prescribed by The Local Government Bond Act the bond order entitled “BOND ORDER AUTHORIZING THE ISSUANCE OF $922,085,000 SCHOOL BONDS OF THE COUNTY OF MECKLENBURG” introduced at the meeting of the Board of Commissioners held on August 2, 2017.

(2) The question to be submitted to the qualified voters of the County of Mecklenburg, North Carolina (the "County") shall be whether to approve or disapprove (a) the indebtedness to be incurred by the issuance of the bonds of the County authorized by that bond order, which indebtedness shall be secured by a pledge of the County’s faith and credit, (b) the levy of a tax for

1065
September 5, 2017

the payment thereof, and (c) that bond order. That question shall be submitted to the qualified voters of the County at bond referendum to be held in the County on November 7, 2017.

(3) The Clerk is hereby authorized and directed to publish a notice of that referendum, which shall be in substantially the form below.

(4) That notice of bond referendum shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the bond referendum.

(5) The Mecklenburg County Board of Elections is hereby requested to print and distribute the necessary ballots, to provide the equipment for the holding of the bond referendum and to conduct and to supervise the bond referendum.

(6) The Clerk to the Board of Commissioners shall mail or deliver a certified copy of this resolution to the Mecklenburg County Board of Elections within three days after the resolution is adopted.

The motion was seconded by Commissioner Bill James and was 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

NAYES: None

Note: Commissioner Ridenhour was present at the meeting but away from the dais when the above votes were taken.

* * *

THE COUNTY OF MECKLENBURG, NORTH CAROLINA
NOTICE OF BOND REFERENDUM

NOTICE IS HEREBY GIVEN that a bond referendum will be held in the County of Mecklenburg, North Carolina (the “County”), on November 7, 2017, for the purpose of submitting to the qualified voters of the County the question of whether to approve or disapprove not to exceed $922,085,000 School Bonds of the County. The proceeds of such bonds would be used 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, the acquisition and installation of furnishings and equipment and the acquisition of interests in real property required therefor.

If such bonds are issued, taxes will or may be levied for the payment thereof.

The bond referendum will be conducted by the Mecklenburg County Board of Elections (the “Board of Elections”). Except for certain situations, the last day to register to vote in the bond referendum is October 13, 2017. For more information concerning registration, procedures for residents who have changed residences from the date of the last election, voting by absentee ballot, one-stop voting and polling places, please contact the Board of Elections at 741 Kenilworth Avenue Suite 202, Charlotte, North Carolina 28204 or at (704) 336-2133, or by visiting its website, https://www.mecknc.gov/BOE/.

By order of the Board of Commissioners of the County of Mecklenburg, North Carolina.

Janice S. Paige
Clerk to the Board of Commissioners
County of Mecklenburg, North Carolina

Extracts/Resolution recorded in full in Ordinance/Minute Book 47-A, Document #171.

17-4215 UPDATE ON CENTER CITY REDEVELOPMENT

The Board received information about redevelopment projects on County-owned land in Center
City Charlotte.

Senior Assistant to the County Manager Dennis LaCaria presented the information.

*Commissioner Ridenhour returned to the dais.*

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

Comments

*Commissioner Dunlap* asked about the $97,000 Library funds. *County Manager Diorio said the funding was from the Library’s Foundation.*

Commissioner Dunlap said initially he was skeptical about the proposal but was glad to see the affordable housing commitment and an increase in open space.

*Commissioner Leake* spoke in support of the project. She commented on the public input process that had taken place. She said she would like to see low income housing included.

Commissioner Leake gave the history of the former Brooklyn area.

*Commissioner Fuller* asked about Library funding. *County Manager Diorio said the Library would raise anything needed above the County’s allocation of $65 million.*

Commissioner Fuller spoke in support of the term sheet agreement.

*Commissioner Cotham* asked how much staff and consultant time had been spent on this, which was addressed.

Commissioner Cotham expressed her *prior opposition* and why.

Commissioner Cotham questioned the accuracy of the acreage, which she said varied with each presentation.

Commissioner Cotham said she’d like more parks and to see the park expanded. She said she was pleased to hear the housing numbers.

*Commissioner Puckett* commented on the area being easily accessible to Pearl Park.

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

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the Cost-Sharing Agreement by and among the Sixth and Tryon Steering Committee landholding partners in an amount not to exceed $100,716.00 based on pro-rata parcel ownership to engage necessary consultants to develop Requests for Qualification and Proposal.

*Agreement recorded in full in Ordinance/Minute Book 47-A, Document #172.*
Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Cotham voting no, to adopt the terms of the negotiated Term Sheet between the County and BK Partners, LLC as the basis for further contract negotiations and allow the County Manager to negotiate associated agreements as it relates to the proposed acquisition and redevelopment of Brooklyn Village and Walton Plaza.

Term Sheet Agreement recorded in full in Ordinance/Minute Book 47-A, Document #173.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4218 CODE OF ETHICS AMENDMENT (COMMISSIONER JAMES/AUDIT REVIEW COMMITTEE)

Commissioner James, Chair of the Board’s Audit Review Committee, presented proposed new language for inclusion in the County’s Code of Ethics.

New language

Further, this section is not intended to prevent participation by a County Commissioner or County Manager in community events or functions that are of the nature where, by virtue of the office or position held, attendance benefits the county, then attendance will not be considered a violation of this policy unless the value of the event or function exceeds the threshold amount of $200.00 or attendance could be viewed as a reward or influence, for action taken, or to be taken, by the County in some manner, in which case the county official should either pay any amount in excess of the threshold of $200.00 or not attend the event or function."

Commissioner Fuller suggested that any reference to $100.00 in the policy be changed to $200.00 for consistency.

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to amend the Code of Ethics to include language regarding participation by a County Commissioner or the County Manager in community events or functions as presented and to change any reference of $100.00 in the policy to $200.00, as recommended by Commissioner Fuller.

Amended Code of Ethics recorded in full in Ordinance/Minute Book 47-A, Document #174.

CONSENT ITEMS

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

17-4178 BUDGET AMENDMENT – SHERIFF’S OFFICE (REVENUE INCREASE)

Recognize, receive and appropriate $6,658.66 from Mecklenburg County Alcoholic Beverage Control (ABC) Board.
Note: The Mecklenburg County ABC Board is providing funding to the Mecklenburg County Sheriff’s Office (MCSO) for damages caused to the Sheriff’s Office equipment located on the roof of the ABC Building. The Sheriff’s Office will purchase replacement equipment and access points that were damaged by re-roofing work at the ABC Building.

17-4181  MINUTES

Approve Minutes of Regular meeting held August 2, 2017 and Closed Session held August 2, 2017.

17-4183  AUCTION FOR DISPOSAL OF SURPLUS EQUIPMENT

Approve the list, (Exhibit A), as surplus and adopt a resolution authorizing sale of surplus personal property by public auction on September 16, 2017.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
Resolution Authorizing Sale of Surplus Personal Property by Public Auction

WHEREAS, North Carolina G.S. 160A-270(b) allows the County to sell surplus personal property at public auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the surplus property at public auction; and

WHEREAS, the County Manager has recommended that the surplus property listed on the attached Exhibit-A should be sold at public auction,

NOW, THEREFORE, BE IT RESOLVED, by the Mecklenburg County Board of Commissioners that the County Manager or her designee is authorized to sell the surplus property described on Exhibit A at public auction on the day of September 16, 2017 at 9:00 am at 5550 Wilkinson Blvd, Charlotte, North Carolina, as per the terms and conditions in accordance with North Carolina G.S. 160A-270(b) and in compliance with County policies. The terms of the sale shall be net cash. The County Manager or her designee is directed to publish at least once and not less than ten (10) days before the date of the auction, a copy of this Resolution or a notice summarizing its content as required by North Carolina General Statute 160A-270(b).

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #175.

17-4191  BUDGET AMENDMENT – DSS (REVENUE INCREASE)

1. Recognize, receive and appropriate an increase in other revenue in the amount of $90,800,

Note: The Department of Social Services (DSS) will provide Tenant Based Rental Assistance to assist families with self-sufficiency by providing a stipend for rental assistance. These services are designed to assist families with maintaining their independence; addressing crisis, social and economic needs and individual well-being. The Community Resource Division (CRD) will work collaboratively with faith based and community organizations. The funding will provide families with access to resources that enable them to maintain self-sufficiency and divert them from experiencing homelessness. Upon payment of services, Mecklenburg County will receive reimbursement from the City of Charlotte. DSS entered into a contract with the City of Charlotte in FY 17 and the contract has been extended through FY18.

2. Recognize, receive and appropriate an increase of state Adoption Promotion funding in the amount of $12,000,
Note: The North Carolina Division of Social Services has provided additional funding in the amount of $12,000 for the Adoption Promotion Fund to Mecklenburg County Youth and Family Services Division of the Department of Social Services. The purpose of the fund is to enhance and expand adoption services, to secure permanent homes for hard to place children, and to promote public/private partnerships.

3. Reduce other revenue in the amount of $53,865; and

Note: Carolinas Medical Center (CMC) provides funding in order to house DSS eligibility positions in their facilities. DSS was notified by CMC that they can no longer fund a vacant Human Service Specialist I position provided at one of their sites due to restraints by other CMC funding resources.

4. Reduce State Family Caregiver revenue in the amount of $4,912.

Note: North Carolina Division of Aging and Adult Services has reduced the Family Caregiver allocation in the amount of $4,912. Family Caregiver Support provides respite services to caregivers who care for individuals 60 years and older or who have dementia and meet the eligibility criteria as established in the Older Americans Act.

17-4198 TAX REFUNDS

1. Approve refunds in the amount of $9,611.00 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action was necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2. Approve refunds in the amount of $36,549.63 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $4,587.75.

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

17-4202 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Kenneth & Kathryn Phillips, owners of property located at 2801 Spring Valley Road, Charlotte, NC (tax parcel 173-071-03), for $285,000;

2. Accept the Offer of Sale of Real Estate from Kenneth & Margaret Szymanski, owners of property located at 2810 Spring Valley Road, Charlotte, NC (tax parcel 173-142-23), for $300,000;

3. Accept the Offer of Sale of Real Estate with lease agreement from Rembert & Casey Rollison, owners of property located at 2811 Spring Valley Road, Charlotte, NC (tax parcel 173-071-04), for $295,000;
4. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structures for training exercises; and

5. Adopt a Resolution Approving Transfer of Reusable Building Materials to Habitat for Humanity of Charlotte, Inc. to allow for salvage of materials prior to demolition.

Mecklenburg County Board Of Commissioners Resolution Approving Transfer Of Reusable Building Materials To Habitat For Humanity Of Charlotte, Inc.

WHEREAS, Mecklenburg County is proposing to acquire and demolish certain structures located in flood-prone areas along various creeks in Mecklenburg County through its Charlotte-Mecklenburg Storm Water Services, Engineering & Mitigation Program, moreover described as follows:

<table>
<thead>
<tr>
<th>TAX PARCEL ID</th>
<th>STREET ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>17314201</td>
<td>2800 SPRING VALLEY ROAD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17307103</td>
<td>2801 SPRING VALLEY ROAD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17314223</td>
<td>2810 SPRING VALLEY ROAD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17307104</td>
<td>2811 SPRING VALLEY ROAD</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17314202</td>
<td>6317 BIRMINGHAM DRIVE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17307109</td>
<td>6208 COLCHESTER PLACE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17307108</td>
<td>6214 COLCHESTER PLACE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
<tr>
<td>17307107</td>
<td>6220 COLCHESTER PLACE</td>
<td>CHARLOTTE</td>
<td>NC</td>
<td>28210</td>
</tr>
</tbody>
</table>

WHEREAS, the properties in question may become a part of the Mecklenburg County open space, parks and greenway system; and

WHEREAS, Habitat For Humanity of Charlotte, Inc. ("Habitat For Humanity"), a North Carolina not-for-profit corporation engaged in providing quality housing to low and moderate income persons in Mecklenburg County, has requested that it be allowed to remove and sell such reusable building materials from said structures, and to use the proceeds to help develop housing for low and moderate income persons in Mecklenburg County; and

WHEREAS, Habitat For Humanity has estimated that it will be able to sell such reusable building materials; and

WHEREAS, North Carolina General Statute 160A-279 provides that whenever a county is authorized to appropriate funds to any private entity which carries on a public purpose, the county may, in lieu of appropriating funds, convey for private sale to such entity any personal property which it owns provided that it attach a covenant which will assure that the property be put to a public use by the recipient entity; and

WHEREAS, assisting with providing housing for low and moderate income persons is a public purpose as provided in N.C.G.S. 153A-378; and

WHEREAS, said N.C.G.S. 160A-279 requires that the procedural provisions of G.S. 160A-267 shall apply, which statute requires that the Board adopt a resolution authorizing appropriate officials to dispose of the property by private sale at a negotiated price, and that a notice summarizing the contents of the resolution be published once after its adoption, and that such sale be consummated no earlier than ten (10) days after the publication of said notice; and

WHEREAS, the Board of County Commissioners has determined that it would be in the public interest and appropriate to use this statutory authorization to convey the reusable building materials to Habitat For Humanity; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize W. Dave Canaan, Director of Mecklenburg County Water and Land Resources, to transfer title to the reusable building materials contained in structures listed above once under the ownership of Mecklenburg County, to Habitat For Humanity, with the covenant that Habitat For Humanity must remove the building materials in a timely manner, and that such building materials either be used directly in the construction of housing for low and moderate income persons, or
that the property be sold and the proceeds be used to provide housing for low and moderate income persons; and be it further

**RESOLVED** that the Clerk to the Board is directed to publish a notice summarizing the contents of this resolution once after its adoption, and that the transfer of property to Habitat For Humanity not be consummated until ten (10) days after its publication.

*Resolution recorded in full in Ordinance/Minute Book 47A, Document #176.*

17-4203 **BUDGET AMENDMENT – LUESA (REVENUE INCREASE)**

1. Recognize, receive, and appropriate up to $43,750 in matching funds from property owner Thomas Keeling;

2. Authorize the carry forward of unspent matching funds to subsequent years until completion of the project;

3. Authorize the County Manager to execute a contract with Thomas Keeling for elevating his house: 3020 Airlie St.; and

4. Authorize the County Manager to execute a construction contract with Brock Builders & Construction, LLC as part of a FEMA grant and the retroFIT program.

*Note: Since late 1999, Mecklenburg County has received numerous Hazard Mitigation Grants and contributed local storm water fee revenue towards the Charlotte-Mecklenburg Storm Water Services’ Engineering & Mitigation Program. The goal of the program is to minimize the risk of potential loss of life and property damage during a flood event while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc). These actions allow the County to receive grant matching funds from Mr. Keeling and to contract the work under a FEMA grant and Storm Water Services existing retroFIT grant program. The work will initiate a flood mitigation project at 3020 Airlie Road, Charlotte, NC.*

17-4206 **INSURANCE REIMBURSEMENTS**

Recognize, receive and appropriate insurance reimbursement funds of $13,517 for Asset and Facility Management; $1,995 for Sheriff’s Office; $6,180 for Park and Recreation; and $2,130 for Land Use and Environmental Services.

*Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.*

17-4208 **LAND DONATION – TORRENCE CREEK GREENWAY**

Accept donation of portions of Tax Parcels 009-322-24, 009-321-94, and 009-321-96 (+/- 12.155 acres) for inclusion into Torrence Creek Greenway from Cobblestone Manor Community Association, Inc.

17-4217 **EASEMENT DONATION – BACKCREEK GREENWAY**
Accept the donation of a temporary construction easement (± 0.349 acres) for potential restoration of County-owned Tax Parcel 051-122-31 (Back Creek Greenway) from the Villages at Back Creek Homeowners Association Inc.

17-4219 PEARL STREET PARK INTERLOCAL AGREEMENT

Approve Pearl Street Park Interlocal Agreement negotiated by the County Manager.

Note: At the regular meeting of the Board of County Commissioners on October 4, 2016, the Board authorized a series of actions related to the renovation of Pearl Street Park, associated construction of new infrastructure, and associated adjacent private development. These actions included property transactions with the City of Charlotte, rezoning of County-held land, and property transactions with the Charlotte Housing Authority among others. One action was to authorize the County Manager to negotiate an Interlocal Agreement with the City of Charlotte to reimburse the City for payments it would make to Pappas Properties and Terwilliger Pappas for the construction of an extension of Pearl Park Way to connect to Baxter Street. The City has now finalized its agreement with Pappas Properties / Terwilliger Pappas which contemplates a reimbursement of actual project construction costs, not to exceed $4,417,574 excluding interest costs. Under the terms of the Interlocal Agreement, the County will pay to the City an amount equal to 45% of the incremental ad valorem taxes created by the Pappas Properties / Terwilliger Pappas mixed use development project. Along with the funds received from the County, the City will also contribute 45% of its incremental ad valorem taxes. The term of the reimbursement is ten years or actual costs (subject to cap) plus interest, whichever is satisfied first. This requested action allows for the County to formally execute the Interlocal Agreement, now that it has been fully negotiated and the City has completed its negotiation of an Infrastructure Reimbursement with Pappas Properties / Terwilliger Pappas.

Agreement recorded in full in Ordinance/Minute Book 47-A, Document #177.

17-4220 REVALUATION RESERVE FUND

Appropriate $1,225,000 from the Revaluation Reserve Fund into the County Assessor’s Office budget for FY18 and authorize the carry forward of the unspent balance until the project is completed.

17-4221 CHARLOTTE-MECKLENBURG BOARD OF EDUCATION FY2017-2018 ADOPTED BUDGET

Approve Charlotte-Mecklenburg Schools Budget Amendment.

Note: The Board of Education (BOE) requested approval of a change in the allocation of the County appropriation by purpose and function of the amount included in the Board of County Commissioners (BOCC) budget resolution on June 20, 2017. As part of the adopted FY2018 County budget, the BOCC approved a total operating funding level of $428,744,699 for CMS. The BOCC is required to approve any reallocation of funds submitted by the BOE that exceeds ten percent within the purpose/function code categories of the approved County appropriation. The BOE’s amendment to the Capital Outlay appropriation is the only purpose/function code that requires the BOCC’s approval. The purpose/function code allocation in the County’s budget ordinance is a placeholder based on a proportional allocation of funds while CMS determines how it will actually allocate all available funds (e.g., State, Federal).

A copy of the change is on file with the Clerk to the Board.
September 5, 2017
T H I S   C O N C L U D E D   I T E M S   A P P R O V E D   B Y   C O N S E N T

17-4187    PRELIMINARY STREET LIGHTING ASSESSMENTS – SET PUBLIC HEARING

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Preliminary Assessment Roll Resolutions for the operating cost of street lights in the Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood subdivisions; and set a public hearing on October 3, 2017 on the preliminary assessment rolls.

Commissioner Leake removed this item from Consent for more public awareness and clarity. County Attorney Marvin Bethune addressed this item.

Preliminary Assessment Roll Resolution Street Lighting Assessment Project Capps Hollow Subdivision Operation Costs FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2062.33 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the Capps Hollow Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,362.33 spent for these street lighting fixtures in the Capps Hollow Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner’s share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets within the Capps Hollow Subdivision; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Capps Hollow Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing
WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on streets within the Cardinal Woods Subdivision and Cardinal Woods Estate; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 20, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate, and providing that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $5,919.53 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year and has incurred $300 in legal and other costs for a total of $6,219.53 spent for the operation of these acorn street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner’s share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax records, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Cardinal Woods Subdivision and Cardinal Woods Estate during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #178.
WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,493.35 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,793.35 spent for the operation of these street lights in the Hearthstone Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost of the operation of these street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Hearthstone Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Hearthstone Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.
WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on all of the streets in the McGinnis Village Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final Assessment Resolution on this project on October 5, 1999, approving the project and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all of the streets in the McGinnis Village Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $3,304.41 to Duke Power Company for charges incurred for the operation of these street lighting fixtures on said streets in the McGinnis Village Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $3,604.41 spent for the operation of these street lighting fixtures in the McGinnis Village Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100% of the property owner’s share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the McGinnis Subdivision within Mecklenburg County; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the McGinnis Village Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the McGinnis Village Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #181.

Preliminary Assessment Roll Resolution
Street Lighting Assessment Project
Mountain Point Subdivision
Operation Costs FY 2017
WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $6,167.81 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $6,467.81 spent for the operation of the street lights in the Mountain Point Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights, during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #182.

Preliminary Assessment Roll Resolution
Street Lighting Assessment Project
Mountain Point Estates Subdivision
Operation Costs FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and
WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,116.58 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,416.58 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights, during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it.

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Mountain Point Estates Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Mountain Point Estates Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #183.

Preliminary Assessment Roll Resolution
Street Lighting Assessment Project
Royal Oaks Subdivision
Operation Costs FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $3,189.73 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year and has
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incurred $300 in legal and other costs for a total of $3,489.73 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate these street lighting fixtures during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of the said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll Resolution on the street lighting assessment project for the operational cost of the economical traditional street lighting fixtures in the Royal Oaks Subdivision during the 2017 Fiscal Year, and as required by the North Carolina General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03, 2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published, at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the Royal Oaks Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection, the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by first-class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #184.
WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total
per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment
is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by
direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency (LUESA) has prepared the
Preliminary Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed
against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which
Preliminary Assessment Roll and map are attached hereto and incorporated herein by reference; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Preliminary Assessment Roll
Resolution on the street lighting assessment project for the operational cost of the economical traditional street
lighting fixtures in the Spicewood Subdivision during the 2017 Fiscal Year, and as required by the North Carolina
General Statutes does hereby set a public hearing on this Preliminary Assessment Roll for 6:30 p.m. on October 03,
2017 in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 East Fourth Street, and does
hereby instruct that a copy of this Preliminary Assessment Roll and Resolution be on file in the office of the Clerk to
the Board of the County Commissioners and the Mecklenburg County Land Use and Environmental Services Agency
where it shall be available for public inspection. The Clerk is hereby instructed to publish, or cause to be published,
at least ten (10) days prior to the date of the public hearing in a newspaper of general circulation in the County, a
notice that this Preliminary Assessment Roll Resolution has been completed, the time and place of public hearing
and the time and place it is available for public inspection. The LUESA Director is hereby instructed to mail, or
cause to be mailed, a notice of the public hearing by first-class mail to each property owner on said streets in the
Spicewood Subdivision at the address as shown in the tax records at least ten (10) days prior to the date set for the
public hearing. The notice shall state the time and place the Preliminary Assessment Roll is available for inspection,
the amount shown on the Preliminary Assessment Roll as the assessment against the property; and the date, time, and
place of the public hearing on the Preliminary Assessment Roll; and further, the LUESA Director is hereby
instructed to certify to the Board of County Commissioners that the notices of the public hearing were mailed by
first-class mail and the date on which they were mailed.

Resolution recorded in full in Ordinance/Minute Book 47-A, Document #185.

17-4189 PAID FAMILY LEAVE BENEFIT

Motion was made by Commissioner Cotham, seconded by Commissioner James and
unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake,
Puckett, Ridenhour and Scarborough voting yes, to amend Mecklenburg County Human
Resources Policy & Procedures - Section I: Board Policy to include the Paid Family Leave
Benefit.

Note: This employer paid benefit will allow eligible employees time away from work for the
birth, adoption or placement of a child, or care for a family member with a serious health
condition, as defined by FMLA for eligible employees. The County will provide 100 percent of the
employee’s salary, not to exceed six weeks, which will run concurrently with FMLA. The
attached policy adds paid family leave and makes minor refinements to remove effective dates
that have passed. Staff will include language consistent with the attached Board policy for
inclusion in the County Manager’s portion of the policy manual prior to January 1, 2018.

Commissioner Cotham removed this item from Consent for more public awareness and to ask
about paid military leave.

Policy amendment recorded in full in Ordinance/Minute Book 47-A, Document # 186.

17-4190 FY17-18 NCDOT RURAL OPERATING ASSISTANCE PROGRAM (ROAP) GRANT

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously
carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour
and Scarborough voting yes, to
1. Affirm/Adopt Certified Statement FY2018 Rural Operating Assistance Program County of Mecklenburg included in the Mecklenburg County Department of Social Services application for the North Carolina Department of Transportation’s Rural Operating Assistance Program (ROAP) Grant for Fiscal Year-2017-2018; and

2. Recognize, receive and appropriate a net increase in State revenue in the amount of $31,139.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Director of Social Services Peggy Eagan addressed this item.

Certified Statement recorded in full in Ordinance/Minute Book 47-A, Document #187.

17-4201 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate a net increase in revenue of $185,689 to reflect actual state, federal and other revenue changes.

Note: The North Carolina Division of Public Health (DPH) awards the Health Department funding to support federal and state programs. During the fiscal year, the Health Department receives notification of modified funding for programs within the Department from DPH. The net increase of $53,731 to federal revenue is in the Tobacco Prevention, TB Control, WIC Lactation Training Center, WIC Client Services, and WIC Breastfeeding Peer Counselor programs. The net increase of $49,958 to state revenue is in the Tobacco Prevention, Healthy Communities, Care Coordination for Children, and Pregnancy Care Management programs. Other revenue adjustments include: an increase in the Medicaid CAP-Waiver and a decrease of awarded funds from The Junior League of Charlotte for Big Shot Saturday events.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Interim Health Director Gibbie Harris addressed this item.

17-4207 DONATION OF $150,000 FROM CAROLINA PANTHERS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate donation of funding in the amount of $150,000 for a new synthetic field at Revolution Park from the Carolina Panthers.

Note: The Carolina Panthers donated $150,000 to assist the County with the renovation of the synthetic field at Revolution Park. Park and Recreation will provide the funding balance of $367,000 for a total project cost of $517,000. The Carolina Panthers have worked with Park and Recreation in the past for donations, including NFL Play60 playgrounds at Freedom Park and Hornet’s Nest Park. This partnership has allowed the County to offer alternative fitness and play opportunities to children and adults. The Carolina Panthers donated funding of $275,000 for the original synthetic field installation at Revolution Park in 2006. The Carolina Panthers continue to be great partners with Mecklenburg County Park and Recreation.

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

17-4210 SOLE SOURCE VENDOR APPROVAL – KEYPER SYSTEMS
September 5, 2017

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to approve a sole source contract with KEYper Systems for the management of County vehicles.

Commissioner Leake removed this item from Consent for more public awareness and for clarity. Director of Social Services Peggy Eagan addressed this item.

ADJOURNMENT

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:15 p.m.

_____________________________ ____________________________
Janice S. Paige, Clerk Ella B. Scarborough, Chair
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, September 19, 2017.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

Commissioners Clarke, Dunlap, Leake, and Puckett were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) to be removed from Consent and voted upon separately. The items were 17-4192, 17-4222, 17-4224, 17-4226, and 17-4253.

STAFF BRIEFINGS

NONE

CLOSED SESSION

17-4233 CONSULT WITH ATTORNEY
17-4238 REAL ESTATE ACQUISITION

Motion was made by Commissioner Cotham, seconded by Commissioner Ridenhour and carried 5-0 with Commissioners Cotham, Fuller, James, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Real Estate Acquisition with respect to property located in the Eastway & N. Tryon street area.

The Board went into Closed Session at 5:27 p.m. and came back into Open Session at 5:58 p.m.

Commissioners Clarke, Dunlap, Leake, and Puckett 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 -

Chair Scarborough called this portion of the meeting to order which was followed by invocation by Commissioner Ridenhour, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

PUBLIC APPEARANCE

17-4231 PUBLIC APPEARANCE

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

Allen Lunn was registered to speak but did not appear.

AWARDS/RECOGNITION

17-4253 NATIONAL SUICIDE PREVENTION MONTH SEPTEMBER 2017

Motion was made by Commissioner Cotham, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring September 2017 as National Suicide Prevention Month in Mecklenburg County.

The Proclamation was read by Commissioners Cotham and Ridenhour and received by Amanda Park, Keyon Lewis, and Kimberly Roberts, members of the American Foundation for Suicide Prevention Charlotte Out of the Darkness Walk leadership team.
APPOINTMENTS

17-4227 APPOINTMENTS

LAKE NORMAN MARINE COMMISSION

The vote was taken on the following nominees for appointment to the Lake Norman Marine Commission:

Dennis Eddinger  Commissioners Clarke, Cotham, Dunlap, James, Puckett, Ridenhour, and Scarborough

Paula Martin  Commissioners Fuller and Leake

Chair Scarborough announced the appointment of Dennis Eddinger to the Lake Norman Marine Commission for a five-year term expiring September 30, 2022, effective October 1, 2017.

17-4228 REAPPOINTMENTS/NOMINATIONS/APPOINTMENTS

BUILDING DEVELOPMENT COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and failed 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, and Commissioner Leake voting no, to waive the Board’s term limit policy and reappoint John Taylor to the Building Development Commission as the Associated Builder & Contractor Carolina Chapter representative for a three-year term expiring September 30, 2020.

Note: This matter will be on the Board’s October 3, 2017 agenda because it requires a unanimous vote for someone to be reappointed when first presented for consideration. Mr. Taylor was willing to serve another term, since there were no applicants to fill his slot.

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Kelvin Brim, George Dortche, and Kristle Lee to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring September 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Daniel Vicario to the Charlotte-Mecklenburg Community Relations Committee for a three-year term expiring September 30, 2020.

Note: He replaces Larry Edwards.

LAKE WYLIE MARINE COMMISSION
Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint Peter Hegarty to the Lake Wylie Marine Commission for a three-year term expiring September 30, 2020.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Daniel Mullane and C. Hunter Wilson to the Lake Wylie Marine Commission for three-year terms expiring September 30, 2020.

*Note: They replace Tim Mead and Lynn Smith.*

**NURSING HOME COMMUNITY ADVISORY COMMITTEE**

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to waive the Board’s term limit policy and reappoint Larry Blakeney, Jeffrey Giddens, Deborah Kennedy, and Peco McKoy to the Nursing Home Community Advisory Committee for three-year terms expiring September 30, 2020.

*Note: They were all willing to serve another term, since there were no applicants to fill their slots.*

**PARK AND RECREATION COMMISSION**

The following persons were nominated for appointment consideration to the Park and Recreation Commission:

- Anita Brown  
  by Commissioner Puckett
- Blanche Penn  
  by Commissioner Cotham

*Note: An appointment will be made on October 3, 2017.*

**PUBLIC HEARINGS**

**17-4229 BUSINESS INVESTMENT GRANT: ALLSTATE INSURANCE COMPANY**

Motion was made by Commissioner Puckett, seconded by Commissioner Ridenhour and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to Allstate Insurance Company (Allstate).

Director of Economic Development Peter Zeiler addressed the proposed Business Investment Grant.

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

No one appeared to speak.
Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on a proposed Business Investment Program grant to Allstate Insurance Company (Allstate).

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution approving a Business Investment Program grant to Allstate for a total estimated amount of $701,486 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING BUSINESS INVESTMENT PROGRAM GRANT
FOR ALLSTATE INSURANCE COMPANY

WHEREAS, Allstate Insurance Company is seeking to establish a new operations center in Charlotte, NC; and

WHEREAS, the company evaluated sites in Lincoln, Nebraska; Irving, Texas; and Boise; Idaho; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 02, 2017 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board's stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately $34.75 million and will create 2,000 new jobs within five years at an average annual salary of approximately $46,813. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $701,986. The grant will be subject to the County's standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it

RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #188.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4166 CARDINAL INNOVATIONS HEALTHCARE PRESENTATION

The Board received a presentation from Cardinal Innovations Healthcare on Medicaid and State health plans, Medicaid investments, and Community needs and gap analysis.

Cardinal Innovations Healthcare Senior Community Executive Lori Whitson gave the report.

At the conclusion of the report, Ms. Whitson read a Facebook posting, at the request of a mother, who was pleased with the progress that her son had made.

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

Comments
Commissioner Dunlap, the Board’s representative on the Cardinal Innovations Healthcare Solutions Governing Board, thanked Ms. Whitson for the report. Commissioner Dunlap said there were a lot people in the community pleased with the services being provided by Cardinal.

Commissioner Cotham thanked Ms. Whitson for the report and her community engagement.

Commissioner Ridenhour asked what was Cardinal doing with respect to the Opioid epidemic. Ms. Whitson said their work was in the area of prevention and elaborated.

Commissioner Leake asked if Cardinal provided any type of quarterly report around changes that may be occurring with respect to the provision of mental health care services and if that information was disseminated to the public. Ms. Whitson addressed Cardinal’s education efforts around access to care.

Commissioner Leake said she hoped Cardinal provided information to the general public in layman terms for a better understanding of their services.

Commissioner James asked was Cardinal required to provide the Board with an annual report. Ms. Whitson said no, but Cardinal viewed themselves as a community partner. She said Cardinal wanted to use this platform as a means of providing information to the Board and the public regarding their services.

Commissioner James said he wanted clarity, because he didn’t want the public to think that if they had complaints regarding Cardinal, they should contact Board members, except for Commissioner Dunlap perhaps, since he served on Cardinal’s Governing Board.

Commissioner James said he wasn’t sure why the County had a representative on Cardinal’s Board, other than that’s the way the state set it up. He said he wasn’t opposed to it, but just never understood why.

Commissioner James asked about the map included in the report, as well as, statements regarding budget cuts, and reinvestment of savings to maintain service levels, which was addressed.

Commissioner Dunlap addressed the County’s involvement with Cardinal, including having representatives on Cardinal’s Oversight Board and what people should do if they have a concern or complaint.

Commissioner Clarke said it would be good to hear from Cardinal’s Community Oversight Board, at some point, regarding their role and how they perceived Cardinal’s services.

Commissioner Clarke asked about the Consumer Family Advisory Council, which was addressed.

County Manager Diorio said the County worked closely with Cardinal as it related to the County’s need for therapeutic foster care residential treatment for children in the custody of Youth and Family Services. She said Cardinal also worked closely with the courts.

County Manager Diorio said Cardinal was a part of the County’s continuum of care. She said the County had a “vested” interest in making sure services were provided to the children in the County’s care.

17-4239 AFFORDABLE HOUSING POLICY FOR SURPLUS REAL ESTATE

Senior Assistant to the County Manager Dennis LaCaria addressed a proposed Affordable Housing
Policy.

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

Highlights

Support Board and Community Goals
Mecklenburg County seeks to support community goals to provide housing to low-income residents with income at or below 80% of the area median income.

Leverage Private Sale Authority
When making available for sale or lease any surplus real estate which is suitable for mixed-income residential housing, Mecklenburg County may choose to use its private-sale authority.

Require Affordable Housing Development
Through use of its private sale authority, Mecklenburg County shall require prospective buyer(s) to provide a minimum of 10% of all planned residential units to those families and individuals earning income at or below 80% of the current area median income and may choose to sell real estate below market value in order to accomplish this goal.

Comments

Commissioner Dunlap spoke in support of the proposed policy. He commented on the need for mixed income developments.

Commissioner Leake asked about accommodating for low income housing. She said persons that work downtown should be able to live downtown.

Commissioner Leake expressed concern for the City’s Government Center custodial staff. She said these persons only made $7.25 per hour. She said this type of wage sets people up for “welfare.”

Commissioner Dunlap noted the study done by the County to assure that all County employees were making a livable wage and they were. He said the employees referenced by Commissioner Leake were contract employees via the City of Charlotte and that the County had no control over their wages.

Commissioner Leake asked what was the “livable wage” for County employees. County Manager Diorio said she believed it as $15 per hour.

Commissioner James asked what would happen if there was a piece of County property, for example, in the Town of Huntersville and the Board decided it would make a great place for low income housing. He asked would the Town’s approval be required. Senior Assistant to the County Manager LaCaria explained how the process would work. He said it wouldn’t be the County deciding where to place the affordable housing but the developer. He said the Town would become involved if the property required a rezoning on the developer’s part.

Commissioner James said he wanted to make sure the Towns understood the components of the policy.

Commissioner Puckett asked could this be done on a case by case basis without the policy. County Attorney Bethune explained the private sale process.

Commissioner Puckett said wanting to be a “world class” community comes with a cost, which included driving up land cost. He said he’d like to see a focus on reducing the cost of land. He questioned the use of the term “below market value.”
Commissioner Ridenhour asked about first right of refusal as it related to school property and offered a scenario of what could occur were the policy adopted. Senior Assistant to the County Manager LaCaria addressed the scenario.

Commissioner Ridenhour said he agreed with Commissioner Leake's comment regarding wages. He said stagnant wages was an issue nationwide that needed to be addressed.

Commissioner Ridenhour said providing affordable housing in the community was a tough issue to tackle. He said a policy of this type would “trickle” over into other areas. He said even though the proposed policy was a way to tackle the problem, the “real root” of the problem was whether someone could afford to live somewhere, and if they can’t, then the issue was that they’re not making enough money; which gets back to stagnant wages in the workforce and the need for more training on the part of the employee, to make a higher wage.

Commissioner Clarke spoke in support of the proposed policy. He said it was a clear statement of what the County would do.

Commissioner Fuller said the problem of affordable housing was created because of the market, therefore you can’t depend on the market to “solve the problem.”

Commissioner Fuller said he supported the proposed policy but solving the problem would take more than just the policy. He said other tools would have to be used as well, but this was a “good” step.

Commissioner Dunlap said the proposed policy was a good policy, that it was fair and it gave the Board the deciding factor.

Commissioner Ridenhour said the proposed policy would allow the County to take a loss on property.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 6-3 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes and Commissioners James, Puckett, and Ridenhour voting no, to adopt an Affordable Housing Policy for Surplus Restate as recommended by staff.

Policy recorded in full in Minute/Ordinance Book 47-A, Document #189.

17-4242 CAPITAL IMPROVEMENT PLAN UPDATE

The Board received an update on the FY19 - FY23 Capital Improvement Plan (CIP) from Assistant County Manager/Interim Finance Officer, Mark Foster.

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

Comments

Commissioner Dunlap asked about debt capacity, which was addressed.

Commissioner James asked about adjustments to the targets/standards to reflect the current environment. The response was that staff could come back later in the fiscal year with recommendations.
Commissioner James commented on cash flow.

Commissioner James said if the School Bonds failed, the County could use COPS to handle the immediate needs.

Commissioner Fuller asked if the information provided took into account revaluation. The response was no.

Commissioner Cotham expressed concern for CMS’ decision with respect to the new J M Alexander Middle School and whether growth was taken into consideration. Commissioner Cotham said when the new school was built, it was built with only one additional classroom compared to the old school. She asked if the County received specifics from CMS regarding their plans for new schools as it related to seating capacity. The response was that CMS responds to questions regarding growth but not in the specificity as referenced by Commissioner Cotham. It was noted, also, that CMS had a prioritization process that they use when making decisions with respect to building schools.

County Manager Diorio said the County was not able to tell CMS how many seats should be in a school. She said that’s CMS’ area of expertise and not the County’s. She said the County relied on CMS to determine their needs and to plan accordingly.

Commissioner Puckett responded to Commissioner Cotham’s concern about J M Alexander Middle School. He said CMS did not contact the northern Towns regarding their projected growth in the next three to five years. He said that’s why the current bond package was not reflective of what the Towns anticipate with respect to growth.

Commissioner Leake addressed the needs of West Charlotte High School and Bruns Elementary School, thus their inclusion in the bond package.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

17-4244 ETJ POLICING PROJECT

County Manager Diorio gave an update on the Extra Territorial Jurisdiction (ETJ) Policing Project. The following was noted:

- The County was still waiting on data requested from the Charlotte Mecklenburg Police Department (CMPD).
- The CMPD refused to provide the data, which was needed by the consultant in preparing their report.
- County staff would continue to reach out to the CMPD for the data, which the County should be entitled to receive, considering the $18 million provided to the CMPD for law enforcement service district cost.
- The cost needs to be controlled.
- If the Towns of Huntersville, Cornelius, and Pineville were backed out of the equation, and the CMPD received the balance, which would be Davidson, Mint Hill, and Charlotte, a 2.5 cents tax increase would be needed to cover the cost. This may not be a sustainable model.
- For FY18, there was a 9% increase in the cost of the contract with the CMPD. This may not be a sustainable model either.
- The County paid for the addition of new officers by the CMPD, however, they currently have 200+ vacancies. Thus, the County was not getting what it paid for because the positions weren’t filled.
A new way of calculating the Law Enforcement Service District tax was needed.

The current model was not a sustainable model.

In FYI9, $1.2 million of fund balance was used to help cover the cost, but a tax increase was still required.

The availability of fund balance was not guaranteed going forward.

The County still hasn’t been told by the CMPD what the actual cost was to provide the service in the ETJ.

Per the consultants, if the Sheriff’s Office provided the service, it would cost $11.5 million and the County would pay the CMPD $16.1 million for the same service.

Service Level data was needed.

More transparency was needed with respect to how the money was spent by the CMPD.

Next Steps

- Ask the City of Charlotte to extend the contract for one year.
- Move forward with negotiations with the City between now and December 31.
- If the County was unable to reach an agreement with the City by December 31, then the County would move forward with the Sheriff’s Office to provide the service in the ETJ.
- This would give the Sheriff 18 months to bring up their patrol division, contingent upon the City giving the County the one year extension.
- A meeting was scheduled with the City on September 21, 2017.

The County Manager reached out to the City Manager after the Board’s September 13, 2017 meeting, when this matter was discussed, but a response had not been received.

Comments

Commissioner Dunlap said if an agreement was reached with the City, it should include a stipulation that as the areas patrolled reduce in size, there be a corresponding reduction in the cost to provide the service.

Commissioner James said the problem with the model was that the CMPD charged the County based on a percentage of their budget and it’s an urban police department. He said suburban areas did not require that level of “intensity.”

Commissioner James said the payment model should be based on actual services used.

Commissioner James asked about the Town of Pineville. County Manager Diorio said the Town of Pineville informed the County that if the County continued with the CMPD, they wanted to patrol their own ETJ. If the County utilizes the Sheriff’s Office, then the Town of Pineville would yield to the Sheriff’s Office.

Commissioner Clarke said the discussion with the City of Charlotte going forward would probably be very different versus the past, because the County had a plan that included a dollar amount.

Commissioner Cotham asked about the Sheriff’s stance with respect to this issue. County Manager Diorio said the Sheriff’s Office was interested in moving forward, however, there was concern regarding the timeframe to get this accomplished.

County Manager Diorio said it really depended on whether the City of Charlotte was willing to give the County a one year extension. She said if the City did not agree to a one year extension, she would be back to the Board indicating that a decision was needed much quicker.
Commissioner Puckett thanked Sheriff Carmichael for his willingness to take on this responsibility. He said he did not, however, envision establishing an 8th police division in Mecklenburg County, as a result of terminating the contract with the City of Charlotte.

Commissioner Puckett said what he envisioned when the matter was originally talked about was the Town of Cornelius and Town of Huntersville taking over the policing of their ETJ and the City of Charlotte maintaining the policing of their ETJ; and that if Mint Hill and Pineville wanted to contract with the City of Charlotte they could.

Commissioner Puckett said he did not understand the need for a year delay.

Commissioner Puckett said when the Board voted to end the contract, it was done in order to renegotiate another contract.

Commissioner Puckett concurred with Commissioner Clarke that when the County renegotiates this time, it was a different dynamic.

Commissioner Puckett said the current tax rate in the ETJ area was based on the old formula of the CMPD policing all the ETJ area.

Commissioner Puckett said he envisioned the Sheriff’s Office participation only if the City decided they no longer wanted to provide the service at all. He said if all police divisions within the County decided to handle their own ETJ, then the Sheriff’s Office would not have to provide the service.

County Manager Diorio said if the decision was made to go with the Sheriff’s Office, things would need to begin October 1, 2017 for the Sheriff’s Office to prepare and be ready in 2018.

County Manager Diorio said the issue was not whether the City of Charlotte wanted to continue doing it, but rather would they want to continue based on new terms outlined by the County.

County Manager Diorio said to move forward based on Commissioner Puckett’s scenario, the tax rate in the law enforcement service district would have to increase by 2.5 cents to pay for the contract.

County Manager Diorio said when you back out the revenue the City received from the northern towns, the cost to patrol the ETJ was still higher than the revenue that’s going to be collected. County Manager Diorio said the tax rate would have be increased by 2.5 cents just to cover the cost that the County had today.

County Manager Diorio said it would be great if the County and City could come to terms around this, but the status quo would not solve the problem for the long run.

County Manager Diorio said when the Board cancelled the contract, the direction she received from the Board was that the issue needed to be fixed. She said Commissioner Puckett’s scenario was not fixing the issue, only placing a “band aid” on it. She said there would be continued discussion around service level and the lack of accountability.

County Manager Diorio commented on the impact of the McGuire plant that’s in Huntersville.

County Manager Diorio said if the current formula wasn’t changed, the County would continue to find itself in the same position that it had been in for years.
Commissioner Clarke asked was it possible that the County could reach an agreement with the City of Charlotte by December 31. County Manager Diorio said it was possible, but if an agreement was not reached, the County needed a “back up” plan.

This concluded the discussion. The above was not inclusive of every comment but was a summary.

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to authorize the County Manager to proceed in accordance with the plan that she presented to the Board at tonight’s meeting.

A copy of the report, associated with this item is on file with the Clerk to the Board.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4234 FEATURE DEPARTMENT/AGENCY PRESENTATION: MECKLENBURG EMS AGENCY (MEDIC)

The Board received a presentation from MEDIC Executive Director Joe Penner, regarding agency initiatives.

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

Comments

Commissioner Fuller asked about the increase in the need for services, which was addressed.

Commissioner Fuller thanked Director Penner for Medic’s recruitment efforts.

Commissioner Ridenhour thanked Medic for its assistance with guiding him through the delivery of his son recently.

STAFF REPORTS & REQUESTS

17-4230 FFY 2016 HUD CONSOLIDATED ANNUAL PERFORMANCE EVALUATION AND REVIEW

The Board received information about the FFY 2016 HUD Consolidated Annual Performance Evaluation and Review in Mecklenburg County from Timmothy Tibbs, Assistant to the County Manager and Victoria Rittenhouse with the Centralina Council of Governments.

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

Note: In accordance with the federal regulations found in 24 CFR 570, Mecklenburg County prepared a Consolidated Annual Performance and Evaluation Report (CAPER) for the 2016 Program Year, July 1, 2016 to June 30, 2017. The CAPER highlights the County’s progress in carrying out projects and activities pursuant to the PY2016 Annual Action Plan for the Community Development Block Grant (CDBG) funds that were received from the United States Department of Housing and Urban Development (HUD) to principally benefit low- and moderate-income persons in the County. As an Urban County Entitlement designated by HUD, Mecklenburg County received Community Development Block Grant funds annually. The 2016 CAPER describes and evaluates how Mecklenburg County invested formula funds from HUD to meet affordable housing and community development needs. Activities and
accomplishments described in this report primarily benefit low- and moderate-income residents, and the County and participating municipalities as a whole. Mecklenburg County received a 2016 CDBG Entitlement allocation of $744,608. In addition to the entitlement funds, $22,918 was available for allocation from deobligated funds from closed projects.

Comments

Commissioner Leake asked about work done in the City of Charlotte. It was explained that the City of Charlotte had its own Community Development Block Grant program and that funding received by the County was only for the unincorporated areas and the towns.

Commissioner Clarke said retaining affordable housing stock was just as important as building new affordable housing stock.

Chair Scarborough thanked the presenters for the report.

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4237 AD HOC ADVISORY BOARD REVIEW COMMITTEE REPORT (COMMISSIONER DUNLAP)

Commissioner Dunlap presented the Board’s Ad Hoc Advisory Board Review Committee recommendations.

Highlights

Term Changes

Change the terms of the following boards to three-year terms for consistency purposes: Architectural Selection Committee; Citizen’s Capital Budget Advisory Committee; and Small Business Entrepreneurship Advisory Board.

Dissolve the Board of Motor Vehicle Review and allow the Board of Equalization and Review to hear any appeals that may come about.

Appointment Policy Amendments

Section 2 (D) Nomination Process

Add: Nominees for the Alcoholic Beverage Control Board must complete the “Mecklenburg County Alcoholic Beverage Control Board Nominee Questionnaire” and deliver the completed questionnaire to the Clerk to the Board at least two (2) days before their interview.

Section 5 Attendance Requirement

Change the attendance requirement from 75% to:

Any member who fails during any calendar year to attend 65% of all regularly scheduled committee meetings from the time one’s term begins until the end of that calendar year and each subsequent calendar year thereafter, shall be automatically removed from said board. There are no excused absences.

Members cannot miss three consecutive regularly scheduled committee meetings.

Add Three New Sections:
September 19, 2017

7. Committee Reporting
All Committees must report at least annually to the Board of Commissioners on their activities. Reports can be submitted to the Clerk to the Board for distribution to the Board in writing, or for formal presentation at a regular Board Meeting. The committee’s assigned liaison shall work with the Clerk to the Board on establishing the annual reporting schedule.

8. Committee Bylaws
All changes to Committee Bylaws, excluding boards established by legislative authority, must be brought to the Board of Commissioners as a Consent Item for approval. Boards established by legislative authority shall comply with the requirement for change as prescribed by the applicable legislation.

9. Committee Funding
No Committees can independently raise or solicit funds. If any Advisory Board has a legitimate need, they must go through their aligned Department to request funding. The business reason must align with Department priorities, and will come from the aligned Department’s budget.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve amendments to the Mecklenburg County Board of Commissioners Appointment Policy as recommended.

Policy recorded in full in Minute/Ordinance Book 47-A, Document #190.

Motion was made by Commissioner James, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt resolution dissolving the Mecklenburg County Motor Vehicle Review Board.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION REGARDING
MOTOR VEHICLE REVIEW BOARD

WHEREAS, owners of motor vehicles have the right to appeal the assessed values of motor vehicles and/or the eligibility for exemptions or exclusions regarding motor vehicles pursuant to North Carolina General Statute 105-330.2(b1) and (b2); and

WHEREAS, the Mecklenburg County Motor Vehicle Review Board was appointed by the Board of Commissioners pursuant to North Carolina General Statute 105-325.1 to hear and decide appeals arising under North Carolina General Statute 105-330.2(b); and

WHEREAS, the Assessor has recommended that the Motor Vehicle Review Board be dissolved and that the Mecklenburg County Board of Equalization and Review be appointed to hear and decide appeals arising under North Carolina General Statute 105-330.2(b1) and (b2); now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby dissolve the Mecklenburg County Motor Vehicle Review Board in its entirety as of this date; and be it

FURTHER RESOLVED that the Mecklenburg County Board of Equalization and Review is hereby appointed pursuant to North Carolina General Statute 105-325.1 with full authority to hear and decide appeals arising under North Carolina General Statute 105-330.2(b1) and (b2).

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #191.

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the ABC Board Nominee Questionnaire as
September 19, 2017

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

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to change the terms of the following boards to three-year terms for consistency purposes: Architectural Selection Committee; Citizen’s Capital Budget Advisory Committee; and Small Business Entrepreneurship Advisory Board.

CONSENT ITEMS

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

17-4170 AMEND AND UPDATE THE LUESA FEE AND BUILDING DEVELOPMENT ORDINANCE

Adopt resolution approving amendments/updates to the LUESA Fee Ordinance and to the Building Development Ordinance to sunset the journeyman and licensure program, clarify definitions and address regulatory changes.

MECKLENBURG COUNTY RESOLUTION APPROVING AMENDMENTS TO LUESA FEE ORDINANCE AND TO THE BUILDING-DEVELOPMENT ORDINANCE

WHEREAS, Code Enforcement staff have prepared proposed amendments to the LUESA Fee Ordinance and to the Building-Development Ordinance to modify and clarify definitions and address changes in State legislation and changes in the State Building Code; and

WHEREAS, such changes recognize industry changes in journeyman programs, state licensing requirements and the General Statutes, as well as state inspection requirements, responsibilities, technology; and

WHEREAS, the proposed changes have been recommended by the Building Development Commission at its meeting on August 15, 2017; now, therefore, be it

RESOLVED by the Board of Commissioners of Mecklenburg County that the amendments proposed and set forth in the backup information of the meeting at which this Resolution was considered are hereby adopted effective as of the date of adoption of this Resolution; and be it

FURTHER RESOLVED that the Director of Code Enforcement is authorized to renumber the provisions of the Fee Ordinance needed because of the elimination of certain numbered sections and make such other similar non-substantive changes as are necessary to both the Fee Ordinance and the Building-Development Ordinance so as to create final clean versions for posting on the County’s web site, with any ambiguity created by this action to be resolved in favor of the provisions of the Ordinances as enacted by the Board of Commissioners.

Resolution/Ordinances recorded in full in Minute/Ordinance Book 47-A, Document #192.

17-4209 BUDGET AMENDMENT (LUESA) POSSE – WINCHESTER UPGRADE/TEST ENVIRONMENT

Authorize and appropriate transfer of $864,487 from the Code Enforcement General Fund Balance Reserve to the Technology Reserve Fund CCET for support and continuing work on POSSE Winchester and Test Environment.
Recognize, receive and appropriate $5,000 to the Sheriff’s office from the Charlotte-Mecklenburg faith-based community.

Note: Local churches within the Charlotte-Mecklenburg faith-based community will provide up to $250 per inmate to the Mecklenburg County Sheriff’s Office for inmate re-entry needs. These funds will pay for basic re-entry needs such as residential program rent, fees for birth certificates and records, work boots and/or work clothing, monthly bus passes, identification, etc. Funding these basic needs will provide the inmates with some fundamental necessities in hopes of reducing recidivism, while making an investment in the inmate population. These funds will serve approximately 20 to 30 inmates per year.

17-4225 TAX REFUNDS

1. Approve refunds in the amount of $18,547.69 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2. Approve refunds in the amount of $1,512.97 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $55.41.

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

17-4232 MINUTES

Approve Minutes of Regular meeting held September 5, 2017 and Closed Session held September 5, 2017.

17-4240 SOLE SOURCE VENDOR APPROVAL – YSI, INCORPORATED

Approve the purchase of water quality monitoring equipment from YSI, Incorporated as authorized by the sole source exemption of G.S. 143-129(e)(6).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4192 GRANT APPLICATIONS – NCDOT/NORTH CAROLINA BICYCLE AND PEDESTRIAN GRANTS (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of grant applications for up to $14 million in funding from up to four NCDOT grants or other State agency or federal funding grants for
constructing sections of Briar Creek-Little Hope Creek Greenway, Briar Creek Greenway, Irwin Creek Greenway and Walker Branch Creek Greenway.

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

17-4222 APPOINTMENT OF REVIEW OFFICERS

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to 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 Jennifer Frixen as a Review Officer.

AMENDMENT TO RESOLUTION DESIGNATING REVIEW OFFICERS TO REVIEW EACH MAP AND PLATRecorded in the Register of Deeds Office Pursuant to N.C.G.S. 47-30.2

WHEREAS, on September 16, 1997 the Mecklenburg County Board of Commissioners adopted a resolution entitled “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”; and

WHEREAS, the Resolution has been amended multiple times to accommodate additions and deletions; and

WHEREAS, the Mecklenburg County Board of Commissioners now desires to amend the Resolution to make additional modifications. Now, therefore,

BE IT RESOLVED by the Mecklenburg County Board of Commissioners that the Resolution adopted on September 16, 1997, as amended on prior occasions, be amended and the same hereby is further amended as follows:

1. Jennifer Frixen is hereby designated as Review Officers in addition to those persons so designated in the Resolution of September 16, 1997, and other appointees as amended on prior occasions; thus the Resolution is accordingly amended to add this name.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #193.

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

17-4224 BUDGET AMENDMENT – SHERIFF’S OFFICE SPECIAL REVENUE FUND (REVENUE INCREASE)

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

1. Recognize and appropriate $151,067 from Inmate Commissary revenue to the Sheriff’s Office Special Revenue Fund;

Note: All funds collected through Jail commissary operations are to be used for inmate education, library and self-sufficiency programs, as well as supplies and equipment to support the programs.

2. Recognize and appropriate $57,382 from Vocational Facility telephone revenue to the Sheriff’s Office Special Revenue Fund;

Note: All funds received from 16.8 percent of commissions from the inmate telephone system are to be used for inmate vocational education programs.
3. Recognize and appropriate $201,011 from concealed handgun permit fees to the Sheriff’s Office Special Revenue Fund; and

Note: The Sheriff’s Office 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.

4. Recognize and appropriate $30,823 from seized assets to the Sheriff’s Office Special Revenue Fund.

Note: Funds are generated from seized assets and will allow the Sheriff’s Office to enter into contracts and expend money in accordance with the Special Revenue fund ordinance.

Commissioner Leake removed this item from Consent for more public awareness. She said she’d also be interested in the number of books purchased for educational purposes.

17-4226 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate additional State revenue in the amount of $83,000 for Re-Entry Services from the North Carolina Department of Public Safety.

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

ADJOURNMENT

Motion was made by Commissioner Clarke, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:36 p.m.
ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4243, 17-4248, 17-4266, 17-4267, & 17-4268 to be removed from Consent and voted upon separately.

STAFF BRIEFING

17-4262 LAND CONVEYANCE – NORTH TRYON STREET PROPERTY

Jacqueline McNeil with Asset and Facility Management addressed a proposed land conveyance to the City of Charlotte. A representative from the Charlotte-Mecklenburg Police Department was also present.

Note: The County owns Tax Parcel 049-336-01A&B (8446 N. Tryon Street) which is located at the corner of N. Tryon Street and Ken Hoffman Drive. The property is +/- 1.83 acres in size and is .11 miles from W.T. Harris Blvd, along the Blue Line Extension route. The County’s ownership of the property dates back to at least the 1950s. The property was most recently the site of a Department of Motor Vehicles (DMV) location under a long-term lease with the State of North Carolina. In 2014, the State terminated its lease with the County because it relocated to a new facility on Mt. Holly-Huntersville Road in Huntersville.

Following the State’s departure from the building, the County began the process leading to declaring the property surplus as there was no immediately identifiable County need in this location that this site could satisfy. Through that process, the City of Charlotte asked the County to forego declaring the property surplus as it had identified the need for a new police station in the University City area and needed to complete its due diligence to determine if this location would meet its needs. The County agreed and did not market the property as surplus. The City
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has now completed its due diligence process (environmental, geotechnical, architectural, etc.) and would like to move forward with the purchase of the property. The County would receive $745,900, the appraised value of the property, from the City. A condition of the sale is that the County have a right to repurchase the property from the City for the original purchase price ($745,900), if the City has not commenced with construction of the police station within two (2) years of the effective date of the deed. Should the County desire to exercise this option, the City agrees to convey the property back to the County within ninety (90) days of written request from the County.

Comments

Commissioner Dunlap asked about the City/County Real Estate Ledger, which was addressed.

Commissioner Leake expressed disappointment that no one from the City was present at the Board’s Special meeting held earlier today. She also expressed concern for the amount of crime taking place throughout the County and the lack of police presence in certain areas, particularly, the Beatties Ford Road area.

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioner Leake voting no, to:

1. Authorize the County Manager to convey Tax Parcel 049-336-01A&B (+/- 1.83 acres) to the City of Charlotte for construction of a Charlotte-Mecklenburg Police Department station for a purchase price of $745,900; and

2. Recognize and receive $745,900 from the City of Charlotte as compensation for County owned Tax Parcel 049-336-01A&B and appropriate that amount to the Capital Reserve Fund for real estate acquisition costs.

CLOSED SESSION

17-4261 CONSULT WITH ATTORNEY
17-4263 LAND ACQUISITION

Prior to going into Closed Session, County Attorney Bethune announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels:

• 033-111-12
• 033-146-08
• Portion of 033-251-02
• Portion of 033-251-04
• 033-251-05
• 033-251-14
• 033-251-15
• 033-251-16
• 033-251-17
• 033-261-05 and
• 033-251-01

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney and Land Acquisition.
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The Board went into Closed Session at 5:35 p.m. and came back into Open Session at 6:03 p.m.

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

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order which was followed by the Pledge of Allegiance to the Flag, introductions and invocation by Chair Scarborough, after which, the matters below were addressed.

Note: Commissioners Puckett, Clarke and Ridenhour entered during introductions.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4259 PUBLIC APPEARANCE

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

APPOINTMENTS

17-4269 APPOINTMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Commissioner Clarke, chair of the Board’s Ad Hoc Appointment Interview Committee, presented the committee’s recommendation for an appointment to the Alcoholic Beverage Control Board. The Committee unanimously recommended the appointment of Monifa Drayton. The other Committee members were Commissioners Dunlap and Leake.

A copy of the Committee’s recommendation is on file with the Clerk to the Board.

The nominees below were interviewed except for Leonard King. Mr. King was not available for an interview.

David Conway
Monifa Drayton
Antoine Ensley
Catherine Goodrich
Leonard King
Howard Phillips
Paul Stroup

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Monifa Drayton to the Alcoholic Beverage Control Board to fill an unexpired term expiring June 30, 2019.

Note: She replaced Jennifer Stanton, who resigned.

BUILDING DEVELOPMENT COMMISSION
Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint John Taylor to the Building Development Commission for a three-year term expiring September 30, 2019 as the Associated Builder & Contractor Carolina Chapter representative.

PARK AND RECREATION COMMISSION

The vote was taken on the following nominees for appointment to the Park and Recreation Commission:

Anita Brown None
Blanche Penn Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough

Chair Scarborough announced the appointment of Blanche Penn to the Park and Recreation Commission to fill an unexpired term expiring June 30, 2019 as the North Region 3 representative.

Note: She replaced Kendel Bryant Phillips, who resigned.

PUBLIC HEARINGS

17-4258 PUBLIC HEARING – STREET LIGHTING FINAL ASSESSMENT

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to 1) 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; and 2) open the public hearing on 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.

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing and adopt Final Assessment Resolution for Capps Hollow, Cardinal Woods and Cardinal Woods Estate, Hearthstone, McGinnis Village, Mountain Point, Mountain Point Estates, Royal Oaks and Spicewood Subdivisions.

Final Assessment Roll Resolution
Street Lighting Assessment Project
Capps Hollow Subdivision
Operation Costs FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the economical traditional street lighting fixtures have been installed and are being operated on streets in the Capps Hollow Subdivision; and
WHEREAS, the Mecklenburg Board of County Commissioners adopted Final Assessment Resolutions on this project on September 2, 1997, and November 6, 2002, approving both projects for Sections 1 & 2 and requesting that Duke Power Company install and operate the economical traditional street lighting fixtures on all streets in the Capps Hollow Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,062.33 to Duke Power Company for charges incurred for the operation of these street lights in the Capps Hollow Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,362.33 spent for the operation of the street lights in the Capps Hollow Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the proposed term of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Capps Hollow Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is $2,362.33.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #194.
WHEREAS, the basis for assessment will be 100% of the property owner’s share of the total costs to operate these street lighting fixtures during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on the streets in the Cardinal Woods Subdivision and Cardinal Woods Estate where the acorn street lighting fixtures are located; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said operation must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use and Environmental Services Agency has prepared the Final Assessment Roll and a map showing each lot assessed, the basis for assessment, the amount assessed against each lot and the name of the owner of each lot as shown on the Mecklenburg County tax record, which Final Assessment Roll and map are attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution; now, therefore be it

RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Cardinal Woods Subdivision and Cardinal Woods Estate, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is $6,219.53.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #195.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
HEARTHSTONE SUBDIVISION
OPERATION COSTS FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Hearthstone Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on January 19, 1993, approving the project and requesting that Duke Power Company install and operate the street lighting fixtures on all streets in the Hearthstone Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,493.35 to Duke Power Company for charges incurred for the operation of these street lights in the Hearthstone Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,793.35 spent for the operation of the street lights in the Hearthstone Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

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WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made by the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during 2017 Fiscal Year in the Hearthstone Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year, which is $2,793.35.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #196.
WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 3, 1998, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $6,167.81 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $6,467.81 spent for the operation of the street lights in the Mountain Point Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the proposed term of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Mountain Point Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is $6,467.81.
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WHEREAS, the acorn street lighting fixtures have been installed and are being operated on all of the streets in the Mountain Point Estates Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 1, 2000, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on all streets in the Mountain Point Estates Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $2,116.58 to Duke Power Company for charges incurred for the operation of these street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,416.58 spent for the operation of the street lights in the Mountain Point Estates Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost to operate the street lights during the 2017 Fiscal Year plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the proposed term of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification, or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Mountain Point Estates Subdivision, and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is $2,416.58.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #199.

FINAL ASSESSMENT ROLL RESOLUTION
STREET LIGHTING ASSESSMENT PROJECT
ROYAL OAKS SUBDIVISION
OPERATION COSTS FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, twenty-four acorn street lighting fixtures have been installed and are being operated on the streets within the Royal Oaks Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on February 6, 1996, approving the project and requesting that Duke Power Company install and operate the acorn street lighting fixtures on the streets in the Royal Oaks Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating costs would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has been billed a total of $3,189.73 to Duke Power Company for the monthly operation costs incurred for these street lighting fixtures in the Royal Oaks Subdivision during the 1997 Fiscal Year and has incurred $300 in legal and other costs for a total of $3,489.73 spent for operation of these street lighting fixtures in the Royal Oaks Subdivision during the 1997 Fiscal Year; and
WHEREAS, the basis for assessment will be 100 percent (100%) of the property owners share of the total cost to operate these street lighting fixtures during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and

WHEREAS, the Mecklenburg County Land Use & Environmental Services Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for the assessment the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the street lighting operation costs during 2017 Fiscal Year in the Royal Oaks Subdivision and requests the Mecklenburg County Land Use & Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners of these operation costs which is $3,489.73.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #200.

FINAL ASSESSMENT ROLL RESOLUTION STREET LIGHTING ASSESSMENT PROJECT SPICEWOOD SUBDIVISION OPERATION COSTS FY 2017

WHEREAS, the Mecklenburg Board of County Commissioners has adopted a street lighting assessment program pursuant to North Carolina law; and

WHEREAS, the special street lighting fixtures have been installed and are being operated on all of the streets in the Spicewood Subdivision; and

WHEREAS, the Mecklenburg Board of County Commissioners adopted a Final assessment resolution on this project on October 5, 1992, approving the project and requesting that Duke Power Company install and operate the street lights on all streets in the Spicewood Subdivision and that the monthly charges would be paid to Duke Power Company by Mecklenburg County, and that the operating cost would be assessed to the property owners by Mecklenburg County; and

WHEREAS, Mecklenburg County has paid a total of $1,747.21 to Duke Power Company for charges incurred for the operation of these street lights in the Spicewood Subdivision during the 2017 Fiscal Year plus $300 in legal and other costs for a total of $2,047.21 for the operation of the street lights in the Spicewood Subdivision during the 2017 Fiscal Year; and

WHEREAS, the basis for assessment will be 100 percent (100%) of the property owner’s share of the total cost for the operation of the street lights during the 2017 Fiscal Year, plus other costs as described in Section 153A-193 of the General Statutes of North Carolina, said total cost to be apportioned equally to each parcel of land on said streets; and

WHEREAS, the proposed terms of payment of the assessment are such that each property owner must pay the total per lot share upon receipt of an assessment from Mecklenburg County, plus 8% per annum rate of interest if payment is not received by the due date as indicated on each individual assessment; and

WHEREAS, the method of payment for each property owner’s portion of the cost of said work must be paid by direct payment to Mecklenburg County; and
WHEREAS, the Mecklenburg County Land Use & Environmental Service Agency has prepared the Final Assessment Roll on a map showing each lot assessed, the basis for assessment, the amount assessed against each lot, and the name of the owner of each lot as shown on the Mecklenburg County tax record, which the Final Assessment Roll is attached hereto and incorporated herein by reference; and

WHEREAS, after notice was duly given, a public hearing was held on October 03, 2017 at 6:30 p.m. for the purpose of confirmation, modification or annulment of the Preliminary Assessment Roll; and

WHEREAS, there being no changes or annulment made of the Preliminary Assessment Roll, the same is hereby confirmed by this resolution.

NOW THEREFORE BE IT RESOLVED, that the Mecklenburg Board of County Commissioners does adopt this Final Assessment Roll Resolution on the Street Lighting Assessment Project for the operation of the street lighting fixtures during the 2017 Fiscal Year in the Spicewood Subdivision, and requests the Mecklenburg County Land Use and Environmental Services Agency to prepare the necessary documents for transmittal to the County Tax Collector’s Office to provide for the collection from the property owners for the cost of the operation of the street lighting fixtures during the 2017 Fiscal Year which is $2,047.21.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #201.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

County Manager Diorio introduced and welcomed Derrick Ramos, the new Assistant County Manager/Chief of Staff.

17-4287 ETJ POLICING PROJECT

County Manager Diorio gave an update on the Extra Territorial Jurisdiction (ETJ) Policing Project and highlights from the Board’s Special Meeting held earlier today regarding this topic. The following was noted:

- Staff would follow up, again, with the City of Charlotte to request a one-year extension of the contract.
- Service Level data for the ETJ was needed, as well as, a way to measure and track it.
- The cost needs to be controlled over the term of the contract.
- There should be reporting from the CMPD on an on-going basis.
- There needs to be some confirmation and commitment that annexation in the ETJ, would not increase taxes for those who remain in the ETJ.
- It needs to be made clear that the County was eliminating general fund subsidy to the ETJ as it relates to Charlotte.
- Additional details were needed from the Sheriff on how the proposed ETJ patrol division would be wound down as the area decreased, as a result of annexation.
- There will be discussion with the City regarding Mint Hill.

County Manager Diorio said she would follow-up on the above referenced concerns and report back to the Board. County Manager Diorio said time was of the essence to get this matter resolved.

Comments

Commissioner Dunlap asked would the County Manager be able to report back at the Board’s October 11, 2017 Budget/Public Policy meeting. The response was yes.

Commissioner Fuller asked would it be possible for the Board to make a decision on October 11, 2017. The response was yes.
Commissioner Fuller acknowledged and thanked Sheriff Irwin Carmichael for the work that he’d done with respect to this issue and for presenting a proposal for the Board’s consideration. He said no matter what decision the Board ultimately made, it was no reflection of the Sheriff and his agency. He complimented the Sheriff’s Office for the fine and valuable work that they do.

Commissioner Leake echoed Commissioner Fuller’s sentiments with respect to the fine work done by the Sheriff’s Office.

Commissioner Leake expressed disappointment that there was no one from the City of Charlotte, particularly from City Council, present at the Board’s Special meeting held today around this issue.

Commissioner Puckett said it was not expected that someone from Charlotte City Council would be present at the Board’s Special meeting. He said the Board directed the County Manager to represent the County in these discussions and that those discussions had taken place between the County Manager and the City Manager, per Charlotte City Council’s directive to their Manager.

Commissioner Puckett suggested the Board take final action at the Board’s October 17, 2017 meeting instead of on October 11, 2017. He said this would allow more time and probably more conducive for City Council, since the Board wasn’t aware of their meeting schedule between now and October 11th.

Commissioner Clarke said he was okay with waiting to make a final decision on October 17th, since the Board wasn’t sure what City Council’s schedule was. He said City Council should have time to weigh in on the matter.

Note: This concluded the discussion. The above was not inclusive of every comment but was a summary.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE

COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4280 APPOINTMENT POLICY FOR BOARDS & COMMISSIONS (COMMISSIONER DUNLAP)

Commissioner Dunlap, Chair of the Board’s Ad Hoc Advisory Board Review Committee, presented proposed effective dates for recent policy amendments approved by the Board on September 19, 2017.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve effective date(s) for recent amendments to the Board’s Appointment Policy as noted below:

Amendment 1 ABC Board Nominee Questionnaire (Effective Immediately)

Amendment 2 Attendance Requirement (Effective Immediately with the exception of the stipulation regarding missing three consecutive meetings, which would become effective January 1, 2018)
Amendment 3  Committee Reporting (Effective January 1, 2018)
Amendment 4  Committee By-laws (Effective Immediately)
Amendment 5  Committee Funding (Effective Immediately)

CLOSED SESSION

17-4263   LAND ACQUISITION - OAK HILLS PROPERTY

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of Tax Parcels:
- 033-111-12
- 033-146-08
- Portion of 033-251-02
- Portion of 033-251-04
- 033-251-05
- 033-251-14
- 033-251-15
- 033-251-16
- 033-251-17
- 033-261-05 and
- 033-251-01

totaling +/- 158 acres in the extra-territorial jurisdiction of the City of Charlotte from Oak Hills, Inc for a purchase price of $170,000 for parcel 033-251-01 (+/- 2.17 acres) and $24,500 per acre for the remaining approximately 156 acres for a total approximate purchase price of $3,987,835.

Note: Park and Recreation wanted to acquire +/- 158.0 acres (with final acreage determined by a survey) in the extra-territorial jurisdiction of the City of Charlotte for a future regional park and greenway trail on Long and McIntyre Creeks.

CONSENT ITEMS

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

17-4247   STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION

1. Accept the Offer of Sale of Real Estate from Mary Thompson & Steven Shipp, owners of property located at 6214 Colchester Place, Charlotte, NC (tax parcel 173-071-08), for $320,000; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.
Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that would minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). This action would consist of acquiring the property and demolishing the existing building using Storm Water Services capital funds for the purchase.

17-4255  BUDGET AMENDMENT – COMMUNITY SUPPORT SERVICES (REVENUE INCREASE)

Recognize, receive and appropriate an increase of $6,070 in federal funds received from North Carolina Council for Women and Youth Involvement for prevention of domestic violence and teen dating violence.

17-4256  BUDGET AMENDMENT – LUESA (BUDGET INCREASE)

Recognize, receive and appropriate $5,100 from I-77 Mobility Partners, LLC for future plantings at Anita Stroud Neighborhood Park.

17-4260    MINUTES

Approve Minutes of Regular meeting held September 19, 2017 and Closed Session held September 19, 2017.

17-4264    TAX REFUNDS

Approve refunds in the amount of $6,682.71 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed.

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

17-4265    SET PUBLIC HEARING – NC DEPT. OF TRANSPORTATION COMMUNITY TRANSPORTATION GRANT APPLICATION, URBAN GRANT 5307 APPLICATION AND URBAN GRANT 5307 APPLICATION

Schedule a public hearing for October 17, 2017 to receive comments on the Mecklenburg County Department of Social Services’ applications for:

a. North Carolina Department of Transportation’s Community Transportation Grant for Fiscal Year 2018-2019;

b. North Carolina Department of Transportation’s 5307 Urbanized Area Formula Grant for Fiscal Year 2017-2018; and

c. North Carolina Department of Transportation’s 5307 Urbanized Area Formula Grant for Fiscal Year 2018-2019.
Approve the salary for the Alcoholic Beverage Control Board CEO, Jason Hughes, as requested and approved by the ABC Board, in the amount of $174,720, effective July 1, 2017.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4243 BUDGET AMENDMENT – SENIOR HEALTH INSURANCE INFORMATION PROGRAM GRANT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate grant funds $1,998.00, above the original request of $8,000.

Note: Mecklenburg County Park and Recreation Department applied for and received, a Senior Health Insurance Information Program grant in the amount of $9,998. This is $1,998 greater than the $8,000 submitted to the board on August 2, 2017. The grant award will be distributed in FY2018 and will be used to continue existing Medicare education and counseling services offered in all three MCPR Senior Centers, Levine Senior Center, some MCPR recreation centers, churches and senior living locations. No match is required for these funds.

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

17-4248 CONSTRUCTION CONTRACT – STEVENS CREEK NATURE PRESERVE EARLY SITE DEVELOPMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to Eagle Wood, Inc. in the amount of $951,226.20 for the Stevens Creek Nature Preserve Early Site Development.

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

17-4266 SECOND WARD HIGH SCHOOL GYM/METRO SCHOOL LIGHTING AGREEMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute the Second Ward High School Gym/Metro School Lighting Agreement with the Charlotte-Mecklenburg Board of Education to allow the County to install lighting on the Metro School property, Tax Parcel 125-071-26, in connection with the Second Ward High School Gym renovation.

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

17-4267 CAPITAL RESERVE EXPENDITURE REQUEST – RENAISSANCE GOLF COURSE (PARK AND RECREATION)
Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve expenditure of $117,826 from Park and Recreation Golf Course Capital Reserve account for improvement projects at Renaissance Park as follows:

1. $105,826 for Phase II for the redesign of Renaissance Golf Course due to settling from underlying landfill; and
2. $12,000 for new signage at Renaissance Golf Course and new flooring in the kitchen.

Commissioner Leake removed this item from Consent for more public awareness. She also asked about the cost to name the golf course after the late and former Mecklenburg County Manager Harry L. Jones, Sr. Director Garges said he did not recall but would get that information to the Board.

17-4268    GRANT APPLICATION – NORTH CAROLINA GENERAL PURPOSE GRANT (SENIOR CENTERS)

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

1. Affirm submittal of a grant application of up to $3,647 for a NC General Purpose Grant for the North Mecklenburg Senior Center;
2. Affirm submittal of a grant application of up to $10,939 for a NC General Purpose Grant for the Tyvola Senior Center;
3. Affirm submittal of a grant application of up to $10,939 for a NC General Purpose Grant for the Shamrock Senior Center; and
4. If awarded, recognize, receive and appropriate such funds.

Note: Mecklenburg County Park and Recreation Department applied for a NC Senior Center General Purpose grants in the amounts indicated. The grant awards will be distributed in FY2018 and will be used to continue existing programming at each of the centers. The required 25% match will be fulfilled with salaries of Center staff. Application for the grant had to be submitted to the Area Agency on Aging by August 11, 2017 but the grant covers expenses back to July 1, 2017.

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

ADJOURNMENT

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 6:53 p.m.
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, October 17, 2017.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

Commissioners Dunlap, Fuller, and Leake were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4277, 17-4279, 17-4301, 17-4305, 17-4316, and 17-4317 to be removed from Consent and voted upon separately.

Motion was made by Commissioner James, seconded by Commissioner Cotham and carried 6-0 with Commissioners Clarke, Cotham, James, Puckett, Ridenhour and Scarborough voting yes, to move Item 17-4317 Proclamation Re-Entry Day from the Consent section of the agenda to the Awards/Recognition section.

STAFF BRIEFINGS

17-4290 NEW BOCC MEETING BROADCAST INTRO

The Board received a presentation on the new broadcast intro for the Board of County Commissioner Meetings. It was presented by Public Information Director Danny Diehl.

Commissioners Fuller and Dunlap entered the meeting.

The new Meeting intro was received very favorably by Commissioners.
October 17, 2017

CLOSED SESSION

17-4286  LAND ACQUISITION
17-4300  CONSULT WITH ATTORNEY

Prior to going into Closed Session, County Attorney Bethune said there were no Consult with Attorney matters to be discussed in Closed Session. He announced the following Land Acquisition matter to be discussed in Closed Session: Tax Parcel 229-091-10.

Motion was made by Commissioner Dunlap, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:19 p.m.

Commissioner Leake was present when the Board came back into Open Session.

The Board continued to dine, after which, then proceeded to the Meeting Chamber for the remainder of the meeting.

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order which was followed by the Pledge of Allegiance to the Flag, invocation by the Chair and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

17-4317  PROCLAMATION RE-ENTRY DAY

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring November 3, 2017 as Re-Entry Day in Mecklenburg County.

The proclamation was read by Commissioners Fuller and Cotham and accepted by Kristie Puckett Williams and Ramona Brant. They noted the need for jobs, a livable wage, and housing for those re-entering the community.

Commissioners Cotham and Leake spoke in support of efforts addressing re-entry for those returning to the community after incarceration.
The following person appeared to speak during the Public Appearance portion of the agenda:

Jeanie Welch spoke about the Huntersville Fall Community Extravaganza scheduled for October 21, 2017 from 8:00 a.m.-2:00 p.m. at Huntersville United Methodist Church located at 14005 Stumptown Road, Huntersville, NC.

Comments

Commissioner Leake asked was it possible to display a sign and/or distribute information at the festival in support of the School Bonds for Charlotte-Mecklenburg Schools. Ms. Welch said she would have to check with the pastor of the church and would communicate back to Commissioner Leake.

Allan Lee Jackson signed up to speak but did not appear.

APPOINTMENTS

17-4297 NOMINATIONS/APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Roderick Davis to the Charlotte-Mecklenburg

Note: He replaces Jibril Hough.

PUBLIC ARTS COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Robert Combs to the Public Arts Commission as a Business Sector representative to fill an unexpired term expiring June 30, 2018.

Note: He replaces Patricia Fletcher who resigned.

MANAGER’S REPORT

17-4307 EXTRA TERRITORIAL JURISDICTION POLICING

County Manager Diorio gave an update on Extra Territorial Jurisdiction Policing (ETJ) Policing.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Mecklenburg County Board of Commissioners Resolution Declaring Intent To Enter Into An Interlocal Agreement With the City of Charlotte for Law Enforcement Services.

Comments

Commissioner Leake asked if there would be additional cost to the County for additional officers hired by the City of Charlotte. County Manager Diorio said no, the base fee paid by the County to the City of Charlotte would be all the City would receive.

Commissioner Fuller asked would there be any tax increase for the citizens of Mecklenburg County as a result of this agreement. County Manager Diorio said no.

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

Commissioner Puckett said he’d spoken with some of the Town Chiefs of Police and it was their hope that “down the road” perhaps there would be a tax decrease.

Commissioner Puckett said it took some legislative action for the County to be in the position that it was with respect to this issue. He thanked NC Senators Joel Ford and Jeff Tarte and Representatives Chaz Beasley and John Bradford.

Commissioner Puckett thanked County Manager Diorio for her work on this as well.

Commissioner Leake asked about estimated response time for responding to calls for service in the ETJ. County Manager Diorio said staff would have to negotiate that as part of the contract.

MECKLENBURG COUNTY
BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF CHARLOTTE FOR LAW ENFORCEMENT SERVICES

WHEREAS, in 1993 the City of Charlotte (“City”) and Mecklenburg County (“County”) entered into an agreement entitled “Agreement Between the City of Charlotte and Mecklenburg County for the Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Original Consolidation Agreement”) which resulted...
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in the City Police Department and the County Police Department being consolidated on October 1, 1993 as a City department – the Charlotte-Mecklenburg Police Department - having law enforcement jurisdiction throughout the entire unincorporated area of the County; and

WHEREAS, effective July 1, 1996 the City and the County entered into the “Agreement Between the City of Charlotte and Mecklenburg County for the Continued Consolidation of the Charlotte and Mecklenburg County Police Departments” (“Current Agreement”) which Current Agreement was terminated effective June 30, 2018 by the Board of County Commissioners at its April 18, 2017 meeting; and

WHEREAS, the County Manager and City Manager, and their staffs, have been negotiating terms for a new agreement with the City for the Charlotte Mecklenburg Police Department to provide law enforcement services within the extraterritorial jurisdiction (“ETJ”) areas of the City, the Town of Davidson (“Davidson”) and the Town of Mint Hill (“Mint Hill”); and

WHEREAS, at the Board of County Commissioners’ meeting on October 11, 2017, the County Manager presented to the Board the then current status of negotiations with the City Manager; and

WHEREAS, at that October 11th meeting, the County Manager agreed to provide to the Board for its consideration at its October 17, 2017 meeting a resolution authorizing the County Manager to negotiate the terms of a five (5) year interlocal agreement with the City, to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, consistent with a term sheet to be an exhibit to the Resolution; and

WHEREAS, this Resolution has been prepared consistent with the County Manager’s statement to the Board; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby declare its intent to enter into a interlocal agreement with the City to be effective July 1, 2018, for the City to provide law enforcement services within the ETJ areas of the City, Davidson, and Mint Hill, consistent with the term sheet which is Exhibit A to this Resolution and authorizes the County Manager to negotiate with the City Manager the terms of such an interlocal agreement, and to bring back to the Board as soon as possible a fully negotiated interlocal agreement, consistent with the Exhibit A term sheet, for consideration for adoption by the Board.

EXHIBIT A

CMPD EXTRATERRITORIAL JURISDICTION POLICING PROPOSAL
KEY INTERLOCAL AGREEMENT TERMS

ACTION:

Authorize the County Manager to negotiate an interlocal agreement with the City of Charlotte (“City”) for policing services in the Charlotte, Davidson, and Mint Hill Extraterritorial Jurisdictions (ETJ) of Mecklenburg County

CONTRACT FRAMEWORK:

- Contract Term: 5 years beginning July 1, 2018
- Contract Extension: Yes, with mutual agreement
- Early Termination Clause: Yes, with advance notification
- Base Fee: $14,000,000 per year – includes $100,000 Fund balance in FY19
- Property tax rates will be set individually for each municipality. (Tax rates will be set by the BOCC and is not part of the contract)
- Annual Fee Escalation: Yes
  - Formula: Annual, natural (excludes revaluation) ETJ property value tax growth above the County’s current general fund contribution
  - Elimination of the general fund subsidy
  - Fee escalation opportunity begins FY19
  - Fee Cap: Yes (to be negotiated)
- Impact of Future Annexation: Cost to remaining ETJ will remain flat
- Service Level Commitments: Yes (to be negotiated)
- Reporting to the BOCC:
  - Semi-annual, in-person reports by the CMPD Police Chief beginning January 2018
  - Performance Data and Metrics: Yes (content and frequency to be negotiated)
  - Including but not limited to: crime rate, police presence, call response time, community engagement and other safety/security measures
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CONTRACT EXECUTION:

With BOCC resolution, the County Manager will target the completion of the interlocal agreement for BOCC approval in calendar year 2017

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #202.

PUBLIC HEARINGS

17-4284 CHARLOTTE LATIN SCHOOL TEFRA HEARING

Motion was made by Commissioner Jim Puckett, seconded by Commissioner Trevor M. Fuller and carried 8-0, with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes to open the public hearing.

WHEREAS, at 6:35 P.M., the Chairman announced that the Board of Commissioners (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 (the “Authority”), a commission organized under and pursuant to the laws of the State of Wisconsin, of not exceeding $30,000,000 of its Educational Facilities Revenue Bond (Charlotte Latin School), Series 2017A and its Educational Facilities Revenue Refunding Bond (Charlotte Latin School), Series 2017B (together, the “Bonds”);

WHEREAS, the Authority will loan the proceeds of the Bonds to Charlotte Latin Schools, Inc., a North Carolina nonprofit corporation (the “Borrower”) and designated as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), and the Borrower, pursuant to the plan of finance, will use the proceeds of the loan from the Authority to (1) finance the costs of constructing, improving and renovating school and other facilities, as described in the notice of public hearing attached hereto as EXHIBIT A, all located on the Corporation’s campus at 9502 Providence Road, Charlotte, North Carolina 28277, for use by the Corporation as educational facilities (collectively, the “2017 Project”), (2) refinance the 1999 Project and the 2013 Project (each as described below) by refunding the 2013 Bonds (as described below), and (3) pay certain expenses incurred in connection with the issuance of the Bonds by the Authority;

WHEREAS, the North Carolina Educational Facilities Agency, succeeded by the North Carolina Capital Facilities Finance Agency (the “North Carolina Agency”) previously issued its Variable Rate Educational Facilities Revenue Bonds (Charlotte Latin Schools, Inc.), Series 1999 (the “1999 Bonds”) and loaned the proceeds thereof to the Corporation for the purposes of financing all or a portion of the cost of improving and further equipping the Corporation’s school facilities, including the cost of (i) acquiring, constructing, equipping and furnishing a new science and technology classroom building; (ii) acquiring, constructing, equipping and furnishing a new athletic and student activities facility; (iii) renovating and converting the use of school buildings; (iv) acquiring approximately 29 acres of land adjacent to the campus of the Corporation; and (v) making certain other improvements on the campus of the Corporation (collectively, the “1999 Project”);

WHEREAS, the North Carolina Agency previously issued its Educational Facilities Revenue Refunding Bond (Charlotte Latin Schools, Inc.), Series 2013A and Variable Rate Educational Facilities Revenue Bond (Charlotte Latin Schools, Inc.), Series 2013B (the “2013 Bonds”) and loaned the proceeds from the sale thereof to the Corporation to (i) refund the 1999 Bonds, and (ii) acquire a six-acre lot and residence (the “2013 Project”, and together with the 1999 Project and the 2017 Project, the “Project”);

WHEREAS, pursuant to Section 66.0304(11)(a) of the Wisconsin Statutes, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries a project is located, which with respect to the Project is Mecklenburg County, North Carolina;

WHEREAS, the Borrower has requested that the Board approve the financing and refinancing of the Project, and the issuance of the Bonds in an amount not to exceed $30,000,000 in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Public Finance Authority, dated as of September 28, 2010 (the “Joint Exercise Agreement”), and Section 66.0304(11)(a) of the Wisconsin Statutes;

WHEREAS, on September 29, 2017 a notice of public hearing was published in the Mecklenburg Times, setting forth a general, functional description of the type and use of the facilities to be financed and refinanced, the maximum

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principal amount of the Bonds, the initial owner, operator or manager of the facilities and the location of the facilities, among other things;

WHEREAS, the names, address and testimony of the persons who were present and who offered comments on the proposed issuance of the Bonds or who responded in writing to the notice of public hearing are as follows: (No One Appeared to Speak)

WHEREAS, 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 and the Chairman of the Board determined that no other persons who wished to speak at the public hearing were found; and

WHEREAS, the purpose of the above-described public hearing and this resolution is to satisfy the public approval requirement of Section 147(f) of the Code (the “Code”), in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code;

After the Board had heard all persons who had requested to be heard, Commissioner Jim Puckett moved that the public hearing be closed. The motion was seconded by Commissioner Bill James and was adopted 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to close the public hearing.

Commissioner Jim Puckett introduced the following resolution, a copy of which had been distributed to each Commissioner:

RESOLUTION APPROVING THE ISSUANCE OF NOT TO EXCEED $30,000,000 OF THE PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BOND (CHARLOTTE LATIN SCHOOL) SERIES 2017A AND EDUCATIONAL FACILITIES REVENUE REFUNDING BOND (CHARLOTTE LATIN SCHOOL) SERIES 2017B TO FINANCE OR REFINANCE CERTAIN COSTS OF VARIOUS PROJECTS ON BEHALF OF CHARLOTTE LATIN SCHOOLS, INC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF MECKLENBURG, NORTH CAROLINA:

Section 1. For the purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code, the Board hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to finance and refinance the Project, provided that in no event shall Mecklenburg County, the State of North Carolina or any political subdivision thereof be liable for such Bonds nor shall the Bonds constitute a debt of Mecklenburg County, the State of North Carolina or any political subdivision thereof. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Bonds by the applicable elected representative of the Project Jurisdiction for the Project, which is the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code, and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Joint Exercise Agreement.

Section 2. This resolution shall take effect immediately upon its passage.

Commissioner Bill James seconded the motion and the motion was adopted by the following vote:

AYES: Commissioners Dumont Clarke, Patricia “Pat” Cotham, Trevor M. Fuller, Bill James, Vilma D. Leake, Jim Puckett, Matthew Ridenhour, and Ella B. Scarborough

NAYS: None

Note: Commissioner George Dunlap was present at the meeting but absent at the time of the above vote.

EXHIBIT A

NOTICE OF PUBLIC HEARING FOR THE BOARD OF COMMISSIONERS FOR MECKLENBURG COUNTY, NORTH CAROLINA WITH RESPECT TO AN AMOUNT NOT TO EXCEED $30,000,000 OF PUBLIC FINANCE AUTHORITY EDUCATIONAL FACILITIES REVENUE BONDS

Notice is hereby given that on October 17, 2017, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, will be held by the Mecklenburg County Board of Commissioners with respect to a
proposed plan of finance and the proposed issuance by the Public Finance Authority, a commission organized under and pursuant to the provision of Sections 66.0301 and 66.0304 of the Wisconsin Statutes, as amended (the “Authority”), of its Educational Facilities Revenue Bond (Charlotte Latin School), Series 2017A and its Educational Facilities Revenue Refunding Bond (Charlotte Latin School), Series 2017B (together, the “Bonds”) in an aggregate amount not to exceed $30,000,000. The hearing will commence at 6:30 p.m., or as soon thereafter as the matter can be heard, and will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center located at 600 East Fourth Street, Charlotte, North Carolina 28202.

The Bonds are expected to be issued by the Authority pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, and the proceeds from the sale of the Bonds will be loaned to Charlotte Latin School, Inc., a North Carolina nonprofit corporation (the “Corporation”) and used to (1) finance the costs of constructing, improving and renovating school facilities, including (i) an athletic fieldhouse on its South Campus, (ii) a turf field and bleachers on its South Campus, (iii) a new building for after-school programming, (iv) a new Upper School classroom and general administration building, (v) additional parking in various locations, (vi) an athletic fieldhouse adjacent to the current student activities center, (vii) renovation of existing classroom buildings, (viii) a new tennis facility and (ix) other renovations, improvements and additions, all located on the Corporation’s campus at 9502 Providence Road, Charlotte, North Carolina 28277, for use by the Corporation as educational facilities (collectively, the “2017 Project”), (2) refinance the 1999 Project and the 2013 Project (each as described below) by refunding the 2013 Bonds (as described below), and (3) pay certain expenses incurred in connection with the issuance of the Bonds by the Authority.

The North Carolina Educational Facilities Agency, succeeded by the North Carolina Capital Facilities Finance Agency (the “North Carolina Agency”) previously issued its Variable Rate Educational Facilities Revenue Bonds (Charlotte Latin Schools, Inc.), Series 1999 (the “1999 Bonds”) and loaned the proceeds thereof to the Corporation for the purposes of financing all or a portion of the cost of improving and further equipping the Corporation’s school facilities, including the cost of (i) acquiring, constructing, equipping and furnishing a new science and technology classroom building; (ii) acquiring, constructing, equipping and furnishing a new athletic and student activities facility; (iii) renovating and converting the use of school buildings; (iv) acquiring approximately 29 acres of land adjacent to the campus of the Corporation; and (v) making certain other improvements on the campus of the Corporation (collectively, the “1999 Project”).

The North Carolina Agency previously issued its Educational Facilities Revenue Refunding Bond (Charlotte Latin Schools, Inc.), Series 2013A and Variable Rate Educational Facilities Revenue Bond (Charlotte Latin Schools, Inc.), Series 2013B (the “2013 Bonds”) and loaned the proceeds from the sale thereof to the Corporation to (i) refund the 1999 Bonds, and (ii) acquire a six-acre lot and residence (the “2013 Project”, and together with the 1999 Project and the 2017 Project, the “Project”).

The Project will be initially owned and operated by the Corporation.

The Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Corporation to the Authority, and certain funds established by the trust agreement for the Bonds. The principal of, premium, if any, and interest on the Bonds will not constitute an indebtedness or liability of the County of Mecklenburg, the State of North Carolina, or any political subdivision of the State of North Carolina, or a charge against their general credit or any taxing powers.

At the time and place set for the public hearing, interested persons will be given the opportunity to express their views, both orally and in writing, on the proposed issue of Bonds, and the location and nature of the proposed project to be financed. Written comments may also be submitted to Marvin A. Bethune, Esq., Ruff, Bond, Cobb, Wade & Bethune, L.L.P., 831 East Morehead Street, Suite 860, Charlotte, North Carolina 28202 for receipt prior to the time and date of such hearing.

The Board of Commissioners does not discriminate upon the basis of any individual’s disability status. This non-discrimination policy involves every aspect of the Board of Commissioners’ functions, including one’s access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting and/or requiring this information in an alternative format because of a disability as provided for in the Americans with Disabilities Act should contact the Clerk to the Board of Commissioners by phone at (704) 336-2472, or by fax at (704) 336-5887, or by e-mail at Janice.Paige@mecklenburgcountync.gov. We request at least 72 hours’ notice prior to the meeting to make the appropriate arrangements.

This Notice is dated September 29, 2017.
THE COUNTY OF MECKLENBURG, NORTH CAROLINA

Resolution/Extracts recorded in full in Minute/Ordinance Book 47-A, Document #203.

17-4296  NC DEPT. OF TRANSPORTATION GRANT APPLICATIONS: COMMUNITY TRANSPORTATION GRANT, URBAN GRANTS 5307
Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on the submission of NC Dept. of Transportation Grant Applications: Community Transportation Grant, Urban Grants 5307 by the Department of Social Services.

Commissioner Puckett read the following statement:

Voluntary Title VI Public Involvement
Title VI of the Civil Right’s Act of 1964 requires North Carolina Department of Transportation to gather statistical data on participants and beneficiaries of the agency’s federal-aid highway programs and activities. The North Carolina Department of Transportation collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population affected by a proposed project. The North Carolina Department of Transportation wishes to clarify that this information gathering process is completely voluntary and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document. The completed forms will be held on file at the North Carolina Department of Transportation. For further information regarding this process please contact Shantray Dickens the Title VI Manager at telephone number 919.508.1896 or email at sddickens@ncdot.gov. After you complete this form, please fold it and place it inside the designated box on the registration table. Thank you for your cooperation.

No one appeared to speak.

Mike Taylor with DSS addressed the grant applications.

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on the submission of NC Dept. of Transportation Grant Applications: Community Transportation Grant, Urban Grants 5307 by the Mecklenburg County Department of Social Services; and adopt resolutions approving Mecklenburg County Department of Social Services submission of applications for the NC Department of Transportation’s 5307 Urban Transportation Grants for Fiscal Years 2017-2018 and 2018-2019 and the NC Department of Transportation’s 5311 Community Transportation Grant for Fiscal Year 2018-2019.

PUBLIC TRANSPORTATION PROGRAM RESOLUTION FY 2018 RESOLUTION
Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements [drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis]; and
WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Section 5310 program.

WHEREAS, Mecklenburg County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager of Mecklenburg County Board of Commissioners is hereby authorized to submit grant application(s) for federal and state funding in response to NCDOT’s calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #204.

PUBLIC TRANSPORTATION PROGRAM RESOLUTION
FY 2019 RESOLUTION
Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Section 5310 program.

WHEREAS, Mecklenburg County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.
WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager Mecklenburg County Board of Commissioners is hereby authorized to submit grant application(s) for federal and state funding in response to NCDOT’s calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #205.

Motion was made by Commissioner James, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive and appropriate grant funds when awarded.

17-4312 BUSINESS INVESTMENT GRANT: NN, INC.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to open the public hearing to receive comments on a proposed Business Investment Program grant to NN, Inc.

Economic Development Director Peter Zeiler presented the proposed Business Investment Program Grant to NN, Inc.

No one appeared to speak.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to close the public hearing on a proposed Business Investment Program grant to NN, Inc. and adopt a resolution approving a Business Investment Program grant for NN, Inc. for a total estimated amount of $181,595 and authorize the County Manager to negotiate and execute the contract.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS RESOLUTION APPROVING BUSINESS INVESTMENT PROGRAM GRANT FOR NN, INC.

WHEREAS, NN Inc. is consolidating its existing corporate headquarters with three existing business operations centers and planned future business segments in a new, centralized global headquarters project; and

WHEREAS, the company evaluated sites in Atlanta, Georgia and Mecklenburg County; and

WHEREAS, this project as described by the company was determined to meet all of the criteria for a Business Investment Program grant from the City of Charlotte and the County of Mecklenburg, the Board of Commissioners voted its intent to provide a Business Investment Program grant to the company during a closed session meeting on August 02, 2017 and as authorized by the Board, the County communicated this information to the company; and

WHEREAS, taking into consideration the Board’s stated intent to make an economic development grant, the company subsequently decided to expand in Charlotte. The project will include a capital investment of approximately $10.5 million and will create 200 new jobs within five years at an average annual salary of approximately $130,000. The Business Investment Program grant is a 50% grant over 5 years, with an estimated total amount of up to $181,595. The grant will be subject to the County’s standard contract provisions, including compliance requirements for the company related to job creation targets and clawback provisions; and

WHEREAS, Mecklenburg County Board of Commissioners has determined that this grant will provide new employment, new taxable property and new economic activity within the County, now, therefore, be it
RESOLVED that the Board of County Commissioners does hereby approve the Business Investment Program grant and Economic Development grant as described above, and authorizes the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #206.

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4315 CRIMINAL JUSTICE SERVICES MACARTHUR FOUNDATION AWARD

The Board acknowledged Criminal Justice Services receipt of the John D. and Catherine T. MacArthur Foundation Award.

Criminal Justice Services Director Sonya Harper addressed the grant.

Note: The John D. And Catherine T. MacArthur Foundation awarded a $2 million grant to Mecklenburg County’s Department of Criminal Justice Services to continue building on local efforts to implement criminal justice system reforms and safely reduce Mecklenburg County’s jail population. The grant is part of the Safety and Justice Challenge, a more than $100 million national initiative to reduce over-incarceration.

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

Commissioners expressed thanks to the County Manager and Director Harper for their work on this.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4302 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for October, 2017.

Note: The County Manager requests that department directors develop department management monthly reports highlighting key activities and initiatives within the departments and that reports show relevant performance indicators of departmental activity.

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

17-4303 FEATURE DEPARTMENT/AGENCY PRESENTATION: HUMAN RESOURCES

The Board received a presentation from County Human Resources (HR) Director Joel Riddle regarding Human Resources strategic initiatives and services provided.

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

Comments

Commissioner Leake and Chair Scarborough thanked HR for the work that they do.

Commissioner Cotham asked about the process for responding to applicants, including the turnaround time for notifying them regarding an interview, which was addressed.
Commissioner Fuller also asked about the application process and asked was it possible to develop some type of response system where individuals who applied could be notified of their status. Director Riddle said technology enhancements were needed to accomplish what Commissioner Fuller was suggesting. Director Riddle said he would place this in the departments FY19 budget request.

Commissioner Fuller asked was the Learning & Development efforts addressed in the presentation done by HR and/or within departments. Director Riddle said it could be both, depending upon the type of training.

Commissioner Fuller said he’d heard concerns expressed by staff at the Health Department that the opportunity to take advantage of various trainings was not administered fairly by some supervisors. Director Riddle said favoring one employee over another should not be occurring. He said employees that find themselves in that type of situation should inform, their supervisor’s supervisor or contact HR.

Commissioner Fuller asked Director Riddle if he’d heard that concern from Health Department employees. Director Riddle said he had not heard that specifically.

**STAFF REPORTS & REQUESTS – NONE**

**17-4286 CLOSED SESSION - LAND ACQUISITION - EASEMENT ACQUISITION – FLAT BRANCH GREENWAY**

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway and storm drainage easement (± 4.7712 acres), a permanent storm drainage easement (±2.4959 acres), a construction and maintenance access easement (±0.0789 acres) and a temporary construction easement (±0.0606 acres) on Tax Parcel 229-091-10 from the Blakeney Greens Homeowners Association, Inc. in the City of Charlotte for a purchase price of $66,275.

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

Commissioner Leake asked for a “point of personal privilege” and noted the need for enhancements on the west side of the County. She said economic growth should occur across the County and not just in certain areas.

Commissioner Leake said she wanted to make a motion to consider discussing economic growth on the west side, specifically, recommendations for enhancement of the Beatties Ford Road corridor.

Chair Scarborough informed Commissioner Leake that the matter was not on the agenda and therefore, could not be discussed at this time. She encouraged Commissioner Leake to place it on a future agenda.

Commissioner Leake said she would but that it was her understanding the Chair was going to place the matter on this agenda.

Chair Scarborough said the matter was not on the agenda.
Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to withdraw the Board’s offer made on August 2, 2017 to deed over to the City of Charlotte, the Memorial Stadium and Grady Cole property for uses only related to Major League Soccer; and secondly, should the City of Charlotte desire the Board to reconsider its offer in the future, the County would remain open for that discussion and/or consideration.

Note: Commissioner Puckett noted that since the City had indicated they would not act on this offer, it would be best for the County to retain full control, going forward, as to any future use of the stadium and therefore should withdraw the offer.

CONSENT ITEMS

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

17-4270 SOLE SOURCE VENDOR APPROVAL – JAMES RIVER EQUIPMENT

Approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129 (e)(6) for John Deere parts and service for the next three years.

17-4271 SOLE SOURCE VENDOR APPROVAL – CAROLINA TRACTOR & EQUIPMENT

Approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6), Caterpillar parts and service from Carolina Tractor & Equipment.

17-4273 ORDINANCE AMENDMENT – MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO)

Approve amendment to the Mecklenburg County Air Pollution Control Ordinance.

Note: The amendments are in response to State certification requirements and USEPA grant requirements. Pursuant to NCGS 143-215.112 “Local Air Pollution Control Programs,” paragraph(c)(1)(d), any applicable rules duly adopted by the NC Environmental Management Commission may be adopted by reference without public hearing.

Ordinance recorded in full in Minute/Ordinance Book 47-A, Document #207.

17-4274 CHARLOTTE RURAL FIRE INSURANCE DISTRICT

Adopt Resolution titled: Resolution Adding Areas From Former Providence Fire Insurance District to Charlotte Rural Fire Insurance District.
WHEREAS, by prior resolutions the Board of County Commissioners has approved the boundary lines of all fire insurance districts in the County; and

WHEREAS, changes are now needed in the boundaries of the Charlotte Rural Fire Insurance District by adding areas previously serviced by the Providence Volunteer Fire Department referred to as the Providence Fire Insurance District, to the Charlotte Rural Fire Insurance District; and

WHEREAS, the Mecklenburg County Fire Marshal has created a revised fire insurance district map for the Charlotte Rural Fire Insurance District using the GIS system for the Charlotte Rural Fire Insurance District, excluding current or future municipal city limits, which map has been approved by the Office of the State Fire Marshal, and which map attached as Exhibit A shows the areas to be added to the Charlotte Rural Fire Insurance District, and the boundaries of the Charlotte Rural Fire Insurance District after this area has been added; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners approves Exhibit A as the map showing both the area being added the Charlotte Rural Fire Insurance District and the boundaries of the Charlotte Rural Fire Insurance District after the area formerly in the Providence Fire Insurance District has been added, excluding current or future municipal city limits of Charlotte, which Exhibit A map is a scaled GIS produced map certified by the County Fire Marshal.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #208.

17-4276   BUDGET AMENDMENT – COMMUNITY SUPPORT SERVICES – REVENUE INCREASE (CSS)

1. Recognize, receive and appropriate $195,000 for the first year of a five-year Substance Abuse and Mental Health Services Administration (SAMHSA) Grant as a subcontractor with Duke University; and

2. Approve establishing 3 new positions with grant funding: 1 full-time Mental Health Licensed Clinician, 1 full-time Counselor and 1 part-time Case Coordinator.

17-4288   STORM WATER PROGRAM – FY18 VACANT FLOODPLAIN LAND ACQUISITION

Authorize the County Manager to accept Offer of Sale of Real Estate from David Kendall, representing the estate of Henry David Kendall and wife Mary Didier Kendall, owners of property located off Celia Avenue, Charlotte, NC (tax parcel 069-076-28), for $1,400.

Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The referenced acquisition, a vacant parcel, will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk.

17-4291   BUDGET AMENDMENT – LUESA (REVENUE INCREASE)

1) Recognize, receive and appropriate a revenue increase of $74,338.82 from Waterleaf of Mint Hill, LLC and Wachovia Bank (Wells Fargo) as part of a default of bond obligations related to Water Leaf Subdivision (Phase 1 Map 1) to FY18 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until project is completed; and

Note: A Cash Bond ($74,338.82) was submitted to Mecklenburg County on April 21, 2009. A letter was mailed out to Waterleaf of Mint Hill, LLC on May 20, 2011 stating that they were in violation of the Town of Mint Hill Subdivision Ordinance by failing to complete and maintain the improvements to Water Leaf Subdivision (Phase 1 Map 1) as required by the terms of the
October 17, 2017

approved plans and the Subdivision Ordinance. Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

2) Recognize, receive and appropriate a revenue increase of $60,020.00 from Waterleaf of Mint Hill, LLC and Wachovia Bank (Wells Fargo) as part of a default of bond obligations related to Water Leaf Subdivision (Phase 1 Map 2) to FY18 Permitting & Compliance Bond Budget (Unit 3090) and carry forward the unspent balance until project is completed.

Note: A Cash Bond ($60,020.00) was submitted to Mecklenburg County on April 30, 2009. A letter was mailed out to Waterleaf of Mint Hill, LLC on May 20, 2011 stating that they were in violation of the Town of Mint Hill Subdivision Ordinance by failing to complete and maintain the improvements to Water Leaf Subdivision (Phase 1 Map 2) as required by the terms of the approved plans and the Subdivision Ordinance. Pursuant to the terms of the defaulted bond, Mecklenburg County will use the funds from the bond to complete the subdivision repairs according to the approved plans. The funds will be limited to paying for costs of repairs, including reimbursement to Mecklenburg County for any and all expenses which may have incurred after the default such as construction expenses, staff time and attorney fees related to the project.

17-4292 LAND DONATION – SOUTH PRONG CLARKE CREEK GREENWAY

1) Accept fee simple donation of Tax Parcels 019-275-16 (+/- 2.59 acres) and 019-275-92 (+/- 0.83 acres) for inclusion into South Prong Clarke Greenway from Southside Neighborhood, LLC; and

2) Accept a greenway easement donation on Tax Parcel 019-271-07 (+/- 3.2 acres) for inclusion into South Prong Clarke Greenway from Vermillion Community Association, Inc.

17-4293 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $21,928 for Asset and Facility Management; $3,630 for Sheriff’s Office; and $1,595 for Park and Recreation.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-4294 LAND DONATION – TORRENCE CREEK GREENWAY

Accept donation of a portion of Tax Parcel 009-322-31 (was formerly Tax Parcel 009-322-25, +/- 0.14 acres) for inclusion into Torrence Creek Greenway from Cobblestone Manor Community Association, Inc.

17-4295 TAX REFUNDS

Approve refunds in the amount of $7,388.20 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor.
Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

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

17-4299 MINUTES

Approve Minutes of Regular meeting held October 3, 2017 and Closed Session held October 3, 2017.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

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

17-4277 CONVEYANCE OF PROPERTY – SHERIFF’S OFFICE

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Resolution approving the conveyance of property from the Mecklenburg County Sheriff’s Office to the Cabarrus County Sheriff’s Office.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION ON DONATION OF EQUIPMENT
TO CABARRUS COUNTY SHERIFF’S OFFICE

WHEREAS, the Mecklenburg County Sheriff’s Office has 600 model X26 Taser cartridges that can no longer be used due to the prior acquisition of new Tasers by the Mecklenburg County Sheriff’s Office; and

WHEREAS, the Taser cartridges are now obsolete and can no longer be used with the Tasers currently being used by the Mecklenburg County Sheriff’s Office; and

WHEREAS, the Mecklenburg County Sheriff has learned that the Cabarrus County Sheriff’s Office needs such Taser cartridges for training purposes; and

WHEREAS, NCGS 160A-280 allows one North Carolina local government to donate obsolete or unused personal property to another North Carolina local government; and

WHEREAS, as required by law a notice has been posted at least 5 days prior to the October 17, 2017 Board of County Commissioners meeting indicating that the Board of Commissioners would consider donating the X26 Taser cartridges to the Cabarrus County Sheriff’s Office at its October 17, 2017 meeting; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners does hereby approve donating 600 model X26 Taser cartridges to the Cabarrus County Sheriff’s Office and authorizes the County Manager, or her designee, to take all necessary actions to convey title to such equipment to the Cabarrus County Sheriff’s Office.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #209.

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

17-4279 BUDGET AMENDMENT – CRIMINAL JUSTICE SERVICES (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive, and appropriate an increase in Federal Revenue from the Bureau of Justice Assistance in the amount of $368,798.
October 17, 2017

Note: Criminal Justice Services was awarded a three-year grant by the Bureau of Justice Assistance. Funding will be used for the Comprehensive Opioid Abuse Site-Based program which will expand upon currently established mental health and justice system partnerships that support the Criminal Justice Services mental health court and jail diversion initiatives.

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

17-4301 CAPITAL RESERVE EXPENDITURE REQUEST – ELON PARK SYNTHETIC TURF REPLACEMENT (PARK AND RECREATION)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve expenditure of $1,214,252 to replace synthetic turf fields at Elon Park.

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

17-4305 RYAN WHITE PART A GRANT APPLICATION

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Approve the submission of a grant application for $7,000,000 in Ryan White Part A funds covering the period of March 1, 2018 through February 28, 2019 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) under the Ryan White HIV/AIDS Treatment Extension Act of 2009,

2. If awarded, recognize, receive and appropriate awarded funds; and

3. Approve the allocation process involving regional participation in accordance with HRSA of the U.S. Department of Health and Human Services guidelines.

Note: Under the Ryan White HIV/AIDS Treatment Extension Act of 2009, Part A funds are awarded by HRSA to serve HIV positive patients. Mecklenburg County is requesting to apply for year twelve (12) funding for patients in the Transitional Grant Area (TGA) consisting of the following counties: Mecklenburg, Anson, Cabarrus, Gaston, Union, and York, SC. Ryan White Part A funding is used to assist this six-county region in developing and enhancing access to a comprehensive continuum of high quality, community-based care for low income individuals and families with HIV disease. In the current year eleven, twenty-one (21) providers in our region are providing medical or support related services to 2,415 HIV clients in our region during the first five months of the year, as of August 1, 2017. The application is due October 20, 2017.

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

17-4316 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to recognize, receive, and appropriate an increase in revenue of $1,914,482 to reflect Medicaid escrow revenue changes; and carry forward unspent funds at June 30, 2018.
Gibbie Harris addressed.

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

**ADJOURNMENT**

Motion was made by Commissioner Puckett, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:59 p.m.

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Janice S. Paige, Clerk ❄️❄️❄️

Ella B. Scarborough, Chair
November 8, 2017

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 Wednesday, November 8, 2017.

ATTENDANCE

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

Absent: None

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-INFORMAL SESSION-

Commissioners Clarke, Dunlap, and Fuller were absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4306, 17-4310, 17-4322, 17-4326, & 17-4338 to be removed from Consent and voted upon separately.

Commissioner Leake asked that Item 17-4326, Proclamation National Adoption Awareness Month, be moved from Consent to the Awards/Recognition section of the agenda.

Note: It was the consensus of the Board to do so.

CLOSED SESSION

17-4331 CONSULT WITH ATTORNEY

County Attorney Bethune said it was not necessary to go into Closed Session because there were no Consult with Attorney matters to be discussed.

STAFF BRIEFINGS

17-4360 2017 COMMUNITY SURVEY RESULTS

The Board received as information the results of the 2017 Community Survey from Strategic Planning & Evaluation Director Monica Allen.
Note: Each year, the County’s Office of Management and Budget - Strategic Planning & Evaluation unit administers the Community Survey to gather data on Mecklenburg County residents’ perceptions on various aspects of County operations, particularly the level of awareness about County services, the perception of the value of County services provided and the level of satisfaction residents have with opportunities for citizen involvement. The perceptions are important to know because they inform the Board, County Management and employees, and the public about how well the County is performing in the eyes of the community.

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

Commissioners Dunlap, Fuller, and Clarke entered the meeting during the presentation.

Comments

Commissioner James asked for clarity about the 53% of residents that think county government was open and transparent, which was addressed.

Commissioner James said residents still did not understand the County’s role versus the School Board, and Charlotte City Council.

Commissioner Leake asked about responses based on zip codes, which was addressed.

Commissioner Leake suggested staff look at improving the regularity of providing information to the public regarding County services, as well as, how that information was disseminated.

Commissioner James asked about the selection of respondents, which was addressed.

Commissioner Cotham questioned whether residents really understood what services were provided by the County.

Commissioner Leake addressed defining terms used and noted that unless there was a clear definition, certain terms could mean different things to different people.

Commissioner Leake suggested holding round table discussions, where residents could come in and learn more about the County and get questions answered.

Commissioner Fuller commented on economic opportunity and mobility. He questioned whether residents were really satisfied and the demographics of those that responded. He said he would be interested in knowing the age, race, gender, and income of respondents. Director Allen said staff could provide demographic information to the Board.

Commissioner Fuller said he was interested in knowing if there were areas of the community that weren’t satisfied and had needs and concerns that needed to be addressed.

Commissioner Fuller asked what was the goal of the survey and was it possible to get 80% of residents to respond. Director Allen addressed the question.

Commissioner Puckett said some of the questions asked were broad and that perhaps asking about specific services may impact the responses.

Director Allen said more could be done with respect to the survey but some of the constraints were funding, time, and capacity.

This concluded the discussion. No action was taken or required.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chair Scarborough called this portion of the meeting to order, then invocation by Commissioner Clarke, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION

**17-4326 PROCLAMATION – NATIONAL ADOPTION AWARENESS MONTH**

Motion was made by Commissioner Dunlap, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a proclamation designating November 2017 as “National Adoption Awareness Month” in Mecklenburg County.

The proclamation was read by Commissioner Leake and received by Dr. Jacqueline McKnight, Deputy Director of Social Services.
Gunnet, Membership Services Coordinator for the N.C. Association of County Commissioners and Federal Credit Union representative Carl Clark.

The following employees were recognized for development of the program: LUESA Director Ebenezer Gujjarlapudi, Patrick Granson, David Gieser, & Jeff Griffin from LUESA and Community Support Services Director Stacy Lowry.

Note: The winning programs were recognized and honored at an awards reception during the NCACC Annual Conference in Durham County August 10-13, 2017. Each award-winning program received a $1000 prize as well as a trophy. The "Building with our Veterans" program is a unique, collaborative and innovative initiative in Mecklenburg County that pairs qualified military veterans with apprenticeships for code official training, allowing these men and women to continue their service in their community, with honor and integrity.

17-4328 COUNTY ASSESSOR’S OFFICE CERTIFICATE OF EXCELLENCE IN ASSESSMENT ADMINISTRATION (CEAA) DESIGNATION

The Board acknowledged the County Assessor's Office receipt of the Certificate of Excellence in Assessment Administration Award, from the International Association of Assessing Officers.

Commissioners congratulated Assessor Joyner and his staff for the receipt of the award, as well as, for accomplishing other goals.

Note: The Certificate of Excellence in Assessment Administration (CEAA) is awarded by the International Association of Assessing Officers (IAAO) to governmental units that are involved with assessment that integrates best practices in the workplace. The IAAO is a nonprofit, educational, and research association. It is a professional membership organization of government assessment officials and others interested in the administration of the property tax. The IAAO was founded in 1934, and now has a membership of more than 7,000 members worldwide from governmental, business, and academic communities.

The application process included providing details of the legal framework under which the Assessor’s Office operates, documenting the use of technology to determine whether the CAO systems are up-to-date and whether both the computerized and mapping systems allow accurate identification of real property and its influencers, explaining how data collections are used, describing the valuation methods used for land, residential, and commercial and the assessment processes for personal property, and documenting how the CAO evaluate the accuracy of assessments including the sales ratio study and other statistical tests.

There are more than 13,000 assessment jurisdictions in the United States. Since 2004, only 38 jurisdictions have earned the CEAA award. The Mecklenburg County Assessor’s Office (CAO) is only the second in the state of North Carolina to do so. This designation is the highest professional honor for an assessment jurisdiction.

PUBLIC APPEARANCE

17-4329 PUBLIC APPEARANCE

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

Edna Chirico, Executive Director of Real School Gardens Charlotte and a former County Commissioner, addressed the REAL School Gardens Nutrition & Health Effectiveness program.
Note: REAL School Gardens (RSG) creates dynamic learning gardens at high-poverty schools, followed by two-years of in-depth teacher training and community engagement, culminating in one of the most effective and sustainable outdoor learning programs in the country. RSG trains teachers to take their students outside and engage in hands-on learning to improve academic performance.

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

Lorane Curtis Reid addressed a road repair that was needed on Hudson Graham Road.

County Manager Diorio asked Assistant County Manager/Chief of Staff Derrick Ramos to follow up with Ms. Reid regarding her concern.

It was noted that the County was not responsible for road repairs but staff would put Ms. Reid in touch with the appropriate party to get the matter addressed.

Diane Jackson and Victoria Taylor signed up to speak but did not appear.

**APPOINTMENTS**

17-4337 APPOINTMENT CENTRALINA ECONOMIC DEVELOPMENT COMMISSION PUBLIC REPRESENTATIVE

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to appoint Commissioner Trevor M. Fuller as the Board’s public-sector representative on the Centralina Economic Development Commission (CEDC) to fill an unexpired term expiring March 31, 2019.

*Note: He replaces Commissioner Dunlap who resigned to give another Commissioner the opportunity to serve. Commissioner Dunlap had served since 2013.*

The Centralina Economic Development Commission is a 501c3 organization serving the greater Charlotte region and supporting the key activities proposed in the Centralina Regional Comprehensive Economic Development Strategy. The strategy outlines an approach to regional growth and prosperity that builds on the region’s strengths, emphasizes key regional industry clusters, and prioritizes economic development projects.

**PUBLIC HEARINGS – NONE**

**ADVISORY COMMITTEE REPORTS – NONE**

**MANAGER’S REPORT**

17-4314 2017 EMPLOYEE FEST AWARD WINNERS

The Board recognized the 2017 Employee of the Year, Team of the Year and Customer Service Heroes that were presented during Employee Fest. The winners were:

Gerald G. Fox Employee of the Year: Catherine McCoy (DSS)
November 8, 2017

Team of the Year: Public Health's Environmental Health Institutions, Child Care and Center City Inspection Team (Stephen Graham, Tasharra Kenion, Shawn Blackmon, Nicole Bruce, Alexandra Hall, Nykesse Roberts, Savannah Parker and Renada Ervin)

Customer Service Hero - Service Quality Award: Millie Joensen (Enterprise Project Manager)
Customer Service Hero - Timeliness Award: Rick Hestwood (Information Technology Services)
Customer Service Hero - Communication Award: Olivia Edwards (LUESA)
Customer Service Hero - Ethics Award: Patricia McCallum (DSS)
Customer Service Hero - Courtesy and Respect Award: Maggie Horne (DSS)

17-4340    BOCC 2018 ANNUAL RETREAT

County Manager Diorio informed the Board that the dates for the Board's 2018 Annual Retreat would be January 25 & 26, 2018. The retreat will be held at Central Piedmont Community College's Harris Campus.

She noted also that Budget Director Michael Bryant would reach out to Board members regarding topics of interest.

17-4343    OPEN STREETS 704 UPDATE

Director of Park and Recreation Jim Garges gave an update on Open Streets 704 events, that included recognition of key City and County staff, a 2-minute video, survey results and behind the scenes outcomes.

Note: Open Streets 704 powered by BlueCross Blue Shield of North Carolina was a series of four Charlotte events that opened the length of city streets for an afternoon just for people. Taking cues from similar events around the country and the world, Open Streets 704 aimed to build a better, healthier, connected community by encouraging Charlotte and Mecklenburg area residents to walk, bicycle and experience the city together in a way that was not possible in a car. Open Streets 704 was made possible by a grant from the Knight Foundation, in partnership with Partners for Parks, Mecklenburg County Government, the City of Charlotte, Mecklenburg County Park & Recreation, Mecklenburg County Public Health, Charlotte Department of Transportation, and the support of Charlotte-Mecklenburg Police and Charlotte Fire departments. Partners used the four events to assess whether an ongoing Open Streets program makes sense for the community.

County Manager Diorio thanked Director Garges for his work on Open Streets 704, as well as, his numerous other accomplishments as Park and Recreation Director for Mecklenburg County.

County Manager Diorio acknowledged Director Garges’ departure from the County and noted this was his last Board meeting. Director Garges will be relocating to Tennessee.

All Commissioners expressed thanks and appreciation to Director Garges for his many accomplishments and work throughout the community during his tenure here in Mecklenburg County.

Director Garges thanked the County Manager and the Board for their support of him and the department.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS - NONE
COUNTY COMMISSIONERS REPORTS & REQUESTS

17-4344 ECONOMIC DEVELOPMENT ON THE WEST SIDE (COMMISSIONER LEAKE)

Commissioner Leake addressed the need for economic development on the West side of the County, specifically, the Beatties Ford Road Corridor.

She suggested the Board meet with Park and Recreation Director Jim Garges before he leaves the County, to discuss opportunities for recreational enhancements on the west side.

Commissioner Leake said the provision of resources that enhance the quality of life should be fair and equitable throughout the County. She asked Park and Recreation Director Jim Garges to comment on a discussion they had regarding what could be done.

Park and Recreation Director Garges commented on the types of balances needed in a community and the need for partnerships. He said regional recreation centers can spur economic development and elaborated how.

Commissioner Ridenhour said he anticipated the discussion of economic development on the west side being about addressing food deserts, jobs, and other things associated with economic development.

Commissioner Ridenhour said it seemed from the comments on the topic that it was about a recreational center on the west side. He said he wasn’t opposed to having a conversation about that, but that’s not what he thought the discussion would be about.

Commissioner Leake said a recreation center would spur economic development, as well as other things. She said it was an idea that was being discussed, but there was not a specific plan at this time.

Commissioner Dunlap, as it related to Commissioner Leake’s comments, said the idea was brought to him and others about an opportunity to develop something on the west side that would generate some type of economic impact.

Commissioner Dunlap said a proposal was being developed that would seek a partnership with the County and the City of Charlotte. He said everything was in the development stage. He said the plan may or may not include a recreation center. He said there wasn’t enough information available to date to discuss specifics.

Commissioner Ridenhour, chair of the Board’s Economic Development Committee, said the committee would be happy to meet with those involved in this process, if they desired to do so.

Commissioner Fuller acknowledged also that discussion was taking place in the community regarding economic development on the west side and that a number of things were being talked about.

Commissioner Fuller asked the Board to keep an open mind and to keep the County’s resources available. He said something was forthcoming that would anticipate a partnership between the County, City of Charlotte, and perhaps the private sector.

Commissioner Cotham commented on the need for economic development on the west side, specifically the Beatties Ford Road corridor. She noted its proximity to uptown, I-85 & I-77. She suggested that perhaps an advocacy group was needed for the area or if one existed, perhaps it needed to become stronger.
Commissioner Cotham said she would be willing to assist in whatever manner she could. She said pursuing economic development in this corridor would require a lot of collaboration amongst various groups, including developers.

Commissioner Leake noted for clarity that the advocacy groups on the west side were strong and well organized.

Chair Scarborough said something was definitely needed on the west side to enhance it economically. She said, “It must be done and it can be done.”

17-4345 MEMORIAL STADIUM DISCUSSION (COMMISSIONER PUCKETT)

Commissioner Puckett addressed the need for improvements to Memorial Stadium and development of a partnership with Charlotte Independence, a league member in the United Soccer League (USL).

Commissioner Puckett suggested the Board ask the Park and Recreation Department and the County Manager and her staff to discuss Memorial Stadium again with Charlotte Independence and report back to the Board, per those discussions.

Commissioner Dunlap suggested staff present a proposal for the Board’s consideration when they report back.

Commissioner Puckett concurred. He suggested the proposal include a number of options for the Board’s consideration, including with and/or without the City of Charlotte’s participation.

Commissioner Clarke said for him it’s always been about improving Memorial Stadium and not about soccer.

Commissioner Clarke said he was not opposed to having staff look into the possibility of a public/private partnership as it related to the use of Memorial Stadium, which would include improvements to the stadium.

Commissioner Clarke asked that the Elizabeth Neighborhood Association and the Historic Elizabeth organization be involved in discussions and kept abreast.

Commissioner Clarke said he did not want the Board to be “put under the gun” to make a decision by a certain date. He said time would be needed for the public to weigh in and the specifics well discussed by the Board.

Commissioner Clarke said the City of Charlotte should be asked to participate.

Commissioner Clarke said he wanted to see the terms of the agreement before a decision was made.

Commissioner Clarke said the community valued Memorial Stadium and that the Board should consider very carefully any action taken with respect to improving the stadium.

The following persons appeared to speak to this matter:

Jesse Newsom said he supported the Charlotte Independence soccer league and major-league soccer. He said Memorial Stadium was in need of improvement and using it for soccer purposes would be a good idea.
Mr. Newsom said a soccer fan group had been formed (The Queen’s Firm) to support major-league soccer coming to the area. He said it didn’t matter who owned the team, where they played, or who invested what. The goal was to get the conversation regarding major-league soccer going again.

Mr. Newsom said there was still opportunity to reconnect with Major-League Soccer (MLS), even though the window of opportunity for their December meeting had passed. He said probably only two teams would be awarded in December. He said that would leave two, possibly three cities to be selected at MLS meetings in March or July of 2018. Thus, there was time to renew some partnerships and get the matter back on track for consideration.

Mr. Newsom encouraged the Board to re-engage with Charlotte Independence soccer league, as well as, major-league soccer.

Dave Dowell, on behalf of veterans in the community, spoke in support of major-league soccer. He referenced a proposal that was being put together, had the prior major-league soccer proposal been approved. He said the proposal was going to address housing and displaying artifacts and other historical items at the stadium and access to the stadium for educational and veteran memorial purposes.

Mr. Dowell asked the Board to reopen discussions for major-league soccer.

Commissioner James said philosophically he was not against the stadium being used for major-league or minor-league soccer. He said the issue was his belief that government should only invest a certain amount of funds and that the facility should be controlled by the County.

Commissioner James expressed disagreement with the prior major-league soccer proposal, which he said turned control of the facility over to the team and left the County with minimum use of the facility.

Commissioner James addressed the difference in the financial commitment requested in the major-league proposal versus the prior Charlotte Independence proposal, which was less and more “reasonable,” in his opinion.

Commissioner James said perhaps if the major-league proposal had not asked the County to “front” the loan, the deal may have been done.

Commissioner James noted his conversation with the Mayor of Matthews regarding Charlotte Independence, who play at the Matthews Sportsplex. He was told a seat expansion was planned for the Matthews Sportsplex and that the expansion was needed whether Charlotte Independence continued to play there or not. It was noted that the cost of the seat expansion project was about $2 million, with $1 million coming from the State, $400,000 from the Town of Matthews and $400,000 from the County. Further, that the Mayor’s negotiations for the seat expansion funds was not contingent upon Charlotte Independence playing there. The expansion was needed for other reasons. Also, per the Mayor of Matthews, the State funds must be used for the Matthews Sportsplex or otherwise returned to the State.

Commissioner Fuller said when staff reports back regarding Memorial Stadium, he’d like to see multiple options, the pros and cons of each, as well as, the cost. Further, he did not want the County’s decision on what and when something should occur with Memorial Stadium to be based upon someone else’s timeframe.

Commissioner Fuller echoed the sentiment of Commissioner Clarke, that it’s always been about improving Memorial Stadium and not about soccer.
Commissioner Ridenhour echoed the sentiment as well, that it’s about improving Memorial Stadium and not about soccer. He said Memorial Stadium should be “brought back to life” and used more frequently.

Commissioner Ridenhour noted his prior support of the Charlotte Independence proposal and why.

Commissioner Ridenhour said he did not want the County to rush making a decision regarding Memorial Stadium. He said as Chair of the Board’s Economic Development Committee, he would like to see the proposal brought to the Committee for review and input.

Commissioner Leake said Memorial Stadium should be made available to the public and for more uses than soccer.

Commissioner Dunlap said for him, it had always been about improving Memorial Stadium and not about soccer.

Commissioner Dunlap said he would like to see the stadium used for a variety of events, like in the past.

Commissioner Dunlap suggested the up-fit of Memorial Stadium be a topic of discussion at the Board’s Retreat in January. He said he hoped the Board would agree to appropriate funds to the CIP for the stadium.

Commissioner Fuller asked about prior funds that were going to be used for the stadium, which was addressed by County Manager Diorio.

Commissioner Puckett said he was essentially asking the Board to reconsider Charlotte Independence’s prior proposal.

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

Commissioner Puckett said his intent was to see if the Charlotte Independence proposal was still valid.

Commissioner Clarke noted his support of Charlotte Independence’s prior proposal.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 7-1 with Commissioners Clarke, Cotham, Fuller, James, Puckett, Ridenhour, and Scarborough voting yes and Commissioner Leake voting no, to 1) direct staff to reach out to Charlotte Independence Soccer regarding their proposal for use of Memorial Stadium and report back to the Board; 2) that staff also provide other options for the Board’s consideration as it relates to Memorial Stadium.

**CONSENT ITEMS**

*Note: Commissioner Fuller asked that Item 17-4323 be removed from Consent and voted upon separately, along with others that would be voted on separately.*

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

17-4278    ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD TRAVEL POLICY
Approve Mecklenburg County Alcoholic Beverage Control (ABC) Board 2017-2018 Travel Policy.

Note: G.S. 18B-700, as amended by S.L. 2010-122 allows a local ABC Board to adopt a travel policy provided it conforms to the travel policy of the appointing authority and is approved by the appointing authority. The Mecklenburg County Board of Commissioners is the appointing authority for the Mecklenburg County ABC Board. The Mecklenburg County ABC Board travel policy was last amended October 17, 2017. Consistent with the requirements of 18B-700 (g2), the ABC Board requested the approval of the Mecklenburg Board of County Commissioners of its 2017/18 ABC Board Travel Policy.


17-4318 BUDGET AMENDMENT – LUESA AUCTION REVENUE

Recognize, receive and appropriate revenue of $19,630.86 from the vehicle auction held on September 16, 2017, once funds are received from the City of Charlotte.

17-4321 HAZARD MITIGATION PROGRAM – FMA 2015 FLOODPLAIN ACQUISITIONS

1) Accept the Offer of Sale of Real Estate from Charles & Patricia Blackmon, owners of property at 831 Seldon Drive (Tax Parcel 069-052-11), for $130,000; and

2) Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

Note: Since late 1999, Mecklenburg County has received numerous hazard mitigation grants and contributed local storm water fee revenue toward Charlotte-Mecklenburg Storm Water Services’ Engineering & Mitigation Program. The goal of the Program is to minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.). The requested action would consist of acquiring and demolishing the existing residence with federal grant funds. Storm Water Services staff allows the Charlotte-Mecklenburg Police Department and the City of Charlotte Fire Department training opportunities for police and fire personnel prior to demolition of flood prone buildings. In addition, Storm Water Services staff has established a process for working with Habitat for Humanity of Charlotte to maximize the responsible reuse of materials prior to home demolition while protecting the health of the community.

17-4325 ARCHITECTURAL SELECTION COMMITTEE POLICY AMENDMENT

Amend the Selection of Architects Policy to change the term of the Board appointed general contractor representative from a one year term to a three-year term.

POLICY OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS
Selection of Architects

The Board hereby establishes a Selection Committee to screen architects for Board appointment for County projects. This Architectural Selection policy shall be followed except for contracts in which the estimated fee is less than $50,000 as stipulated G.S. 143-64.32.

The Asset and Facility Management Director will recommend approval of Architectural Professional Services contracts as exempted under G.S. 143-64-32.
The Committee will be composed of the following:

• Mecklenburg County Manager or her/his designee
• Two Mecklenburg County Commissioners, alphabetically on a rotating basis for all nine members and then repeat the cycle;
• Director of Asset and Facility Management (AFM) or her/his designee;
• Head of the agency which will occupy the facility or head of the agency which will maintain and operate the structure;
• General Contractor for a term of three years who will sign a statement not to bid on any project under consideration during her/his three-year term. In the event the Board appointed representative is unable to serve on a particular selection, the Director of AFM may appoint an alternate General Contractor who will sign a statement not to bid on any project under consideration during her/his temporary term and for a 1-year period after serving.

In no event will the final interview of architects take place unless at least one member of the Mecklenburg County Board of Commissioners is sitting on the Selection Committee.

The procedure for the selection of architects is on file in the Office of the Clerk to the Board.

Policy recorded in full in Minute/Ordinance Book 47-A, Document #211.

17-4327 BUDGET AMENDMENT – DSS (REVENUE INCREASE/DECREASE)

Recognize, receive and appropriate a net increase in revenue in the amount of $2,606,936 to reflect actual state and federal funding changes.

Note: During the fiscal year, the Department of Social Services receives notification of modified funding for programs within the department from NC Division of Social Services, NC Division of Aging and Adult Services and NC Department of Transportation.

17-4330 MINUTES

Approve Minutes of Regular meeting held October 17, 2017 and Closed Sessions held October 17, 2017 and March 7, 2017.

17-4332 TAX REFUNDS

Approve refunds in the amount of $25,693.57 as statutorily required to be paid as requested by the County Assessor.

Note: This Board action was necessary to approve tax refunds resulting from clerical errors, value changes and appeals processed. There was no accrued interest for these refunds.

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

17-4333 LAND DONATION – BRIAR CREEK

Accept donation of Tax Parcel 153-106-08 (+/- 1.157) from Westminster Park Development, LLC for Park & Recreation purposes.

Note: The vacant property is in the Westminster Park subdivision, east of Sharon Road in the South Park area of Charlotte. Acquisition of this parcel continues the County’s efforts to create contiguous land holdings along this portion of Briar Creek for future greenway development.
November 8, 2017

17-4334  CRIMINAL JUSTICE SERVICES GRANT POSITIONS

Authorize five (5) grant-funded positions in the Criminal Justice Services Department: Two (2) Criminal Justice Analysts - Release Team, $119,832 (salary & benefits), One (1) Jail Population Manager, $59,915 (salary & benefits), and Two (2) Equity and Inclusion Specialists, $169,413 (salary and benefits).

Note: On May 16, 2017, the BOCC approved the Criminal Justice Services Department’s submittal of a grant application to the MacArthur Foundation for a total of $2,000,000 over two years under the Safety and Justice Challenge Implementation Funding solicitation. The MacArthur Foundation’s Safety and Justice Challenge funding is to develop local strategies to implement reform efforts on local jail use. The funding was awarded to Mecklenburg County on October 4, 2017. The request to authorize grant-funded positions was omitted from the original board action item. The Criminal Justice Analyst positions will assist with improving the release rate of defendants referred to supervision and improving the time to release for defendants released to supervision. The Jail Population Manager will provide the Pretrial Services Division with a dedicated staff team member to review and monitor the status of detained defendants. The Equity and Inclusion Specialists will oversee policy and data analyses related to racial and ethnic disparities within justice agencies, and assist in facilitating the change practice continuum.

T H I S   C O N C L U D E D   I T E M S   A P P R O V E D   B Y   C O N S E N T

17-4306  GRANT APPLICATIONS HUD CONTINUUM OF CARE 2017

Motion was made by Commissioner Leake, seconded by Commissioner Puckett and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

A) Affirm submittal of six renewal grant applications to the U.S. Department of Housing and Urban Development:

1) Grant for up to $1,669,297 for the year 9/1/18 - 8/31/19 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal A-17),

2) Grant for up to $125,160 for the year 9/1/18 - 8/31/19 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal B-17),

3) Grant for up to $104,522 for the year 8/1/18 - 7/31/19 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal C-17),

4) Grant for up to $95,288 for the year 7/1/18 - 6/30/19 to provide Shelter Plus Care targeted rental subsidies to homeless persons with disabilities (Renewal D-17),

5) Grant for up to $63,000 for the year 1/1/2018 - 12/31/2018 to provide Coordinated Entry services for homeless individuals and families,

6) Grant for up to $63,000 for the year 4/1/2018 - 3/31/2019 to administer the Homeless Management Information System for the Mecklenburg Continuum of Care; and

B) Recognize, receive and appropriate funds for the amounts awarded for the duration of the grant periods.

Commissioner Leake removed this item from Consent for more public awareness. Commissioner Leake said she would like to know when the positions were filled.
CONTRACT APPROVAL TO USE CITY OF CHARLOTTE MARTIN MARIETTA CONTRACT

Motion was made by Commissioner Leake, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the County's use of the City of Charlotte's contract with Martin Marietta to provide Crushed Stone and Stone Products.

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

Commissioner Dunlap returned to the dais.

CONSTRUCTION CONTRACT – SPORTSPLEX AT MATTHEWS PHASE 3

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to award a construction contract to J.D. Goodrum Company, Inc. in the amount of $972,760.

Note: This contract is for the construction of the Sportsplex at Matthews Phase 3 located at 2425 Sports Parkway, Matthews, NC. The contract is to add additional restroom facilities to support an additional 1,600 seats at the existing stadium. The additional seating is being procured through a separate contract.

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

Commissioner Fuller asked what was the contractor doing to improve its MWSBE participation. Asset & Facilities Management Director Mark Hahn addressed the question but could not provide a specific answer.

Commissioner Fuller asked that the contractor be contacted and asked the question.

GRANT APPLICATION – MATERNAL AND CHILD HEALTH INITIATIVE

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-1 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Puckett, Ridenhour and Scarborough voting yes and Commissioner Leake voting no, to

1) Approve submission of grant application for $500,000 per year for up to two years from the North Carolina Division of Public Health to be effective June 1, 2018; and

2) Approve the creation of three Information/Education Coordinator positions and one Health Program Coordinator/Supervisor position; and If awarded, recognize, receive and appropriate awarded funds for the grant.

Note: This application is for continuation of grant funds received in 2016. These funds will be used to address maternal and child health indicators with a focus on evidence-based programs proven to lower infant mortality rates, improve birth outcomes, and improve the overall health of children ages birth to five. The additional positions will be funded by this grant.

Commissioner Leake removed this item from Consent for more public awareness. She also questioned the thinking behind the grant request and asked was it intended to prevent persons from having children. Public Health Director Gibbie Harris addressed the purpose of the grant.
Commissioner Leake said if the grant was received, she wanted a report on how the funds were used.

17-4323 ARCHITECT SELECTION – NORTHERN REGIONAL RECREATION CENTER

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate fees and execute a contract with Barker Rinker Seacat Architecture/ LS3P for Architectural/Engineering Services for the Northern Regional Recreation Center and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm of C DESIGN/Moody Nolan.

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

ADJOURNMENT

Motion was made by Commissioner James, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:10 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
November 21, 2017

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, November 21, 2017.

ATTENDANCE

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

Absent: None

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-INFORMAL SESSION-

Commissioners 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 Chair Scarborough, after which the matters below were addressed.

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4342, 17-4348, & 17-4357 to be removed from Consent and voted upon separately.

CLOSED SESSION

17-4351 CONSULT WITH ATTORNEY

Motion was made by Commissioner Leake, seconded by Commissioner Cotham and carried 7-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Consult with Attorney.

The Board went into Closed Session at 5:17 p.m. and came back into Open Session at 5:59 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-
November 21, 2017

Chair Scarborough called this portion of the meeting to order, which was followed by invocation by Commissioner Clarke, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

AWARDS/RECOGNITION – NONE

PUBLIC APPEARANCE

17-4349 PUBLIC APPEARANCE

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

APPOINTMENTS

17-4352 NOMINATIONS/APPOINTMENTS/REAPPOINTMENTS

CHARLOTTE – MECKLENBURG COMMUNITY RELATIONS COMMITTEE

Commissioner Fuller nominated all applicants for appointment consideration to the Charlotte-Mecklenburg Community Relations Committee: Destiny Jenkins, Gail Johnson, and Eboni Lewis.

Note: Appointments will be made on December 5, 2017.

CITIZEN’S CAPITAL BUDGET ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Corey Crawford to the Citizen’s Capital Budget Advisory Committee for a three-year term expiring July 31, 2020.

Note: He replaced Eric Sieckmann.

GROUNDWATER ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint David Hanley to the Groundwater Advisory Committee as the environmental consultant representative to fill an unexpired term expiring July 31, 2020, effective December 4, 2017.

Note: He replaces Michael Armour, who will be retiring, effective December 4, 2017.

HUMAN RESOURCES ADVISORY COMMITTEE

Motion was made by Commissioner Puckett, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Dru Meier and Cezanne Cody to the Human Resources Advisory Committee for three-year terms expiring June 30, 2020 as recommended by the Human Resources Advisory Committee.

Note: They replace Daniel McRae and Michael Mulder.
2019 CITIZEN’S REVALUATION ADVISORY COMMITTEE

Commissioner Leake nominated all applicants for appointment consideration to the 2019 Citizen’s Revaluation Advisory Committee:

Crosland, Jacquelyn
Gallo, Peter
Hege, Mike
Horn, Kenneth
Houston, Carell
Janezic, Robert
Johnson, Samuel Alan
Lattanzio, John
Manuel, Jonathan
Nagy, Kellianne
Scott, Jeff
Shiplett, Roscoe
Thomas, Felecia Vereen
Warren, Alvenia
Zuyus, Emily

Note: Appointments will occur following the receipt of a recommendation from the Board’s Ad Hoc Committee, who will interview the nominees.

The following Commissioners volunteered to serve on the Board’s Ad Hoc Interview Committee for appointment considerations to the 2019 Citizen’s Revaluation Advisory Committee: Commissioners Dunlap, Cotham, Leake, and Ridenhour.

Chair Scarborough appointed Commissioner Dunlap to serve as chair of the committee. County Assessor Ken Joyner or his designee was also asked to serve on the committee.

PUBLIC HEARINGS – NONE

ADVISORY COMMITTEE REPORTS – NONE

MANAGER’S REPORT

17-4365 APPPOINTMENT OF FINANCE OFFICER

Motion was made by Commissioner Dunlap, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a resolution appointing Sarah Lyberg as the Finance Officer of Mecklenburg County as recommended by the County Manager.

Note: Commissioner Leake thanked Assistant County Manager Mark Foster for his service as Interim Finance Officer.

RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS ACCEPTING THE RECOMMENDATION OF THE COUNTY MANAGER APPPOINTING SARAH LYBERG AS FINANCE OFFICER OF MECKLENBURG COUNTY

WHEREAS, the former County finance officer had given notice of her retirement effective February 17, 2017; and

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WHEREAS, under G.S. 159-24, each county government shall appoint a finance officer who is legally responsible for establishing the accounting system, controlling expenditures, managing cash and other assets and preparing financial reports; and

WHEREAS, the County Manager recommended and the Board of County Commissioners of Mecklenburg County approved that Assistant County Manager Mark Foster serve as Interim Finance Officer of Mecklenburg County until such time as the position was permanently filled; and

WHEREAS, the current Finance Director, Sarah Lyberg was hired effective November 13, 2017; and

WHEREAS, Sarah Lyberg has the qualifications to serve as finance officer of Mecklenburg County; and

WHEREAS, pursuant to G.S. 159-24, the finance officer shall hold office at the pleasure of the appointing board or official; now therefore be it

RESOLVED that the Board of Commissioners of Mecklenburg County does hereby approve the County Manager’s appointment of Sarah Lyberg as Finance Officer of Mecklenburg County, whose oath of office shall be filed in the permanent records of the Clerk to the Board.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #212.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4339 FEATURED DEPARTMENT – COMMUNITY SUPPORT SERVICES

The Board received an overview of the Mecklenburg County Community Support Services (CSS) Department from Director Stacy Lowry.

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

Comments

Commissioner Leake thanked Director Lowry and her staff for the work that they do, especially in the area of domestic violence.

Commissioner Cotham thanked Director Lowry and her staff for the work that they do, especially in the area of homelessness. She inquired about cross communication between Community Support Services and other County human services departments, as well as, with the City of Charlotte, which was addressed.

Commissioner Cotham asked when was the date of the upcoming “point in time count.” The response was January 31, 2018.

Commissioner Cotham asked about the trends being seen, as it related to homelessness in Mecklenburg County, which was addressed. It was noted that the numbers had decreased.

Director Lowry said the lack of affordable housing in the community was a big barrier for many that were homeless.

Commissioner Fuller asked was there any structural connection between Community Support Services and the City of Charlotte, as it related to affordable housing. The response was yes, that CSS works with the City’s Neighborhood Services Department. Director Lowry elaborated on interaction that was taking place, as well as, the prospect of a new strategic plan around homelessness.

Commissioner Fuller asked would the new strategic plan address “low income” housing, which he said was different from “affordable housing.”
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Director Lowry said it was her understanding that “affordable housing” ranged from 0% to 120% of the area median income. She said she’d heard what was missing was the 30% and below. This was the extremely low income, usually the most “vulnerable” residents in the community, the population that the County focuses on.

Director Lowry said her hope was that the City’s plan with respect to affordable housing would include this population.

Commissioner Fuller asked what percentage of the County’s eligible veterans that apply for benefits receive them. Director Lowry said she wasn’t sure if that information was available from the Veterans Administration (VA), but there were about 55,000 veterans in Mecklenburg County. She said she would follow up with the VA to see if that information was available. She said there were a lot of factors involved with respect to determining who’s eligible for what.

Commissioner Fuller said he wanted the County to continue its outreach efforts to veterans to make sure they’re aware of the benefits that were available to them. He said many veterans were not aware of their eligibility for benefits.

Commissioner Fuller asked Director Lowry if she was aware of efforts to create a Military Veterans Hall of Fame in Mecklenburg County that would be for the entire state. Director Lowry said she was aware and that a member of her staff was a part of those discussions.

Commissioner Fuller said this would be a first for the state to have a Military Veterans Hall of Fame. He encouraged staff to continue to be a part of that discussion.

Commissioner Dunlap commended Director Lowry and her staff for the work that they do.

Commissioner Dunlap asked about job placement for the homeless, which was addressed. He asked if there was any data available regarding the number of homeless that had found employment. Director Lowry said she would check on that.

Commissioner Ridenhour said he would like to see trend data in staff’s next presentation regarding Mecklenburg County’s homeless population over a five-year period.

Commissioner Ridenhour said he’d heard concerns from residents that work and/or visit uptown that in their opinion the homeless population was increasing, also in other areas of the community. He said some have stated that they don’t frequent uptown because of crime and being approached by the homeless.

Director Lowry said staff had heard those concerns as well. She said one of the distinctions that needed to be made was that most individuals that residents see panhandling were not homeless. She said the increase in panhandling was not related to homelessness. She said often it was individuals using that as a means of getting additional income.

Commissioner Ridenhour thanked Director Lowry and her staff for their work with veterans.

Commissioner Fuller asked if the County served veterans from other counties that desired to apply for benefits. Director Lowry said the majority of persons served were residents of Mecklenburg county. She said non-county residents were referred to their county of residency, except for persons that work in Mecklenburg County. She said services were provided to them for convenience purposes.

Chair Scarborough thanked Director Lowry and her staff for their work. She noted that homelessness for some was a choice.
Commissioner Clarke asked about the number of CSS part-time temporary staff in Prevention and Intervention Services Division, which was addressed.

Commissioner Clarke commented on panhandling and encouraged everyone to give to organizations that provide services to the homeless and others, rather than giving directly to a panhandler.

Commissioner Cotham noted that many homeless individuals were unable to find jobs because of personal challenges, which sometimes were mental and physical challenges.

*Note: The above was not inclusive of every comment, but was a summary.*

**17-4366 DEPARTMENT MANAGEMENT MONTHLY REPORTS**

The Board received as information monthly department management reports for November 2017.

Commissioner Cotham thanked County Manager Diorio for the reports. She said they were very informative.

*Note: The County Manager requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments showing relevant performance indicators of departmental activity.*

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

**STAFF REPORTS & REQUESTS - NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS**

17-4383 I-77 LOCAL POLICY ADVISORY GROUP APPOINTMENT (CHAIR SCARBOROUGH)

Commissioner Puckett commented on the request from the NCDOT to appoint a representative to serve on the I-77 Local Policy Advisory Group. He informed the Board that he would be serving as an at-large member.

Commissioner Puckett nominated Commissioner Cotham to serve as the Board’s representative.

Commissioner Leake asked would funding be requested from the County. *The response was no, that this was just an advisory group.*

Commissioner Leake asked how often would the advisory group meet. *The response was probably monthly.*

Commissioner Clarke asked to be excuse from voting on the selection of a Board representative to avoid a conflict of interest, since his brother is a member of the Board of Transportation.

Motion was made by Commissioner Fuller, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough voting yes, to excuse Commissioner Clarke from voting on the selection of a Board representative to serve on the I-77 Local Policy Advisory Group, to avoid a conflict of interest.
November 21, 2017

Motion was made by Commissioner Dunlap, seconded by Commissioner James and carried 8-0 with Commissioners Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to select Commissioner Cotham to serve as the Board’s representative on the I-77 Local Policy Advisory Group as requested by the NC Department of Transportation (NCDOT).

CONSENT ITEMS

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

17-4347 TAX ADMINISTRATION RECORDS RETENTION SCHEDULE AMENDMENTS

Approve amendments to the Tax Administration records retention schedule.

Note: Amendments are made periodically by the NC Department of Cultural Resources.

Amendments:

STANDARD 5. PERSONNEL RECORDS
Amending item 19 Employee Eligibility Records

STANDARD 12. PROGRAM RECORDS: BUSINESS AND OTHER TAX RECORDS
Adding Item 3 Excise Tax Records

Amendments recorded in full in Minute/Ordinance Book 47-A, Document #213.

17-4350 MINUTES

Approve Minutes of Regular meeting held November 8, 2017.

17-4353 TAX REFUNDS

1. Approve refunds in the amount of $10,390.86 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.

2. Approve refunds in the amount of $92,370.83 and interest as statutorily required to be paid as requested by the County Assessor.

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $16,356.77.

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

THIS CONCLUDED ITEMS APPROVED BY CONSENT
Motion was made by Commissioner Leake, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the purchase of equipment as authorized by the sole source exemption of G.S. 143-129(e)(6) for a Multi Star L:3 Compost Screen Hybrid Unit from Komtech Americas, LLC.

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

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve submission of grant application for $50,000 per year for up to three years from the North Carolina Division of Public Health to be effective June 1, 2018; and if awarded, recognize, receive and appropriate funds for the grant.

Note: The Mecklenburg County Health Department is requesting approval to apply for funding from the North Carolina Division of Public Health (DPH) Women’s Health Branch for the period June 1, 2018 through May 31, 2021. This application is for Pregnancy Care Management Services for Women Ineligible for Medicaid. These funds will be used to enhance the woman’s ability to receive quality medical care and address social determinants of health that affect pregnancy outcomes.

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

Note: Commissioner Leake requested information on approved grants that included positions, specifically, when positions were filled.

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

1. Affirm submission of the North Carolina Department of Transportation’s Urban State Match Grant for Fiscal Year 2018-2019 submitted November 3, 2017; and

2. Recognize, receive and appropriate grant funds when awarded.

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

Motion was made by Commissioner Fuller, seconded by Commissioner Leake and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 7:24 p.m.
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, December 5, 2017.

**ATTENDANCE**

Present:
- Chair Ella B. Scarborough and Commissioners
  - Dumont Clarke, Patricia “Pat” Cotham, George Dunlap,
  - Trevor M. Fuller, Bill James, Vilma D. Leake,
  - Jim Puckett, and Matthew Ridenhour
- County Manager Dena R. Diorio
- Deputy County Attorney Tyrone Wade
- Clerk to the Board Janice S. Paige

Absent:
- None

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**-INFORMAL SESSION-**

Commissioners Fuller and Ridenhour were absent when the meeting was called to order and until noted in the minutes.

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

**REMOVAL OF ITEMS FROM CONSENT**

The Board identified item(s) 17-4362, 17-4363, 17-4367, 17-4378, & 17-4382, and 17-4391 to be removed from consent and voted upon separately.

**CLOSED SESSION**

**17-4370** LAND ACQUISITION  
**17-4377** CONSULT WITH ATTORNEY

Prior to going into Closed Session, Deputy County Attorney Wade announced the following Land Acquisition matters to be discussed in Closed Session: Tax Parcels 167-172-03, 193-541-03, 193-541-04, 193-541-07, 221-091-15, 221-091-16, and 221-091-17.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose(s): Land Acquisition and Consult with Attorney.

The Board went into Closed Session at 5:19 p.m. and came back into Open Session at 6:04 p.m.

Commissioners Fuller and Ridenhour were present when the Board came back into Open Session. They entered the meeting during Closed Session.
The Board then proceeded to the Meeting Chamber for the remainder of the meeting.

- FORMAL SESSION -

Chair Scarborough called this portion of the meeting to order, which was followed by invocation by Commissioner Dunlap, the Pledge of Allegiance to the Flag and introductions; after which, the matters below were addressed.

17-4380 ELECTION OF BOCC CHAIRMAN AND VICE-CHAIRMAN

Chair Scarborough turned the meeting over to County Manager Diorio for the purpose of calling for the election of a Board chairman for a one-year term, effective December 5, 2017 and expiring December 3, 2018.

Note: In accordance with Section 39 of Chapter 153A of the North Carolina General Statutes, on the first Monday in December of each even-numbered year and at its first regular meeting in December of each odd-numbered year, the board of county commissioners shall choose one of its members as chairman to serve as the presiding officer of the board of commissioners for the ensuing year. The board of commissioners shall also at such times choose one of its members as a vice-chairman to act in the absence or disability of the chairman.

County Manager Diorio reviewed the Board’s Policy on the selection of a chairman and vice-chairman of the Board.

County Manager Diorio opened the floor for nominations for the position of chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 5, 2017 and expiring December 3, 2018.

Commissioner Cotham nominated Commissioner Ella B. Scarborough.

Commissioner Leake addressed the role of the chairman, the importance of the position, and process for electing someone as chairman.

Commissioner Leake nominated Commissioner Fuller.

County Manager Diorio asked if either of the nominees wished to make remarks.

Commissioner Scarborough expressed thanks for the nomination. She said she felt that she had performed her duties well as chair the past year and looked forward to serving as chair again.

Commissioner Fuller expressed thanks for the nomination. He said he was willing to serve the Board in the capacity of chair.

The vote was then taken on the nominees as noted below.

Commissioner Fuller  Commissioners Clarke, Dunlap, Fuller, and Leake
Commissioner Scarborough  Commissioners Cotham, James, Puckett, Ridenhour, and Scarborough

County Manager Diorio announced that Commissioner Scarborough was re-elected chair of the Mecklenburg Board of County Commissioners for a one-year term effective December 5, 2017 and expiring December 3, 2018.
December 5, 2017

County Manager Diorio turned the meeting over to Chair Scarborough.

Chair Scarborough expressed thanks for being re-elected chair.

Vice-Chairman Nominations

Chair Scarborough opened the floor for nominations for the position of vice-chairman of the Mecklenburg Board of County Commissioners for a one-year term effective December 5, 2017 and expiring December 3, 2018.

Commissioner Ridenhour nominated Commissioner Puckett.

Commissioner Leake nominated Commissioner Dunlap.

Chair Scarborough asked if either of the nominees wished to make remarks.

Commissioner Dunlap said he was willing to serve, if elected.

Commissioner Puckett said he was willing to continue to serve in the position of vice-chair. He thanked Chair Scarborough for reaching across the aisle and allowing both parties to be represented.

The vote was then taken on the nominees as noted below.

Commissioner Dunlap
Commissioner Puckett

Commissioners Clarke, Dunlap, Fuller and Leake
Commissioners Cotham, James, Puckett, Ridenhour, and Scarborough

Chair Scarborough announced that Commissioner Puckett was re-elected Vice-Chair of the Mecklenburg Board of County Commissioners for a one-year term effective December 5, 2017 and expiring December 3, 2018.

Commissioner Puckett thanked the Board for his re-election as Vice-Chair.

AWARDS/RECOGNITION

17-4391 PROCLAMATION – ONE CHARLOTTE HEALTH ALLIANCE DAY

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt a Proclamation declaring December 6, 2017 as ONE Charlotte Health Alliance Day in Mecklenburg County.

The proclamation was read by Commissioner Leake and accepted by Dr. Ophelia E. Garmon Brown and Dr. Alisha Cole.
The following persons appeared to speak during the Public appearance portion of the meeting:

Jade X. Jackson addressed an upcoming town hall meeting on December 7, 2017 at Little Rock AME Zion Church, 401 N. McDowell Street, at 7:00 p.m., regarding the “Poor People Campaign, a national call for moral revival.” Board members and the public were invited to attend.

Jimmy Dragstrom and mom, Molly Dragstrom, and Skateboard Shop owner Patrick Carroll addressed the need for more skateboard parks and the benefits of having them.

Commissioner Leake spoke in support of skateboard parks. She thanked the speakers for coming and sharing their thoughts.

Commissioner Fuller asked about the number of skateboard parks currently and what it would cost to build more. County Manager Diorio said staff would provide that information to the Board.

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

Kelly Pressley and Jean Bugsby, on behalf of “Moms Rising,” thanked the Board for approving the Paid Family Leave benefit for County employees.

Patrick Steptoe expressed concern regarding the County’s inclusiveness of entrepreneurs. Mr. Steptoe is a co-owner of Vegan-to-Go. He addressed his attempt to do business with the County and his experience with Park and Recreation staff. Mr. Steptoe said for the last year
December 5, 2017

and a half, he’d been trying to lease the concession stand at Romare Bearden Park, but had been unsuccessful.

Mr. Steptoe said currently there was no policy regarding leasing the concession stand. He said the decision to lease was a judgement call on the part of staff. He said he was led to believe, at one point, that he was going to be able to lease the concession stand, but when he and his business partner, Dr. Sheldon Shipman, arrived at the meeting, they were informed otherwise.

Commissioner Leake asked about the role of Park and Recreation, if any, when it came to leasing concession stands.

Assistant County Manager Leslie Johnson addressed the County’s partnership with food truck vendors and caterers used for events. Assistant County Manager Johnson said with respect to the kiosk Mr. Steptoe referenced that there currently was no vendor relationship with anyone. She said staff was currently discussing the best use of that kiosk and another one located on the Little Sugar Creek Greenway near Kings Drive. She said there would be an RFP process once a determination was made about the direction to go in.

Chair Scarborough encouraged Mr. Steptoe to follow-up with staff.

Commissioner Clarke returned to the dais.

APPOINTMENTS

17-4385 APPOINTMENTS

CHARLOTTE-MECKLENBURG COMMUNITY RELATIONS COMMITTEE

The vote was taken on the following nominees for appointment to the Charlotte-Mecklenburg Community Relations Committee:

Destiny Jenkins Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Gail Johnson None

Eboni Lewis Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour, and Scarborough

Chair Scarborough announced the appointment of Destiny Jenkins and Eboni Lewis to the Charlotte-Mecklenburg Community Relations Committee for three-year terms expiring September 30, 2020.

Note: They replace Charleon Macon and Omar Saxton.

PUBLIC HEARINGS

17-4371 LAKE NORMAN CHARTER SCHOOL TEFRA HEARING

At 7:00 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 (Lake Norman Charter School), in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $45,000,000, the proceeds of which will be loaned to the LNCHARTER, LLC for the benefit of Lake Norman Charter School, Inc. (the “School”) for the following purposes:
December 5, 2017

(A) to refinance in advance of its maturity the $18,930,000 original par amount of the North Carolina Capital Facilities Finance Agency Tax-Exempt Variable Rate Educational Facilities Revenue Bonds (Lake Norman Charter School, Inc.), Series 2008A (the “2008A Bonds”), the proceeds of which (1) refinanced a loan from Wachovia Bank, National Association to the School, the proceeds of which were used to finance the acquisition of land for, construction and equipping of a middle school building, (2) refinanced loans from Wachovia Bank, National Association to the School, the proceeds of which were used to finance the acquisition of land for certain high school facilities, (3) financed construction and equipping of certain high school facilities, and (4) paid certain expenses incurred in connection with the authorization and issuance of the 2008A Bonds (collectively, the “2008 Project”);

(B) finance and refinance the acquisition, construction and equipping of (1) certain facilities on the high school and middle school campus and (2) certain elementary school facilities on the elementary school campus (the “2018 Project” together with the 2008 Project, the “Project”); and

(C) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

The 2008 Project and a portion of the 2018 Project are located on land comprised of approximately 41 acres located at 12435 & 12701 Old Statesville Road, Huntersville, North Carolina 28078, and the 2018 Project is to be located on land comprised of approximately 40 acres located at 10019 Hambright Road, Huntersville, NC 28078. The Project will be owned by LNCHARTER, LLC (the “Borrower”) and leased to and operated by the School.

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

On November 20, 2017, a notice of public hearing was published in The Charlotte Observer, a copy of the affidavit of publication being attached as Exhibit A, setting forth a general, functional description of the type and use of the facilities to be refinanced, the maximum principal amount of the Bonds, the initial owner and operator 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 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, Commissioner George Dunlap moved that the public hearing be closed. The motion was seconded by Commissioner Jim Puckett and was unanimously adopted with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes.

Commissioner George Dunlap 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 REFUNDING BONDS (LAKE NORMAN CHARTER SCHOOL), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $45,000,000
WHEREAS, Lake Norman Charter School, Inc. (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 Refunding Bonds (Lake Norman Charter School), in one or more series (the “Bonds”), in an aggregate principal amount not to exceed $45,000,000 for the following purposes:

(A) to refinance in advance of its maturity the $18,930,000 original par amount of the North Carolina Capital Facilities Finance Agency Tax-Exempt Variable Rate Educational Facilities Revenue Bonds (Lake Norman Charter School, Inc.), Series 2008A (the “2008A Bonds”), the proceeds of which (1) refinanced a loan from Wachovia Bank, National Association to the School, the proceeds of which were used to finance the acquisition of land for, construction and equipping of a middle school building, (2) refinanced loans from Wachovia Bank, National Association to the School, the proceeds of which were used to finance the acquisition of land for certain high school facilities, (3) financed construction and equipping of certain high school facilities, and (4) paid certain expenses incurred in connection with the authorization and issuance of the 2008A Bonds (collectively, the “2008 Project”);

(B) finance and refinance the acquisition, construction and equipping of (1) certain facilities on the high school and middle school campus and (2) certain elementary school facilities on the elementary school campus (the “2018 Project” together with the 2008 Project, the “Project”); and

(C) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

WHEREAS, the Project will be owned by LNCHARTER, LLC (the “Borrower”) and leased to and operated by the School.

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the 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 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 located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority’s issuance of the Bonds and the refinancing and financing 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 Bonds and the financing of the Project and now desires to approve the Authority’s issuance of the 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 2016 Bonds in an aggregate principal amount not to exceed $45,000,000 and (b) the financing and 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 Bonds or for any costs incurred by the Borrower or the School with respect to the Bonds or the Project.
This resolution is effective immediately on its passage.

On motion of Commissioner George Dunlap, seconded by Commissioner Jim Puckett, 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 (Lake Norman Charter School), in an Aggregate Principal Amount Not to Exceed $45,000,000" 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, Matthew Ridenhour, and Ella B. Scarborough

NAYS: NONE

NOTICE IS HEREBY GIVEN that on December 5, 2017, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by the Board of Commissioners of the County of Mecklenburg, North Carolina (the "Board") with respect to the proposed issuance by the Public Finance Authority (the "Authority"), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended, of its Educational Facilities Revenue Refunding Bonds (Lake Norman Charter School), in one or more series (the "Bonds"), in an amount not to exceed $45,000,000, the interest on which will be excludible from gross income for federal income tax purposes. The hearing will commence at 6:30 p.m., or as soon thereafter as the matter can be heard, and will be held in the Commissioners' Meeting Room, 600 East 4th Street, Charlotte, NC 28202.

The Bonds are expected to be issued pursuant to 66.0304 of the Wisconsin Statutes, as amended, and the proceeds from the sale of the Bonds will be loaned to the "Borrower" identified below and used to (a) refinance in advance of its maturity the $18,930,000 original par amount of the North Carolina Capital Facilities Finance Agency Tax-Exempt Variable Rate Educational Facilities Revenue Bonds (Lake Norman Charter School, Inc.), Series 2008A (the "2008A Bonds"), the proceeds of which (1) refinanced a loan from Wachovia Bank, National Association to the Lake Norman Charter School, Inc. (the "School"), the proceeds of which were used to finance the acquisition of land for construction and equipping of a middle school building, (2) refinanced loans from Wachovia Bank, National Association to the School, the proceeds of which were used to finance the acquisition of land for certain high school facilities, (3) financed construction and equipping of certain high school facilities, and (4) paid certain expenses incurred in connection with the authorization and issuance of the 2008A Bonds (collectively, the "2008 Project"), (b) finance and refinance the acquisition, construction and equipping of (1) certain facilities on the high school and middle school campus and (2) certain elementary school facilities on the elementary school campus (the "2018 Project" together with the 2008 Project, the "Project"), and (c) pay certain expenses incurred in connection with the authorization and issuance of the Bonds.

The 2008 Project and a portion of the 2018 Project are located on land comprised of approximately 41 acres located at 12435 & 12701 Old Statesville Road, Huntersville, North Carolina 28078, and the 2018 Project is to be located on land comprised of approximately 40 acres located at 10019 Hambright Road, Huntersville, NC 28078. The Project will be owned by LNCHARTER, LLC (the "Borrower") and leased to and operated by the School. The approximate cost of the Project is $45,000,000 and the maximum aggregate principal amount of tax-exempt Bonds proposed to be issued by the Authority in connection with the Project is $45,000,000.

The Bonds will be special limited obligations of the Authority payable only from the loan repayments to be made by the Borrower to the Authority, and certain accounts established by the bond agreement.

The public hearing will provide an opportunity for all interested persons to express their views, both orally and in writing, on the proposed issuance of the Bonds and the financing and refinancing of the Project. Any person

December 5, 2017
interested in the issuance of the Bonds may appear and be heard or submit written comments. Any person wishing to submit written comments regarding the proposed issuance of the Bonds, the financing and refinancing of the Project or any matter related thereto should do so within 10 days after the date of publication of this notice by mailing said written comments to the Board of Commissioners, c/o the Clerk to the Board of Commissioners of Mecklenburg County, North Carolina, 600 East Fourth Street, 11th floor, Charlotte, North Carolina 28202. This notice is given pursuant to the provisions of Section 147(f) of the Code and Section 66.0304(11)(a) of the Wisconsin Statutes and Section 4 of the Amended and Restated Joint Exercise of Powers Agreement Relating to the Authority. Additional information concerning the Project may be obtained from Brandon K. Lewisohn, Esq., 401 South Tryon Street, Suite 3000, Charlotte, North Carolina 28202; Phone (704) 372-9000; Email Address: brandonlewisohn@parkerpoe.com. The Board of Commissioners does not discriminate upon the basis of any individual’s disability status. This non-discrimination policy involves every aspect of the Board of Commissioners’ functions, including one’s access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting and/or needing this information in an alternative format because of a disability as provided for in the Americans with Disabilities Act should contact the Clerk to the Board of Commissioners by phone at (980) 314-2912, or by fax at (704) 336-5887, or by e-mail at Janice.Paige@mecklenburgcountync.gov.

/s/ Janice S. Paige
Clerk to the Board of Commissioners of Mecklenburg County, North Carolina

Note: Prior to the above vote, Shannon Stein, Superintendent for Lake Norman Charter School, thanked the Board for considering this matter.

Extracts/Resolution recorded in full in Minute/Ordinance Book 47-A, Document #214.

ADVISORY COMMITTEE REPORTS - NONE

MANAGER’S REPORT

Prior to presenting her Manager’s Report, County Manager Diorio presented five-year service pins to Commissioners Cotham, Fuller, and Ridenhour.

17-4379 2018 BOCC MEETING SCHEDULE

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the 2018 Mecklenburg County Board of County Commissioners Meeting Schedule.

Note: The schedule reflects the continuation of Regular meetings on the first and third Tuesday of each month; one meeting in July and August; and Budget/Public Policy meetings on the second and fourth Tuesday of each month. When a holiday falls on a Monday, an election day on Tuesday, or if there’s a Tuesday scheduling conflict for other reasons, meetings are scheduled for Wednesday.

Regular Meetings are held monthly every first and third Tuesday at 6:00 p.m. in the Meeting Chamber of the Charlotte-Mecklenburg Government Center (CMGC) located at 600 East Fourth Street (lobby level), unless indicated otherwise on the schedule.

Informal Work Sessions and/or Closed Sessions are at 5:00 p.m. prior to each Regular meeting in the Meeting Chamber Conference Room CH-14 (basement level).

Budget/Public Policy Workshops are held monthly every second and fourth Tuesday at 3:00 p.m. in Conference Center Room 267 of the CMGC (2nd floor), unless indicated otherwise on the schedule.

*Regular and Budget Public/Policy Meetings are held on Wednesday if there is a Monday holiday or Tuesday Election Day.

JANUARY

*Wednesday, January 3  Regular (Monday Holiday)
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
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</thead>
<tbody>
<tr>
<td>Tuesday, January 9</td>
<td>Budget/Public Policy Workshop</td>
</tr>
<tr>
<td>*Wednesday, January 17</td>
<td>Regular (Monday Holiday)</td>
</tr>
<tr>
<td>Tuesday, January 23</td>
<td>Budget/Public Policy Workshop</td>
</tr>
<tr>
<td>Wednesday, January 25–26</td>
<td>BOCC Retreat – CPCC Harris Campus</td>
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**FEBRUARY**
- Tuesday, February 6: Regular
- Tuesday, February 13: Budget/Public Policy Workshop
- Tuesday, February 20: Regular
- Tuesday, February 27: Budget/Public Policy Workshop

**MARCH**
- Saturday, March 3-7: NACo Legislative Conference, Washington, DC
- *Wednesday, March 7*: Regular
- Tuesday, March 13: Budget/Public Policy Workshop
- Tuesday, March 20: Regular
- Tuesday, March 27: Budget/Public Policy Workshop

**APRIL**
- Tuesday, April 3: Regular
- Tuesday, April 10: Budget/Public Policy Workshop
- Tuesday, April 17: Regular
- Tuesday, April 24: Budget/Public Policy Workshop

**MAY**
- Tuesday, May 1: Regular
- *Wednesday, May 9*: Budget/Public Policy Workshop (Primary, Tuesday, May 8)
- Tuesday, May 15: Regular
- Tuesday, May 22: Budget/Public Policy Workshop

**JUNE**
- Tuesday, June 5: Regular
- Tuesday, June 12: Budget/Public Policy Workshop
- Tuesday, June 19: Regular
- Tuesday, June 26: Budget/Public Policy Workshop

**JULY**
- Tuesday, July 10: Regular
- Friday, July 13-16: NACo Annual Conference, Nashville, Tennessee

**AUGUST**
- *Wednesday, August 8*: Regular (National Night Out recognized, Tuesday, August 7)
- Thursday, August 23-25: NCACC Annual Conference, Catawba County

**SEPTEMBER**
- *Wednesday, September 5*: Regular (Monday Holiday)
- Tuesday, September 11: Budget/Public Policy Workshop
- Tuesday, September 18: Regular
- Tuesday, September 25: Budget/Public Policy Workshop

**OCTOBER**
- Tuesday, October 2: Regular
- Tuesday, October 9: Budget/Public Policy Workshop
- Tuesday, October 16: Regular
- Tuesday, October 23: Budget/Public Policy Workshop

**NOVEMBER**
- *Wednesday, November 7*: Regular (General Election, Tuesday, November 6)
- Tuesday, November 13: Budget/Public Policy Workshop
- Tuesday, November 20: Regular

**DECEMBER**
- Monday, December 3: Swearing-In Ceremony
- Tuesday, December 4: Regular
- Tuesday, December 11: Budget/Public Policy Workshop
- Tuesday, December 18: Regular
County Manager Diorio noted the following regarding Cardinal Innovations, per an email received from Mandy Cohen, Secretary NC Department of Health and Human Services (DHHS):

- On Monday, November 27, 2017, the NC Department of Health and Human Services (DHHS) temporarily assumed leadership of Cardinal Innovations, an LME-MCO authorized under state law to provide essential behavioral services using public funds.
- The DHHS has taken over responsibility for all LME functions.
- In addition to temporarily assuming control of the organization, the DHHS revoked Cardinal’s alternative board structure, necessitating a reconstituting of the board.
- The DHHS and County Commissioners in the Cardinal catchment area will appoint new board members in compliance with the statutory requirements of NC G.S. 122C-118.1.
- To stabilize Cardinal and begin the process of restoring public trust in the organization, the DHHS has asked that new board members be appointed by December 15, 2017.

County Manager Diorio noted the County’s prior agreement with Cardinal Innovations with respect to representation on its board.

County Manager Diorio reviewed the structure of the new Cardinal Innovations Board, per G.S. G.S. 122C-118.1.

A copy of G.S. 122C-118.1. is on file with the Clerk to the Board.

It was noted that any county commissioner appointed to the Cardinal board would be an ex-officio member, non-voting and would serve at the pleasure of the Board that appointed them.

Commissioners can serve three years or through the length of their time as a County Commissioner, whichever came first, but no more than three years.

It was noted that the Board would need to select someone to serve on the nominating committee by December 8, 2017 and nominate someone to serve on the Cardinal Board by December 11. The person selected to serve on the nominating committee can also be the Board’s nominee for the Cardinal Board. The actual appointment to the Cardinal Board, however, would be made per a vote of the entire nominating committee. The appointee can be a county commissioner or someone in the community.

Comments

Commissioner Leake said Cardinal Innovations cost the County millions of dollars years ago. She said the County, at that time, wanted to continue to manage its behavioral health services, but the State did not allow it.

Commissioner Leake expressed concern that the Board had not received any reports regarding Cardinal Innovations from the Board’s representative on the previous Cardinal Board, Commissioner Dunlap. She said it wasn’t until recently and per her inquiry that Cardinal Innovations made a presentation to the Board.

Commissioner Leake expressed concern that a NC state senator worked for Cardinal Innovations.
Commissioner James asked who was the state senator.

County Manager Diorio said it was NC Senator Joel Ford, but that he no longer worked for Cardinal Innovations.

Commissioner Leake expressed concern for Cardinal Innovations’ misuse of taxpayer money. She noted the bonus that was paid to Cardinal Innovations’ CEO. She said she’d like to see and had inquired about minutes of that approval.

Commissioner Leake said whoever the Board selected, that going forward, they should make periodic reports of what’s occurring with Cardinal Innovations.

Commissioner Fuller commented on the County’s history with Cardinal Innovations and how in 2013, there were Commissioners who felt “trouble was brewing” with that entity. He said despite that concern, the County was forced by the State to have its behavioral health services managed by Cardinal Innovations.

Commissioner Fuller expressed concern that some members of the former Cardinal Innovations Board had contracts with Cardinal. He noted, however, that under the new structure, per N.C. G.S. 122C-118.1, this would no longer be permissible.

Commissioner Fuller expressed concern that Mecklenburg County’s representation on the Cardinal Innovations board still would not be representative of the County’s size based on the number of clients that received these services. He said going forward the County needed to keep its eyes on what’s occurring with Cardinal Innovations.

Commissioner Dunlap said a lot issues had been raised and that some of them were valid. He referenced a document that he sent to Board members stating his position with respect to Cardinal Innovations and issues that he saw with the former Cardinal Innovations Board.

Commissioner Dunlap commented on the make-up of the new Cardinal Innovations Board versus the prior board, which he said was “controlled by a small group of people.”

Commissioner Dunlap said he was willing to serve again and felt he could make a difference with a new board. He said his prior knowledge and experience having previously served, would be helpful to the new board.

Commissioner Dunlap said if he wasn’t appointed to represent the Board, he was grateful for the opportunity to have served in the past.

Commissioner Clarke questioned the size of the nominating committee and the new board. He said it was too large to be effective.

Commissioner Clarke said the County would be much better off, had the State allowed the County to keep MeckLink years ago.

Commissioner Clarke said he had mentioned to the County Manager that he was willing to serve on the nominating committee, because he assumed Commissioner Dunlap was not interested in serving again.

Commissioner Cotham commented on the history of this issue as well. She said she was disappointed the Board never asked for a report regarding Cardinal, but going forward, she’d like to receive reports, perhaps quarterly.

Commissioner Cotham said she would support Commissioner Dunlap continuing to serve
because there would not be a learning curve having served previously.

**Commissioner James** nominated Commissioner Dunlap to serve on the nominating committee and the Cardinal Board.

Commissioner James commented on the history of this issue involving Cardinal Innovations back in 2013. He said the County spent millions of dollars creating MeckLink and then it was taken away by the state, when it partnered with Cardinal Innovations.

Commissioner James said the state created a “mess.” He commented on the skill set needed to run an organization the size of Cardinal Innovations.

Commissioner James said the State’s new plan probably would not work either.

Commissioner James said the County had no control or authority over Cardinal Innovations, in the past or going forward and in light of that, he’s not sure why the County should receive reports.

He said it appeared in the case of Cardinal Innovations that its management controlled the Cardinal Innovations board, rather than the board controlling management.

Commissioner James asked that the information below be included in the minutes, which were email exchanges between he and Secretary Cohen:

-----Original Message-----
From: Secretary Cohen [mailto:Secretary@dhhs.nc.gov]
Sent: Monday, December 4, 2017 12:32 PM
To: William F. James, Jr <wjames@carolina.rr.com>
Subject: Read: [External] RE: County selection of new Cardinal board members
Importance: High

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.

From: William F. James, Jr [mailto:wjames@carolina.rr.com]
Sent: Thursday, November 30, 2017 4:39 PM
To: 'Secretary Cohen' <Secretary@dhhs.nc.gov>; 'kevin.leonard@ncacc.org' <kevin.leonard@ncacc.org>; 'amy.bason@ncacc.org' <amy.bason@ncacc.org>; 'Richard, Dave' <dave.richard@dhhs.nc.gov>; 'Young, Christen Linke' <Christen.Linke.Young@dhhs.nc.gov>; 'Pfau, Sarah E' <Sarah.Pfau@dhhs.nc.gov>
Cc: 'Diorio, Dena R.' <Dena.Diorio@mecklenburgcountync.gov>; 'Bethune, Marvin' <mbethune@rbcwb.com>; 'Wade, Tyrone C.' <TyroneC.Wade@mecklenburgcountync.gov>
Subject: RE: County selection of new Cardinal board members
Importance: High

November 30, 2017
December 5, 2017

Dear Secretary Cohen:

Thank you for the letter updating me on the changes to Cardinal Innovations and the request to re-appoint members to the various area and community boards. I am willing to do so but I had a question or two.

It is my understanding that the County does not have any authority over the Executive Committee/Management of Cardinal which functions to operate the LME. There is the ‘area’ advisory board (NCGS 122C-118.1) and there is also a County Commission Advisory Board under NCGS 122C-118.2. Our designated Commissioner representative is, I believe, Commissioner George Dunlap.

I am presuming that since the State ‘fired’ all board members that you require us to re-appoint all of the members that were terminated unless you have cause to believe that they are disqualified for some reason. In that regard, I would like to know if any of the appointees from Mecklenburg are, in your opinion, ‘disqualified’ from serving for any reason. In other words, if we reappointed the same individuals from Mecklenburg would the Secretary object? If you do, could you provide Mecklenburg County with the specifics of any activity that you believe would disqualify someone from being reappointed? If you prefer all new individuals regardless of their record, I would like to know that also.

Since Cardinal’s operations and decisions are not shared with particular Counties; we have no way of knowing whether the specific individuals that were fired are (or are not) acceptable to the State and the Secretary. For us to proceed, it would be helpful to know if there are any individuals that cause concerns. We have tried to select individuals who meet the criteria of 118.1 and 118.2 however we do not know how these individuals functioned while serving on Cardinal’s Board over the last few years.

Ultimately, NC Counties have little to no real authority over how the LME operates. Since the County does not fund Cardinal and has no control over its operations, I have often wondered why the Commission would be involved in selecting the Board of advisors in the first place. Clearly, when you consider the recent issue of excessive executive exit packages, these area boards seem to have little to no real control over the operations of the LME.

That, to me, raises the question about whether the State, which controls and supervises Cardinal and other LME’s might consider making the appointments directly since it is your decision about the candidates that matters. Either way, I am willing to re-appoint those recently fired unless there is some reason the State has for denying them that position.

Regards,

Bill James
Mecklenburg County Board of Commissioners

CC: Dena Diorio, County Manager
    Marvin Bethune, County Attorney
    Tyrone Wade, Deputy County Attorney

From: Secretary Cohen [mailto:Secretary@dhhs.nc.gov]
Sent: Thursday, November 30, 2017 3:46 PM
To: kevin.leonard@ncacc.org; amy.bason@ncacc.org; Richard, Dave <dave.richard@dhhs.nc.gov>; Young, Christen Linke <Christen.Linke.Young@dhhs.nc.gov>; Pfau, Sarah E <Sarah.Pfau@dhhs.nc.gov>
Subject: County selection of new Cardinal board members

Dear County Leaders:

As you know, on Monday, November 27, 2017, the N.C Department of Health and Human Services (DHHS) temporarily assumed leadership of Cardinal Innovations, an LME-MCO authorized under state law to provide essential behavioral services using public funds. DHHS has taken over responsibility for all LME functions.

In addition to temporarily assuming control of the organization, the department has revoked Cardinal’s alternative board structure, necessitating a reconstituting of the board. DHHS and County Commissioners in the Cardinal catchment area will appoint new board members in compliance with the statutory requirements of N.C. G.S. 122C-118.1. To stabilize Cardinal and begin the process of restoring public trust in the organization, DHHS has asked that new board members be appointed by December 15.

County Commissioners have primary authority for appointing members of the new Cardinal board. To simplify the task, DHHS and the North Carolina Association of County Commissioners (NCACC) have worked together to develop a streamlined process that will allow all counties to participate while meeting the very specific statutory
requirements for board composition.

This streamlined process is outlined below.

**Nominating Committee**

Each board of county commissioners in the 20 county Cardinal catchment area shall appoint one county commissioner representative to serve on a Nominating Committee. By Friday, December 8, 2017, each county in the catchment area shall provide the name of the person selected to serve on the Nominating Committee. This name should be submitted to nominatingcommittee@ncacc.org.

**Cardinal Board Nominations**

Those interested in serving on the Cardinal Board should submit a resume, cover letter and up to three letters of support to boardnominations@ncacc.org by Monday, December 11, 2017. Individuals will be able to self-nominate for a position on the Cardinal Board. In addition, those selected to serve on the Nominating Committee shall also be eligible to be nominated to serve on the newly constituted Cardinal Board.

Cover letters accompanying nominations to serve on the Cardinal Board should include the qualifications of the individual nominee, with specific emphasis on the legislated mandated roles and skills for an effective board, as outlined in NC General Statute § 122C-118.1 included below.

DHHS and NCACC will convene the Nominating Committee – the representatives from the 20 Cardinal Counties – the week of December 11, 2017. The specific date and location of this meeting will be provided at a later date. At this meeting the Nominating Committee will review the applicants and select board members that best represent the counties, while ensuring compliance with statutory requirements.

Please direct questions about this process to Sarah Pfau from the North Carolina Medicaid team at sarah.pfau@dhhs.nc.gov

Thank you for your support and participation.

Sincerely,

Mandy Cohen                                                    Kevin Leonard
Secretary, DHHS                                               Executive Director, NCACC

§ 122C-118.1. Structure of area board.

(a) An area board shall have no fewer than 11 and no more than 21 voting members. The board of county commissioners, or the boards of county commissioners within the area, shall appoint members consistent with the requirements provided in subsection (b) of this section. The process for appointing members shall ensure participation from each of the constituent counties of a multicounty area authority. If the board or boards fail to comply with the requirements of subsection (b) of this section, the Secretary shall appoint the unrepresented category. The boards of county commissioners within a multicounty area with a catchment population of at least 1,250,000 shall have the option to appoint members of the area board in a manner or with a composition other than as required by this section by each county adopting a resolution to that effect and receiving written approval from the Secretary. A member of the board may be removed with or without cause by the initial appointing authority. The area board may declare vacant the office of an appointed member who does not attend three consecutive scheduled meetings without justifiable excuse. The chair of the area board shall notify the appropriate appointing authority of any vacancy. Vacancies on the board shall be filled by the initial appointing authority before the end of the term of the vacated seat or within 90 days of the vacancy, whichever occurs first, and the appointments shall be for the remainder of the unexpired term.

(b) Within the maximum membership provided in subsection (a) of this section, the membership of the area board shall reside within the catchment area and be composed as follows:

1. At least one member who is a current county commissioner.
2. The chair of the local Consumer and Family Advisory Committee (CFAC) or the chair’s designee.
3. At least one family member of the local CFAC, as recommended by the local CFAC, representing the interests of the following:
   a. Individuals with mental illness.
   b. Individuals in recovery from addiction.
   c. Individuals with intellectual or other developmental disabilities.
4. At least one openly declared consumer member of the local CFAC, as recommended by the local CFAC, representing the interests of the following:
   a. Individuals with mental illness.
   b. Individuals with intellectual or other developmental disabilities.
   c. Individuals in recovery from addiction.
5. An individual with health care expertise and experience in the fields of mental health, intellectual or other developmental disabilities, or substance abuse services.
December 5, 2017

(6) An individual with health care administration expertise consistent with the scale and nature of the managed care organization.

(7) An individual with financial expertise consistent with the scale and nature of the managed care organization.

(8) An individual with insurance expertise consistent with the scale and nature of the managed care organization.

(9) An individual with social services expertise and experience in the fields of mental health, intellectual or other developmental disabilities, or substance abuse services.

(10) An attorney with health care expertise.

(11) A member who represents the general public and who is not employed by or affiliated with the Department of Health and Human Services, as appointed by the Secretary.

(12) The President of the LME/MCO Provider Council or the President’s designee to serve as a nonvoting member who shall participate only in Board activities that are open to the public.

(13) An administrator of a hospital providing mental health, developmental disabilities, and substance abuse emergency services to serve as a nonvoting member who shall participate only in Board activities that are open to the public.

Except as provided in subdivisions (12) and (13) of this subsection, an individual that contracts with a local management entity (LME) for the delivery of mental health, developmental disabilities, and substance abuse services may not serve on the board of the LME for the period during which the contract for services is in effect. No person registered as a lobbyist under Chapter 120C of the General Statutes shall be appointed to or serve on an area authority board. Of the members described in subdivisions (2) through (4) of this subsection, the boards of county commissioners shall ensure there is at least one member representing the interest of each of the following: (i) individuals with mental illness, (ii) individuals with intellectual or other developmental disabilities, and (iii) individuals in recovery from addiction.

(c) The board of county commissioners may elect to appoint a member of the area authority board to fill concurrently no more than two categories of membership if the member has the qualifications or attributes of the two categories of membership.

(d) Any member of an area board who is a county commissioner serves on the board in an ex officio capacity at the pleasure of the initial appointing authority, for a term not to exceed the earlier of three years or the member’s service as a county commissioner. Any member of an area board who is a county manager serves on the board at the pleasure of the initial appointing authority, for a term not to exceed the earlier of three years or the duration of the member’s employment as a county manager. The terms of members on the area board shall be for three years, except that upon the initial formation of an area board in compliance with subsection (a) of this section, one-third shall be appointed for one year, one-third for two years, and all remaining members for three years. Members shall not be appointed for more than three consecutive terms.

(e) Upon request, the board shall provide information pertaining to the membership of the board that is a public record under Chapter 132 of the General Statutes.

(f) An area authority that adds one or more counties to its existing catchment area under G.S. 122C-115(c1) shall ensure that the expanded catchment area is represented through membership on the area board, with or without adding area board members under this section, as provided in G.S. 122C-118.1(a). (2001-437, s. 1.11(b); 2002-159, s. 40(a); 2006-142, s. 4(e); 2007-504, s. 1.4; 2010-31, s. 10.7; 2012-151, s. 3(a); 2013-85, ss. 6, 7.)
Commissioner Puckett expressed concern for the new Cardinal Innovations board structure. He said he didn’t think anything was going to change.

Commissioner Puckett said his preference would be not to designate anyone. He said the statute allowed counties the option to designate or to not.

Chair Scarborough said it may be better to have someone that’s an attorney serve as the Board’s designee, such as Commissioners Fuller or Clarke.

Commissioner Leake nominated Commissioner Clarke.

The vote was then taken on Commissioners Clarke and Dunlap.

Commissioner Clarke  Commissioners Clarke, Leake, and Scarborough
Commissioner Dunlap  Commissioners Cotham, Dunlap, Fuller, James, Puckett, and Ridenhour

Chair Scarborough announced the appointment of Commissioner Dunlap to serve as the Board’s nominee on the Cardinal Innovations Nominating Committee and as its Cardinal Board nominee.

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

Commissioners Puckett and Ridenhour left the dais and were away until noted in the minutes.

DEPARTMENTAL DIRECTORS' MONTHLY REPORTS - NONE

STAFF REPORTS & REQUESTS

17-4361 RESOLUTION CERTIFYING NOVEMBER 7, 2017 BOND REFERENDUM RESULTS

The Clerk to the Board of Commissioners made available to the Board of Commissioners a Certificate of Canvass of the Mecklenburg County Board of Elections certifying to the Board of Commissioners the results of the special election held for the County of Mecklenburg on November 7, 2017.

RESOLUTION CERTIFYING ELECTION RESULTS

Commissioner Bill James moved the adoption of the following resolution, the motion was seconded by Commissioner Dumont Clarke, 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 7, 2017 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 705,381.
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 $922,085,000 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 105,694. The total number of voters who voted “NO” in answer to such question was 39,675.

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 7, 2017

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 7, 2017 for the purposes of submitting to the qualified voters of the County the question 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 705,381.
(2) The number of voters who voted “YES” in answer to the question, “SHALL the order authorizing $922,085,000 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 105,694. The total number of voters who voted “NO” in answer to that question was 39,675. 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 December 8, 2017, 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 Dumont Clarke, Patricia “Pat” Cotham, George Dunlap, Trevor M. Fuller, Bill James, Vilma D. Leake, and Ella B. Scarborough

NAYS: None

*Note: Commissioners Jim Puckett and Matthew Ridenhour were present at the meeting but away from the dais at the time of the vote.

Extracts/Resolution recorded in full in Minute/Ordinance Book 47-A, Document #215.

COUNTY COMMISSIONERS REPORTS & REQUESTS- NONE

CLOSED SESSION

17-4370 LAND ACQUISITION

Motion was made by Commissioner Dunlap seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes, to authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway and storm drainage easement (+/- 10.563 acres) and a temporary construction easement (-/- 0.715 acres) on Tax Parcels 221-091-15, 221-091-16 and 221-091-17 from Westdale Sabal Point, NC, LLC in the Town of Pineville for a purchase price of $154,850. The total acquisition cost of $157,350 includes the $154,850 purchase price and reimbursement of $2,500 for the owner’s lender review fees.

Note: The acquisition was needed for the future construction of a portion of Little Sugar Creek Greenway and Stream Enhancement project.

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

CONSENT ITEMS

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 6-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, and Scarborough voting yes, to approve the following item(s):

17-4364 FLEET AUCTION 9-16-17 REVENUE

Recognize and receive vehicle auction revenue of $35,765.20, and of this amount, appropriate $31,994.95 to Fleet Reserve Fund and $3,770.25 to the Department of Social Services transportation unit of the General Fund.

17-4368 LANDSCAPE ARCHITECT – PEARL STREET PARK

Authorize the County Manager to negotiate fees and execute a contract with McAdams, for Landscape Architectural Services for the Pearl Street Park and in the event negotiations with this firm are unsuccessful, approve negotiations with the alternate firm, Bloc Design.

17-4369 EASEMENT DONATION – MALLARD CREEK GREENWAY
December 5, 2017

1. Accept the donation of a greenway trail access easement on Tax Parcel 047-131-07 (± 0.273 acres) from Summit Avenue URP LLC for a future access trail connection to Mallard Creek Greenway; and

2. Terminate an existing access easement on Tax Parcel 047-131-07 (± 0.723 acres) from Summit Avenue URP LLC recorded in Deed Book 31654 Page 482 at the Mecklenburg County Register of Deeds.

17-4373 BUDGET AMENDMENT – FUND BALANCE APPROPRIATION – LUESA

Appropriate $310,830 of fund balance from Huntersville ETJ Fire Tax Special Revenue Fund.

Note: The fund balance will be used to purchase land for a new volunteer fire station in Huntersville on McIlwaine Road and to reimburse the volunteer fire department for the purchase of radios.

17-4374 INSURANCE REIMBURSEMENTS

Recognize, receive and appropriate insurance reimbursement funds of $3,730 for Sheriff’s Office, $2,020 for Park and Recreation and $26,178 for Asset and Facility Management.

Note: The County received insurance proceeds based on claims for stolen and damaged items in the departments identified. This Board action provides authority to use the funds for replacement of these items.

17-4376 MINUTES

Approve Minutes of Regular meeting held November 21, 2017 and Closed Session held November 21, 2017.

17-4384 STORM WATER PROGRAM – FY17 VACANT FLOODPLAIN LAND ACQUISITION

Authorize the County Manager to accept Offer of Sale of Real Estate from Mary Belton, representing the estate of Thomas Robert Belton, owner of property located off Celia Avenue, Charlotte, NC (tax parcel 069-076-27), for $1,400.

Note: The referenced vacant parcel acquisition will secure property needed for construction of the Historic Stewart Creek Enhancement Project and preserve the parcel as floodplain open space which reduces future flood risk.

THIS CONCLUDED ITEMS APPROVED BY CONSENT

Commissioner Puckett returned to the dais.

17-4362 BUDGET AMENDMENT – SHERIFF’S OFFICE – CHICK-FIL-A (REVENUE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize, receive and appropriate $300 from Huntersville Chick-Fil-A.
Note: The Huntersville Chick-fil-A has made a $300 monetary donation to the Mecklenburg County Sheriff’s Office (MCSO) from proceeds of their “Back the Blue” community event to support local law enforcement agencies. MCSO is concluding its second year of participation in the Presidential Volunteer Service Awards program that recognizes MCSO employees for their volunteer hours within the Charlotte community. The funds will be used to purchase awards for the MCSO employees that meet the criteria established by the Program.

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

**17-4363  BUDGET AMENDMENT – SHERIFF’S OFFICE – TARGET CORPORATION (REVENUE INCREASE)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize, receive and appropriate $5,000 from Target Corporation.

Note: The Mecklenburg County Sheriff’s Office was awarded $5,000 from Target Corporation to purchase miscellaneous school supplies for the WSOC-TV’s 9 School Tools campaign.

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

**17-4367  RENTAL FEES – PARK AND RECREATION INDOOR FACILITIES**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to approve rental fees for Jetton Waterfront Hall and Cordelia Park Pavilion effective January 1, 2018 as noted below.

Note: The rental fees for both facilities will be the same as the BOCC approved rates for the Mahlon Adams Pavilion at Freedom Park:

<table>
<thead>
<tr>
<th></th>
<th>County Resident</th>
<th>Non-County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekend/Holiday - 5 Hrs.</td>
<td>$506.00</td>
<td>$631.00</td>
</tr>
<tr>
<td>Each add’l hour</td>
<td>$101.00</td>
<td>$126.00</td>
</tr>
<tr>
<td>Weekday - 5 Hrs.</td>
<td>$278.00</td>
<td>$356.00</td>
</tr>
<tr>
<td>Each add’l hour</td>
<td>$ 56.00</td>
<td>$ 71.00</td>
</tr>
</tbody>
</table>

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

**17-4378  CHARLOTTE-MECKLENBURG SCHOOLS LEASE OF PROPERTY**

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 7-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to adopt a resolution titled “Mecklenburg County Board of Commissioners Resolution Authorizing Charlotte-Mecklenburg Board of Education to negotiate and execute an extension of its current lease with Grace and Mercy Cathedral Ministry, Inc.”

Note: North Carolina G.S. 115C-530 stipulates that operational leases of real or personal property for use as school buildings or facilities for three years or greater must be approved by a resolution adopted by the local board of county commissioners.
December 5, 2017

CURRENT LEASE WITH
GRACE AND MERCY CATHEDRAL MINISTRIES, INC.

WHEREAS, Charlotte-Mecklenburg Board of Education has submitted a proposal to the Mecklenburg County Board of Commissioners to authorize Charlotte-Mecklenburg Schools to negotiate and execute an extension of its current lease for facility space to be used by Harding RAM Academy; and

WHEREAS, Harding RAM Academy which is a credit recovery program for students that is operated by Harding Institute at 2670 Dr. Carver Road in the City of Charlotte; and

WHEREAS, Charlotte-Mecklenburg Schools will be responsible for all costs associated with the lease of the facility; and

WHEREAS, Charlotte-Mecklenburg Schools has agreed to the following proposed business terms for the lease extension:

| Location                  | 2670 Dr. Carver Rd  
|                          | Charlotte, NC 28208 |
| Total Square Footage     | Approximately 17,000 Rentable SF |
| Commencement             | January 1, 2018 (with an ending date of December 31, 2022) |
| Rent                     | $97,752 per year (with no payment escalation) |
| Maintenance              | All terms to remain the same as the original lease term. Tenant is responsible for maintaining the interior of the Premise, including janitorial service; Landlord is responsible for maintenance and repair of all structural portions of the building, including roof, all electrical and mechanical systems, HVAC, and all landscaping |
| Utilities                | All terms to remain the same as the original lease term. Tenant is responsible for providing and paying all utilities, including but not limited to, gas, electricity, water, and telephone |

WHEREAS, pursuant to G.S. 1 ISC-530 the Board of Commissioners has determined that it would be in the public interest for it to authorize Charlotte-Mecklenburg Schools to negotiate and execute a lease for facility space at 2670 Dr. Carver Rd, Charlotte, NC 28208; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners does hereby authorize the Charlotte-Mecklenburg Board of Education, or its designee, to negotiate and execute a formal lease agreement with Grace and Mercy Cathedral Ministry, Inc. consistent with the business terms outlined above.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #216.

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

17-4382  BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE AND EXPENDITURE INCREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Gotham, Dunlap, Fuller, Leake, Puckett, and Scarborough voting yes, to recognize, receive, and appropriate an increase in revenue of $543,000 for the collection of Birth and Death certificate fees.

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

Commissioner Ridenhour returned to the meeting.

ADJOURNMENT

Motion was made by Commissioner Leake, seconded by Commissioner Dunlap and carried 8-0 with
December 5, 2017
Commissioners Clarke, Cotham, Dunlap, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 8:22 p.m.

Janice S. Paige, Clerk

Ella B. Scarborough, Chair
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, December 19, 2017.

ATTENDANCE

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

Absent: None

-INFORMAL SESSION-

Commissioner Ridenhour was absent when the meeting was called to order and until noted in the minutes.

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

REMOVAL OF ITEMS FROM CONSENT

The Board identified item(s) 17-4381, 17-4388, 17-4389, 17-4398, & 17-4416 to be removed from Consent and voted upon separately.

MANAGER’S REPORT

County Manager Diorio informed the Board that County Attorney Bethune had something to share under her Manager’s Report at this time.

County Attorney Bethune tendered his resignation as Mecklenburg County Attorney, effective March 6, 2018, or at such earlier date as the Board may choose.

County Attorney Bethune said it had been an “honor and privilege” to serve the Board as County Attorney since his appointment in November of 1978, “but now feels like the right time” for him to step down. He has served as County Attorney for 39 years.

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

CLOSED SESSION

17-4386 TO PREVENT DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL PURSUANT TO G.S. 105-259. (G.S. 143-318.11(A)(1).
17-4402 CONSULT WITH ATTORNEY
Prior to going into Closed Session, Attorney Bethune announced there were no Consult with Attorney matters to be discussed in Closed Session.

Motion was made by Commissioner James, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, and Scarborough voting yes, to go into Closed Session for the following purpose(s): To Prevent Disclosure of Information that is Confidential Pursuant to G.S. 105-259. (G.S. 143-318.11(a)(1), Business Location and Expansion, and Land Acquisition.

The Board went into Closed Session at 5:09 p.m. and came back into Open Session at 6:15 p.m.

 Commissioner Ridenhour was present when the Board came back into Open Session. He entered the meeting during Closed Session.

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

-FORMAL SESSION-

Chair Scarborough called this portion of the meeting to order, which was followed by introductions, invocation by Commissioner Dunlap, and the Pledge of Allegiance to the Flag; after which, the matters below were addressed.

AWARDS/RECOGNITION - NONE

PUBLIC APPEARANCE

17-4399  PUBLIC APPEARANCE

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

APPOINTMENTS

17-4408  APPOINTMENTS

PARK AND RECREATION COMMISSION

Motion was made by Commissioner Puckett, seconded by Commissioner Fuller and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Elizabeth Cashion to the Park and Recreation Commission as the Northern Town representative to fill an unexpired term expiring June 30, 2019.

Note: She replaces Aubin Guiness.

WOMEN’S ADVISORY BOARD

Motion was made by Commissioner Dunlap, seconded by Commissioner James and failed 8-1 with Commissioners Clarke, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes and Commissioner Cotham voting no, to nominate and appoint Melissa Lefko to the
Women’s Advisory Board to fill an unexpired term expiring April 30, 2018 and Yesha Shukla to fill an unexpired term expiring November 30, 2019.

Motion was made by Commissioner Dunlap, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Melissa Lefko to the Women’s Advisory Board to fill an unexpired term expiring April 30, 2018.

Motion was made by Commissioner Dunlap, seconded by Commissioner Puckett and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint Yesha Shukla to the Women’s Advisory Board to fill an unexpired term expiring November 30, 2019.

*Note: They replace Mable Hemphill and Marci Brier.*

**ZONING BOARD OF ADJUSTMENT**

Motion was made by Commissioner Puckett, seconded by Commissioner Dunlap and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to reappoint the following persons to the Zoning Board of Adjustment for three-year terms expiring November 30, 2020: Jonathan Dausman, Adam Grabiec, Daniel Jacobs, Nasif Majeed, William Rakatansky, Jeffery Reynolds, and Dennis Warfle.

*Note: This board currently isn’t active but membership is being retained in case a matter comes up for review.*

**2019 CITIZEN’S REVALUATION ADVISORY COMMITTEE**

Commissioner Dunlap, chair of the Board’s Ad Hoc Appointments Interview Committee, presented the committee’s recommendation for appointments to the 2019 Citizen’s Revaluation Advisory Committee, per nominations made on November 21, 2017.

The other committee members were Commissioners Leake, Cotham, and Ridenhour and Tax Assessor Ken Joyner.

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

Motion was made by Commissioner Leake, seconded by Commissioner James and unanimously carried with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to nominate and appoint the following persons to the 2019 Citizen’s Revaluation Advisory Committee for a one-year term, January 1, 2018 - December 31, 2018, as recommended by the Board’s Ad Hoc Interview Committee: Peter Gallo, Mike Hege, Kenneth Horn, Robert Janezic, Jonathan Manuel, Kellianne Nagy, Roscoe Shiplelt, Alvenia Warren, and Emily Zuyus.

*Note: The other nominees were: Carell Houston, Samuel Alan Johnson, John Lattanzio, Jeff Scott, Felecia Vereen Thomas, and Jacqueline Crosland.*

**PUBLIC HEARINGS - NONE**

**ADVISORY COMMITTEE REPORTS - NONE**
MANAGER’S REPORT

17-4411  AMERICAN LEGION MEMORIAL STADIUM

The Board received an update regarding renovations to American Legion Memorial Stadium and the potential partnership (cost sharing) models.

Lee Jones with Park and Recreation presented the matter.

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

County Manager Diorio said after evaluating what staff felt was in the best interest of the County, it’s felt that since Memorial Stadium is the County’s asset, the County should control it and use it for what the County would want to use it for. County Manager Diorio said the only way to do that would be to fully pay the cost of renovation; and to make sure the County had the capacity it needed. She said currently the capacity was about 12,000 seats.

County Manager Diorio said if the County paid 100% of the cost to renovate the stadium, then the County would get to decide how it gets used, when it gets used and to whom it gets leased to.

Comments

Commissioner Clarke asked had any community engagement taken place with the Elizabeth Neighborhood Association regarding staff’s recommendation for moving forward. County Manager Diorio said she had communicated with Paul Shipley, President of the Association and that he was supportive of the 12,000 seats option. County Manager Diorio said she’d also shared the information with Dr. Kandi Deitemeyer, President of Central Piedmont Community College, and that she was supportive of the 12,000 seats option as well.

Commissioner Clarke asked about the type of bleachers in the stadium and whether any of them would have backs, which was addressed.

Commissioner Clarke asked would the flashers operate at all times. The response was yes.

Commissioner Leake commented on restrooms. She said usually there were more restrooms for males than females. She asked that staff take the need for more female restrooms into consideration.

Commissioner Leake asked about the inclusion of video boards, which was addressed.

Commissioner Leake asked about parking and the availability of working elevators, which was addressed.

Commissioner Leake said there needed to be a “sound and accessible” entry and exit for senior citizens, especially those that weren’t capable of walking.

Commissioner Ridenhour said he liked that the rock wall would be maintained.

Commissioner Ridenhour asked about the location of the medallions shown in the presentation. He said he would not want them located in a manner that they could be walked on.

Commissioner Ridenhour asked had there been any conversation with Charlotte Independence about sharing the cost. County Manager Diorio said yes and that their initial interest was in contributing to the base stadium cost and not the full stadium. County Manager Diorio said staff would go back to Charlotte Independence again if that’s the direction of the Board; but staff’s recommendation was for the County to have full control.

Commissioner Cotham asked would there be any “family” restrooms. The response was yes.
December 19, 2017

Commissioner Cotham asked would there be a history area located within the stadium. *The response was yes, that would be taken into consideration.*

Commissioner Cotham asked would the name remain the same. *The response was yes.*

Mr. Jones said staff would take all comments under advisement.

Commissioner Puckett asked about discussions with Charlotte Independence and how the County may miss an opportunity to land a “solid” tenant for the stadium, based on what was being recommended by staff.

Commissioner Puckett said there was opportunity, as well, to partner with the City of Charlotte.

Commissioner Puckett said he appreciated the fact that the County could fully fund the renovation, however, he was not sure that was the best option.

Commissioner Puckett said the better option was to at least commit to a minimum project that would allow the County to contract with Charlotte Independence and to spend the next 30–120 days to see if the City of Charlotte would be interested in participating, since they have designated funds that could help offset some of the cost.

Commissioner Puckett said if none of those efforts worked, then the County could consider moving forward on its own.

**Motion was made** by Commissioner Puckett, seconded by Commissioner James, to direct staff to enter into negotiations with Charlotte Independence for a long term lease and to allocate the funds to renovate memorial stadium, such that it would meet the minimal standards needed for soccer league play; and invite the City of Charlotte and the Charlotte Regional Visitors Authority to partner with the County; at the end of the first quarter, if no additional funds were able to be obtained, then the Board would revisit this matter to consider fully funding the project on its own.

Commissioner Fuller asked about the difference between what was presented and what was presented previously, that involved Charlotte Independence, which was addressed, as it related to design.

Commissioner Fuller said what was presented was “very basic.” He said he’d like to see more done in terms of renovating the stadium.

Commissioner Fuller expressed concern for the medallions being located on the ground. He echoed Commissioner Ridenhour’s sentiment that they not be located in manner that they could be walked upon.

Commissioner Fuller said the County had the opportunity to make memorial stadium a “signature” facility.

Commissioner Fuller said he was concerned about the “tenuous” nature of the financing. He said things appeared too unsettling for him.

Commissioner Fuller said the County should not rush through this process and that more time needed to be put into this project.

Commissioner James said he’d like to see the renovations done. He said he was never a fan of the major-league soccer proposal, because the County would have lost control of the facility.

Commissioner James said he would like to have control of the facility, but he was not opposed to making money off the facility by leasing it to someone, such as Charlotte Independence.

Commissioner James said valid points had been made and that the County needed to know whether Charlotte Independence was “truly” interested in leasing the facility.
Commissioner James echoed earlier sentiments that the medallions should not be located on the ground.

Commissioner James said he was okay with asking the City of Charlotte to participate.

Commissioner James said there were also design elements that needed to be worked out. He said he viewed all of this as a starting point.

Commissioner Dunlap spoke in support of staff’s recommendation. He said what staff proposed was a remedy for a solution for memorial stadium, “irrespective” of soccer.

Commissioner Dunlap said this was about the restoration of memorial stadium and not about soccer.

Commissioner Dunlap spoke in support of the proposed design. He said what was presented was conceptual and subject to change. He said the medallions could easily be placed somewhere other than on the ground.

Commissioner Dunlap said he agreed with comments regarding restrooms for females.

Commissioner Dunlap said what staff was proposing would not prohibit the County from entering into an agreement with any organization for use of the stadium.

Commissioner Dunlap said it was okay to let others invest in the facility, but control of the facility should always be the County’s.

Substitute motion was made by Commissioner Dunlap, seconded by Commissioner Leake and carried 7-2 with Commissioners Clarke, Cotham, Dunlap, Fuller, James, Leake, and Scarborough voting yes and Commissioners Puckett and Ridenhour voting no, to allow the County Manager to 1) move forward as recommended by staff with respect to renovations to American Legion Memorial Stadium; 2) to discuss the renovation proposal with all potential partners; and 3) report back to the Board.

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

17-4419 EXTRA TERRITORIAL JURISDICTION (ETJ) POLICING UPDATE

County Manager Diorio gave an update on Extra Territorial Jurisdiction (ETJ) Policing.

Note: At the October 17, 2017 meeting, the Board adopted a resolution declaring the County’s intent to enter into an interlocal agreement with the City for law enforcement services in the Charlotte, Davidson and Mint Hill ETJ jurisdictions of Mecklenburg County.

The following was noted: Work was continuing to be done with respect to this issue. Discussions were going very well. Staff was working to have a resolution by the end of January for subsequent presentation to the Board.

DEPARTMENTAL DIRECTORS’ MONTHLY REPORTS

17-4407 DEPARTMENT MANAGEMENT MONTHLY REPORTS

The Board received as information monthly department management reports for December, 2017.

Note: The County Manager has requested department directors develop department management monthly reports highlighting key activities and initiatives within the departments and that reports show relevant performance indicators of departmental activity.
A copy of the reports is on file with the Clerk to the Board.

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

STAFF REPORTS & REQUESTS

17-4403 SMOKING CESSATION CONTINGENCY FUND PROPOSAL

The Board received a presentation from Health Director, Gibbie Harris on the proposal for use of smoking cessation contingency funds. She was assisted by Kimberly Bayha, a Health Educator with the Health Department.

Staff’s recommendation:

Increase the availability of prevention/behavior change efforts and tobacco cessation services to the following populations:
- Individuals living in the Public Health priority areas
- Individuals living with a behavioral health disorder
- Individuals in the LGBTQ community

3 FTEs
- Health Policy Coordinator for Tobacco Cessation & Training
- Health Policy Coordinator for Priority Populations
- Health Program Coordinator/Supervisor

Personnel Costs -$86,666.00

Operating Budget -$29,676.00

Targeted Communication Campaign
Cessation Training & Supplies
Total Funds Requested -$116,342.00

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

Comments

Commissioner Ridenhour asked about the trend with respect to smoking, which was addressed. He questioned the need for the requested positions.

Commissioner Cotham commented on effects of secondhand smoke.

Commissioner Cotham said foster care parents should not be allowed to smoke. She said children should not be placed in foster care homes where there were smokers. She asked staff to look into this matter to see what could be done to address this issue.

Ms. Bayha said the Health Department was working on that concern and had partnered with the Department of Social Services to incorporate an education component in the required foster care parent training. She said staff would continue to address this concern.

Commissioner Leake expressed concern also for children in foster care homes where there was smoking.

Commissioner Leake said signage around the Government Center regarding smoking being prohibited on the property was not working. She said individuals continued to smoke and...
sometimes stood right at the signage. She said something else was needed. She asked that staff come back with recommendations to deter smoking in front of the Government Center.

Commissioner Leake commented on the positions that were being requested. She asked that the Board be informed when the positions were filled. Commissioner Leake said her request was applicable to all requested positions throughout the County, not just in the Health Department.

Commissioner Leake said in light of the turnover in the Health Department, she’d like to know how much was it costing the County.

Commissioner Clarke asked had there been any further thought on banning smoking in the workplace, even if it’s not a place of public accommodation. Director Harris said there had not been any discussion of that matter to her knowledge. She said it would take legislative action to do something of that nature, either on the state and/or federal level.

Commissioner Clarke said this was something he’d like to be discussed at some point.

Commissioner Ridenhour asked would the positions being requested be for six months only. Director Harris said no, it’s staff’s intent they be continued. She said the funding being requested was just for the remainder of this fiscal year. The positions would be placed in the subsequent budget.

Commissioner Ridenhour said he would prefer the money be used for smoking cessation products, rather than hiring additional staff and establishing a new division within the Health Department.

Commissioner James asked about regulations regarding tobacco flavored products in NC. County Attorney Bethune said he would have to research that question, but he doubts the Board would have the authority to regulate tobacco flavored products.

Commissioner James questioned whether any substantive changes would or could be made. He said it would be good if foster care parents weren’t allowed to smoke. He said that would be an example of a substantive change.

Commissioner James asked how was the matter going to be addressed in the LGBTQ community. What type of campaign. Director Harris said staff would work with community partners that work with the LGBTQ community.

Commissioner Fuller addressed the use of menthol cigarettes. He said he’d like to see a specific effort to address the use of menthol cigarettes.

Commissioner Fuller said he wanted to hear more about the actual delivery of services, which was addressed.

Commissioner Fuller said he’d like to see more going forward with respect to the delivery of services, including a matrix, measuring where the County was now and where it would like to be after implementation of these efforts. He said measurable goals were needed.

Commissioner Puckett echoed Commissioner Ridenhour’s sentiment that the funds be used for cessation products, rather than hiring staff.

Commissioner Puckett said the only way to combat this issue was probably through action on the part of insurance companies. He said billions of dollars had been spent on anti-smoking campaigns and the problem still existed. He said smoking was a personal choice.
Commissioner Puckett said it was “frustrating” to think that the Health Department’s prior efforts to deter smoking had not worked. He said perhaps, the request that’s being made now, should have been made first.

Chair Scarborough thanked Director Harris for the presentation and encouraged people not to smoke.

Motion was made by Commissioner Clarke, seconded by Commissioner Fuller and carried 6-2 with Commissioners Clarke, Cotham, Fuller, James, Leake, and Scarborough voting yes, and Commissioners Puckett and Ridenhour voting no, to authorize release of contingency funds in the amount of $116,342 to implement the smoking cessation recommendation as outlined in the presentation by staff; and approve the creation of one full time Health Program Coordinator/Supervisor position and two full time Health Policy Coordinator positions.

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

17-4404 HIV CONTINGENCY FUND PROPOSAL

The Board received a presentation from Health Director Gibbie Harris on the proposal for use of HIV contingency funds.

Staff recommendation: Increase availability of PrEP for High-risk Uninsured Individuals

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

Comments

Commissioner Leake thanked Director Harris for the presentation and expressed support of the recommendation brought forward by the Health Department.

Commissioner Clarke spoke in support of the recommendation. He said his expectation was that the funds being requested would be used to educate and market these services to the high-risk, uninsured population.

Commissioner Fuller said he was glad to see the provision of PrEP as the centerpiece of the County’s plan, that’s yet to be formed. He encouraged staff to continue the planning process.

Commissioner Fuller said education and public outreach was very important in this effort. He said there was more that needed to be done, but that the provision of PrEP was a big and an important step in the right direction.

Commissioners Puckett and Cotham also spoke in support of the recommendation being brought forward.

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize release of contingency funds in the amount of $248,000 to implement the HIV prevention recommendations as outlined in the presentation by staff.

Note: The above is not inclusive of every comment but is a summary.
Motion was made by Commissioner Fuller, seconded by Commissioner Leake and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to adopt Resolution entitled: Resolution Declaring Intent To Exchange County Owned Tax Parcel 125-201-51 For Housing Authority Owned Tax Parcel 125-201-61.

MECKLENBURG COUNTY BOARD OF COMMISSIONERS
RESOLUTION DECLARING INTENT TO EXCHANGE COUNTY OWNED TAX PARCEL 125-201-51 FOR HOUSING AUTHORITY OWNED TAX PARCEL 125-201-61

WHEREAS, the County owns Tax Parcel 125-201-51, known as Baxter Street Park, located on Baxter Street adjacent to a multi-family building owned and operated by the City of Charlotte Housing Authority ("Housing Authority"), and the Housing Authority owns Tax Parcel 125-201-61, a parcel on the opposite side of its multi-family building and adjacent to Pearl Street Park; and

WHEREAS, the Housing Authority desires to obtain the County’s Tax Parcel 125-201-51 (hereinafter referred to as the “County Exchange Parcel”) and the County desires to obtain the Housing Authority’s Tax Parcel 125-201-61 (hereinafter referred to as “Housing Authority Exchange Parcel”) to add to the County’s adjacent Pearl Street Park; and

WHEREAS, this exchange of properties is part of the Pearl Street Park Improvement and Pearl Park Way Extension Project considered and approved by the Board of Commissioners on October 4, 2016 as Agenda Item 16-3545; and

WHEREAS, at that October 4, 2016 meeting, as part of Agenda Item 16-3545, the Board of Commissioners adopted Resolution D conceptually approving this land exchange and authorizing the filing of rezoning petitions for the County Exchange Parcel that would change the zoning of the County Exchange Parcel to allow that parcel to be used for Housing Authority purposes; and

WHEREAS, the County’s Park and Recreation Department has reviewed the proposed exchange and determined that exchanging the parcels is appropriate for Park and Recreation purposes in that it allows a park property that is little used to be exchanged for land to expand and improve Pearl Street Park, a heavily used park; and

WHEREAS, the County and the Housing Authority staff members have exchanged appraisals of both parcels, and have agreed that the County Exchange Parcel has a value of $6,065,242 and the Housing Authority Exchange Parcel has a value of $4,095,732; and

WHEREAS, the Housing Authority has agreed to pay the County $2,000,000 at the closing of the exchange to make up for the difference in values, and County staff has determined that in their opinion the County will receive full and fair consideration for the County Exchange Parcel to be conveyed to the Housing Authority when the additional $2,000,000 is paid to the County as part of the closing; and

WHEREAS, pursuant to G.S. 160A-271, the Board of County Commissioners is authorized to exchange real property owned by the County for other real property by private negotiation if the County receives a full and fair consideration for its property; and

WHEREAS, pursuant to G.S. 160A-271, the Board proposes to authorize the exchange of the County Exchange Parcel for the Housing Authority Exchange Parcel plus receipt of the amount of $2,000,000, and to follow the statutory procedure to authorize the exchange; now, therefore, be it

RESOLVED, that the Mecklenburg County Board of Commissioners:
December 19, 2017

(i) proposes to authorize the exchange of the County Exchange Parcel for the Housing Authority Exchange Parcel, plus receipt of the amount of $2,000,000 under the terms noted above, at its next regular meeting;

(ii) authorizes the County Manager to negotiate a contract for the exchange with the Housing Authority (which as of the date hereof owns the Housing Authority Exchange Parcel) and/or Horizon Development Properties, Inc, a North Carolina non-profit corporation, which is a subsidiary of and controlled by the Housing Authority, which may become the owner of the Housing Authority Exchange Parcel prior to the closing of the exchange contemplated hereunder, as the circumstances require; and

(iii) directs the Clerk to the Board to publish the attached notice describing the properties to be exchanged, stating the estimated value of the properties and the other consideration to be paid to the County, and announcing the Board’s intent to authorize the exchange on January 3, 2018, at the Board’s next regular business meeting.

Resolution recorded in full in Minute/Ordinance Book 47-A, Document #217.

Motion was made by Commissioner Puckett, seconded by Commissioner James and carried 8-0 with Commissioners Clarke, Cotham, Fuller, James, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager:

- to negotiate, and execute as applicable, an assignment and assumption agreement (the “Assignment”) pursuant to which MPV shall assign all of its right, title and interest in the Contract to Mecklenburg County (the “County”) to purchase the Property, which Assignment is expected to be executed on or about December 20, 2017; and

- to consummate the County’s subsequent acquisition of the Property under the terms and conditions of the Contract and Assignment, which among others require:
  (a) an earnest money deposit from County in the amount of $50,000.00, which shall be due into escrow in conjunction with the parties’ execution of the Assignment;
  (b) a closing date of not later than January 16, 2018; and
  (c) at closing, payment by County to MPV of:
     (i) an assignment fee equal to $64,125.00 (which represents 1.5% of the purchase price for the Property, which is $4,275,000.00); and
     (ii) reimbursement of MPV’s due diligence expenses with respect to the Property in the amount of $97,640.00; and
  (d) at closing payment by County to ABI of the purchase price of $4,275,000 (as adjusted by the terms of the Contract for pro-rations of taxes and any other required adjustments)

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

CONSENT ITEMS

Motion was made by Commissioner Puckett, seconded by Commissioner Leake and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the following item(s):

17-4393 INTERLOCAL AGREEMENT WITH THE TOWN OF HUNTERSVILLE (RESTORATION OF TORRENCE CREEK)
Recognize, receive and appropriate to the Storm Water Facilities Capital Reserve Fund up to $390,000 from the Town of Huntersville for its share of the restoration of Torrence Creek in Huntersville, NC.

**17-4394 STORM WATER PROGRAM – FY17 HAZARD MITIGATION FLOODPLAIN ACQUISITION**

1. Accept the Offer of Sale of Real Estate from Andrew Schenck, owner of property located at 3356 Commonwealth Avenue, Charlotte, NC (tax parcel 129-101-51), for $58,000; and

2. Authorize the Charlotte-Mecklenburg Police and Fire Departments to utilize the structure for training exercises.

*Note: Since late 1999, Mecklenburg County has used local storm water fee revenue to acquire property that will minimize the risk of potential loss of life and property damage from flooding while enhancing the natural and beneficial functions of the floodplain (creating open space, expanding greenways, constructing wetlands, etc.).*

**17-4395 GRANT APPLICATION – NC DEQ – LUESA AIR QUALITY**

Approve Mecklenburg County Air Quality's recommendation to:

1) Approve the submission of a grant application in the amount of $164,000 from the North Carolina Department of Environmental Quality (NCDEQ) for the administration of the "Charlotte Air Awareness Program",

2) If awarded, recognize, receive and appropriate the grant funds; and

3) Authorize the carry-forward of all unspent funds until expended.

**17-4396 HEALTH DEPARTMENT FEE SCHEDULE AMENDMENT**

Approve a new fee for temporary convention permits for participating tattoo artists.

*Note: There are plans to bring a Tattoo Convention to Mecklenburg County in October of 2018 that will attract tattoo artists from around the country. Each artist will need to be inspected individually to assure compliance for the services they will be providing within the County. The County expects 300 artists to participate and the fee will be $100 per inspection for the temporary permit.*

**17-4397 TAX REFUNDS**

1. Approve refunds in the amount of $5,881.04 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor; and

*Note: This Board action is necessary to approve registered motor vehicle tax refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.*

2. Approve refunds in the amount of $36,839.11 and interest as statutorily required to be paid as requested by the County Assessor.
December 19, 2017

Note: This Board action is necessary to approve tax refunds resulting from clerical errors, audits and other amendments, including revaluation appeals. Accrued interest is estimated to be $16,356.77.

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

17-4400 MINUTES

Approve Minutes of Regular meeting held December 5, 2017.

17-4401 RAINGAGING STATION INSTALLATION AND MAINTENANCE AGREEMENT – UNITED STATES GEOLOGICAL SURVEY (USGS)

Authorize the County Manager to negotiate and execute all documents related to the United States Geological Survey’s (USGS) request to install and maintain a raingage on tax parcel 055-311-01, a portion of Robert L. Smith Park in northwest Charlotte.

17-4405 LEASE – MEDIC HEADQUARTERS

Authorize the County Manager to negotiate and execute all documents necessary for a lease agreement between the County and the Mecklenburg Emergency Medical Services Agency (“MEDIC”).

THIS CONCLUDED ITEMS APPROVED BY CONSENT

17-4381 LAKEWOOD CDC MEMORANDUM OF UNDERSTANDING – STEWART CREEK GREENWAY

Motion was made by Commissioner Leake, seconded by Commissioner Ridenhour and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Authorize the County Manager to negotiate and execute a Memorandum of Understanding between the County and the Lakewood Community Development Corporation (the "CDC") that outlines the conditions under which the CDC will potentially contribute $250,000 to the County for design and construction of future greenway trail along Stewart Creek in the Lakewood Community of the City of Charlotte; and

2. Adopt the Stewart Creek Greenway Extension Project Capital Ordinance.

Commissioners Leake and Ridenhour removed this item from consent for more public awareness.

MECKLENBURG COUNTY, NORTH CAROLINA
FY 2018 AUTHORIZATION PARK AND RECREATION CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA, THIS THE 19th DAY OF December 2017:

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

1246
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, $4,990,248 is hereby appropriated.

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

Proceeds from sale of bonds, Pay-As-You-Go/Other County Funds and $250,000 contribution from Lakewood Community Development Corporation:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-2018</td>
<td>50,000</td>
</tr>
<tr>
<td>2018-2019</td>
<td>652,500</td>
</tr>
<tr>
<td>2019-2020</td>
<td>2,400,000</td>
</tr>
<tr>
<td>2020-2021</td>
<td>1,750,000</td>
</tr>
<tr>
<td>2021-2022</td>
<td>137,748</td>
</tr>
</tbody>
</table>

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, Debt Service, PAYGO 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.

Ordinance recorded in full in Ordinance/Minute Book 47-A, Document #218.

17-4388 GRANT APPLICATION FOR TEEN DATING VIOLENCE PREVENTION

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to:

1. Approve submission of grant application for $38,800 to the Jamie Kimball Foundation for Courage;

2. Recognize, receive and appropriate funds for the amount awarded for the grant period; and

3. Authorize one part-time Sr. Social Worker position (salary and benefits for 20 hours per week) in the Community Support Services Department, Prevention and Intervention Services Division.

Note: There is an unmet need for teen dating violence prevention services in the Charlotte-Mecklenburg Schools, and the community. If funded, this grant, in combination with other resources already in place, will enable Mecklenburg County to provide training and prevention efforts to reach 8,000 youth in 40 schools.

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

17-4389 BUDGET AMENDMENT – HEALTH DEPARTMENT (REVENUE INCREASE/DECREASE)

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve a net decrease in revenue of $53,074 reflecting actual Federal, State, and other funding
December 19, 2017

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

17-4398 SOUTHVIEW BALLFIELDS DEVELOPMENT, USE AND MAINTENANCE AGREEMENT – QUEENS UNIVERSITY

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to authorize the County Manager to negotiate and execute an agreement with Queens University for development, use and maintenance of baseball fields and amenities at Southview Park.

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

17-4416 PROPOSED TRANSFER OF GENERAL PARTNER INTEREST IN THE UNIVERSITY SQUARE APARTMENTS

Motion was made by Commissioner Leake, seconded by Commissioner Clarke and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, to approve the proposed change in the General Partner of the Centrum-University Square Limited Partnership (the “Partnership”) from CP University Square LLC to AH SubGP 1371, a wholly-owned subsidiary of SAFG Retirement Services, Inc.

Note: University Square Apartments provides affordable housing for seniors in Charlotte. Mecklenburg County issued $4,700,000 in bonds for the project in November, 2004. The current General Partner seeks to cease operations, and the Partnership is seeking to allow CP University Square to withdraw, and admit a new General Partner—an affiliate of the limited partner, SAFG Retirement Services, Inc. There is no change in the security underlying the financing, and the limited partner will continue its oversight function. The apartment complex will continue to be managed by the same company, The Franklin Johnson Group. SAFG Retirement Services, Inc., on behalf of its wholly-owned subsidiary AH SubGP 1371 University Square, LLC, agrees to reimburse reasonable attorney’s fees, and intends to execute all required legal agreements and security documents. In accordance with the Deed of Trust, the County has been requested to provide written consent to the transfer.

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

Note: Prior to adjournment, Commissioner Leake took a point of personal privilege to express her opposition to Sheriff Carmichael’s raffling off guns for campaign purposes.

ADJOURNMENT

Motion was made by Commissioner Cotham, seconded by Commissioner Fuller and carried 7-0 with Commissioners Clarke, Cotham, Fuller, Leake, Puckett, Ridenhour and Scarborough voting yes, that there being no further business to come before the Board that the meeting be adjourned at 9:28 p.m.

______________________________ ____________________________
Janice S. Paige, Clerk Ella B. Scarborough, Chair